

MATERIAL SUPPORTING THE AGENDA

Volume XXVIc

This volume contains the Material Supporting the Agenda furnished to each member of the Board of Regents prior to the meetings held on

January 6, 1979
February 8-9, 1979
March 29-30, 1979
March 1, 1979

The material is divided according to the standing committees and the meetings that were held and is submitted on three different colors, namely:

White paper - for the documentation of all items that were presented before the deadline date.

Blue paper - all items submitted to the Executive Session of the Committee of the Whole and distributed only to the Regents, ^{and} Chancellor ~~and President of the System.~~

Yellow paper - Emergency items distributed at the meeting.

Material distributed at the meeting as additional documentation is not included in the bound volume, because sometimes there is an unusual amount and other times some people get copies and some do not get copies. If the Secretary was furnished a copy, then that material goes into the appropriate subject file.



BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Material Supporting

Agenda

Meeting Date: February 8-9, 1979

Meeting No.: 759

Name: Official Copy

~~U.T. Collette~~
INTRODUCTION OF FACULTY AND STUDENT REPRESENTATIVES. --

Faculty Representatives

Student Representatives

✓ U. T. Austin - President Rogers introduced:

✓ Dr. William Livingston
Chairman, Faculty Senate

Ms. Kathi Chatas, President
Senior Cabinet

✓ U. T. Arlington - President Nedderman introduced:

✓ Professor Harry Hanks
Chairman, Faculty Senate

✓ X Mr. Keith Head, President
Student Congress
X Ms. Tammy Bice, Vice
President, Student Congress
✓ Mr. John Ostdick, News Editor
Student Publications

✓ U. T. Dallas - President Jordan introduced:

✓ Dr. John J. Wiorkowski
Speaker of the Faculty

Ms. Sandy Shafto, President
Student Government

✓ U. T. Permian Basin - President Cardozier introduced:

✓ Dr. Scott Irwin, President of
the Faculty Senate

Mr. Mike Jackson, President
of the Student Senate

✓ U. T. San Antonio - President Wagener introduced:

✓ Dr. William G. Mitchell, Secretary
to the University Assembly and
General Faculty

Mr. Martin Hinojosa, President
Student Representative Assembly
X Ms. Veronica Ibarra, Vice
President, Student Representa-
tive Assembly

✓ Dallas Health Science Center - President Sprague introduced:

✓ Dr. Joan Reisch, Assistant
Professor, Medical Computing
Resources Center, Southwestern
Medical School

Mrs. Jo Ellen Morgan, Senior
Gerontology Services Adminis-
tration Program, School of
Allied Health Sciences

✓ Galveston Medical Branch - President Levin introduced:

✓ Dr. Alexander Kurosky, Associate
Professor, Department of Human
Biological Chemistry and Genetics

Mr. Russell Saneto, Graduate
Student in Human Genetics

✓ Houston Health Science Center - President Bulger introduced:

✓ Dr. Dianna Redburn, Assistant
Professor, Neurobiology and
Anatomy

✓ Mr. James Allen, President
Medical School Student Council
and member of the Health Science
Center Intercouncil

✓ San Antonio Health Science Center - President Harrison introduced:

✓ Ms. Barbara R. Floyd, Instructor
Dental Hygiene Education, School
of Allied Health Sciences

✓ Mrs. Shirley Menard, Vice
President, Graduate Student
Nurses Association

✓ University Cancer Center - President LeMaistre introduced:

✓ Richard G. Martin, M.D.
Professor of Surgery

✓ Dr. Robert Fernandez
Fellow in Surgery

✓ Tyler Health Center - Dr. Hurst introduced:

✓ W. T. Matlage, M.D.
Clinical Director

✓ *Bob Hayward*

*Institute of Jy
Maguire*

Ray Vaughan

Bob Mouton

Tom Cooper —
Bob Wilder —

CALENDAR
BOARD OF REGENTS
of
THE UNIVERSITY OF TEXAS SYSTEM
for
February 7, 8 and 9, 1979

Headquarters: Ashbel Smith Hall, Ninth Floor
201 West 7th Street, Austin

The Board meetings and the Committee meetings will be in the order listed and as nearly as possible at the approximate times specified.

Wednesday, February 7, 1979

- 6:00 p. m. Meeting of the Board
Ninth Floor, Ashbel Smith Hall
- 6:30 p. m. Meeting of the Committee of the Whole
in Executive Session at Bauer House
Will Recess Until Thursday,
February 8, at 11:00 a. m.
- Purpose: To Interview Finalists for
U. T. Austin Presidency

Thursday, February 8, 1979

- 10:45 a. m. Meeting of Subcommittee on Hospitals
of Health Affairs Committee
Fourth Floor Conference Room
O. Henry Hall
- Agenda: To Discuss Procedures for
Review of Patient Care
Evaluation Activities
- 11:00 a. m. Meeting of Committee of the Whole
in Executive Session at Bauer House
Will Recess Until 6:30 p. m.
- Purpose: To Interview Finalists for
U. T. Austin Presidency
- 2:00 p. m. Meeting of the Board
Ninth Floor, Ashbel Smith Hall
- Committee Meeting
Buildings and Grounds Committee

6:30 p. m.

Meeting of the Committee of the Whole
in Executive Session at Bauer House
Will Recess Until Friday, February 9,
Following the Meeting of the Committee
of the Whole in Open Session

Purpose: To Interview Finalists for
U. T. Austin Presidency

Friday, February 9, 1979

Place: Ninth Floor, Ashbel Smith Hall

9:00 a. m.

Meeting of the Board

Committee Meetings

System Administration Committee
Academic and Developmental Affairs
Committee
Buildings and Grounds Committee (if
not previously completed)
Health Affairs Committee
Land and Investment Committee
Committee of the Whole
Open Session
Executive Session

Meeting of the Board

Telephone Numbers

Offices:

Board of Regents	471-1265
Chancellor Walker	471-1743

Hotels:

Sheraton-Crest	478-9611
Driskill	474-5911
Austin Hilton Inn	451-5757
Marriott	456-6161

Airlines:

Braniff International	476-4631
Continental	477-6716
Texas International	477-6441
Southwest	476-6353

Meeting of the Board

AGENDA FOR MEETING
of
BOARD OF REGENTS
of
THE UNIVERSITY OF TEXAS SYSTEM

Date: February 8, 1979

Time: 2:00 p. m.

Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

A. CALL TO ORDER

B. RECESS FOR COMMITTEE MEETINGS

Buildings and Grounds Committee. --To discuss and act on items listed on the agenda and any emergency or late items referred to the committee. Unless there are unfinished items, the Buildings and Grounds Committee will complete its meeting on Thursday, February 8.

C. RECESS TO RECONVENE

1. At 6:30 p. m. at Bauer House as a Committee of the Whole in Executive Session
2. At 9:00 a. m. on Friday, February 9, on the Ninth Floor of Ashbel Smith Hall, as a Board

AGENDA FOR MEETING
of
BOARD OF REGENTS
of
THE UNIVERSITY OF TEXAS SYSTEM

Date: February 9, 1979

Time: 9:00 a. m.

Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

A. ...

B. ...

C. ...

D. RECONVENE

E. APPROVAL OF MINUTES OF REGENTS' REGULAR MEETING
HELD NOVEMBER 30-DECEMBER 1, 1978, AND SPECIAL
MEETING HELD JANUARY 6, 1979

F. INTRODUCTIONS

G. RECESS FOR COMMITTEE MEETINGS

1. System Administration Committee

2. Academic and Developmental Affairs Committee

3. Buildings and Grounds Committee (if business not completed on
Thursday)

4. Health Affairs Committee

5. Land and Investment Committee

6. Committee of the Whole

a. Open Session

b. Executive Session. --The Board of Regents will retire to
the Regents' Committee Room and reassemble in Executive
Session of the Committee of the Whole pursuant to V. T. C. S. ,
Article 6252-17, Sections 2(e), (f) and (g) to discuss:

(1) Pending and Contemplated Litigation - Section 2(e)

(2) Land Acquisition and Negotiated Contracts - Section 2(f)

(a) U. T. El Paso: Land Adjacent to Campus

(b) San Antonio Health Science Center: Office Building

(c) University Cancer Center: Smithville Acreage

(3) Personnel Matters - Section 2(g)

U. T. Austin: Selection of President

System Administration Committee

SYSTEM ADMINISTRATION COMMITTEE

Date: February 9, 1979

Time: Following the 9:00 a. m. Session of the Board of Regents

Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

	<u>Page</u> <u>SAC</u>
1. Board of Regents: Proposed Amendment to Regents' Rules and Regulations, Part Two, Chapter IX, Subsection 1.1 (Authorization Regarding PUF Securities)(1-CW-79)	2
2. U. T. System: Proposed Modifications to the Minimum Faculty Teaching Requirement (Faculty Workload) for General Academic Institutions as Required by Section 51.402(b) of the Texas Education Code (2-CW-79)	2
3. U. T. El Paso - Sun Bowl Stadium Proposed Expansion of Seating Capacity (3-B&G-79)	8
4. University Cancer Center: Request for Chairman to Execute Agreement and Deed for the Sale of Certain Lands from the Estate of Bertha and Earl Carpenter (2-L&I-79)	8
5. U. T. Arlington, U. T. Austin, U. T. San Antonio, Institute of Texan Cultures, Dallas Health Science Center (Dallas School of Allied Health Sciences), Galveston Medical Branch and its Galveston Medical School, Houston Health Science Center (Houston Medical School), San Antonio Health Science Center and its San Antonio Medical School, and Tyler Health Center: Amendments to the 1977-78 and 1978-79 Budgets (4-B-79 and 5-B-79)	9

1. Board of Regents: Proposed Amendment to Regents' Rules and Regulations, Part Two, Chapter IX, Subsection 1.1 (Authorization Regarding PUF Securities)(1-CW-79). --It is recommended that Subsection 1.1 of Section 1, Chapter IX, Part Two of the Regents' Rules and Regulations be amended to read as follows:

Authority to Purchase, Exchange, and Sell Securities for and on Behalf of the Permanent University Fund of The University of Texas (hereinafter sometimes referred to as "PUF") and the Board. --The Chancellor or his delegate, or the Vice Chancellor for Business Affairs, or the Executive Director for Investments and Trusts, are each authorized to purchase, exchange and sell any and all securities for and on behalf of the PUF or the Board, and to execute any and all documents necessary to the consummation of any purchases or exchanges.

2. U. T. System: Proposed Modifications to the Minimum Faculty Teaching Requirement (Faculty Workload) for General Academic Institutions as Required by Section 51.402(b) of the Texas Education Code (2-CW-79). --It is recommended that The University of Texas System Minimum Faculty Teaching Requirement (Faculty Workload) for general academic institutions as required by Section 51.402(b) of the Texas Education Code be adopted as set out on Pages SAC 4 - 7 . This draft includes the following modifications that are presented in congressional style:

Amended

Change in Adjustment No. 2

2. Instruction of regularly scheduled laboratory and clinical courses, physical activity courses, studio art, studio music instruction, and primary music performance organizations such as ensembles and marching bands shall provide teaching load credit at the rate of one semester hour of teaching load credit for each one and one-half [classroom] contact hours of instruction per week per long term semester.

Change in Adjustment No. 4

4. Supervision of student practicum and individual instruction courses such as honors programs and individual research projects shall provide teaching load credit at the rate of one-tenth semester hour of teaching load credit for each student semester hour of undergraduate instruction and one-fifth semester hour of teaching load credit for each student semester hour of graduate instruction per long term semester. In no case will individual instruction in a single course generate more teaching load credits than if the course were taught as a regularly-scheduled, organized course.

Change in Adjustment No. 7

- 7. Credit may be proportionally increased for teaching a large class, which requires extensive grading or evaluation of students' work by the faculty member [-shall-be-given-at the-rate-of-one-semester-hour-teaching-in-a-class-with enrollment-of-100-249-equal-to-one-and-one-half-semester hours-of-teaching-load-credit;-and-for-classes-with-over-249-enrollment-each-semester-hour-of-teaching-equals-two semester-hours-of-teaching-load-credit:] according to the following weighting factors:

Class Size	59 or less	60-69	70-79	80-89	90-99	100-124	125-149	150-174	175-199	200-249	250 or more
Weighting Factor	1.0	1.1	1.2	1.3	1.4	1.5	1.6	1.7	1.8	1.9	2.0

Change in Adjustment No. 8

- 8. Credit for teaching may be granted for a faculty member who is head of a department or head of a comparable administrative unit up to a maximum of six semester hours of teaching load credit. When justified by department/unit head and approved by the institutional head, an additional three hours of teaching load credit may be given to [a] faculty members who provide[s] academic services to the unit head[-], but in no case will the total for departmental administration, including the head, exceed nine teaching load credits.

Addition of Adjustment No. 9 to directly follow Adjustment No. 8

- 9. At the discretion of the head of the department or comparable unit, and upon approval of the institutional head, up to three semester hours of teaching load credit may be given to a newly-appointed faculty member during the first year of employment for the purpose of developing instructional materials for the course he or she will teach.

Handwritten note:
 1978
 2-2-1978
 P. Pennington

Additional Section to The University of Texas System Minimum Teaching Requirement to be added at the end.

OUTSIDE EMPLOYMENT AND CONSULTING

The University of Texas System's guidelines for institutional policies pertaining to consulting and outside employment were established in January, 1978. The policy states, in part, that each institution's Handbook of Operating Procedures should include statements emphasizing that (1) outside employment is in addition to normal U. T. institution employment; (2) outside employment is considered an overload and must not interfere with the individual's full-time obligation to the institution; (3) outside employment must not involve conflict with the individual's obligation to the U. T. institution or the University's objective; and (4) prior approval for outside employment must be obtained from either the President or the President's designee. Copies of the policy have been provided to the Coordinating Board.

THE UNIVERSITY OF TEXAS SYSTEM
MINIMUM FACULTY TEACHING REQUIREMENT

PREAMBLE

In general the duties of faculty members in The University of Texas System are summarized in Section 8 of Chapter III of Part One of the Regents' Rules and Regulations:

- "8.1 Common practice has fixed the greater duties of a member of the teaching staff so clearly that many institutions do not even list them among their regulations. They are:
- 8.11 Teaching in the classroom, laboratory, seminar, or ward.
 - 8.12 Studying, investigating, discovering, and creating.
 - 8.13 Performing curricular tasks auxiliary to teaching and research, e.g., serving on faculty committees, attending to administrative and disciplinary tasks, promoting diligence and honest work in the student body.
 - 8.14 Influencing beneficially students and citizens in various extracurricular ways.
- 8.2 Performance as a teacher, as a scholar, as an administrator, and as an individual is valued greatly by any university, for in these four ways its work is chiefly done.
- 8.3 A state university being a public enterprise of maximum social importance, it is the duty of all persons connected with it to be as civic-minded as possible...."

All the above duties are inherent in the nature and life of the University and all are taken into account in the promotion, tenure, and salary levels of faculty members. However, the duties specified under Item 8.11 of Sub-section 8.1 have become in recent years a matter of special attention by the Board of Regents and the State Legislature, in large part because these duties provide the principal basis for the funding of the academic activities of the University.

These and related factors led the Board of Regents on July 21, 1972, to adopt a minimum faculty workload standard. This standard provided a four organized course standard load, and through a system of exceptions and waivers attempted to gauge, within that standard load, the total workload of a faculty member (i.e., it attempted to quantify all of the activities noted in Items 8.11, 8.12, 8.13, and 8.14 quoted above). Regrettably, the system of exceptions and waivers introduced by the workload standard of 1972 has caused confusion and misunderstanding concerning faculty teaching load requirements both internally and externally. Therefore, in order to clarify the minimum teaching obligation required of University of Texas faculty, The University of Texas System enunciates a minimum faculty teaching requirement which quantifies the minimum faculty obligation for participation in the instructional effort.

No two institutions in The University of Texas System (and, indeed, no two teaching units within a particular institution) are alike in the teaching load required of individual faculty to meet student needs within the funds appropriated by the Legislature pursuant to approved faculty salary formulae. It is the responsibility of each institutional head to require teaching in excess of the minimum where such teaching is necessary to meet the institution's obligations to its students. Each university will establish whatever additional standards that are necessary in accordance with its role and scope, so long as they satisfy the minimum given herein, to meet the instructional obligations of the institution to the students and to operate effectively within the faculty salary resources available.

It is further the responsibility of each institutional head, his or her institutional officers, and the faculty of each component institution to ensure that all of the responsibilities noted in Items 8.12, 8.13 and 8.14 as quoted above are carried out and that those responsibilities are as evenly distributed among the several members of the institutional faculty as possible.

Teaching assistants shall be used only when given proper guidance and supervision to ensure quality instruction. The minimum faculty teaching load established below does not apply to graduate teaching assistants or assistant instructors who are pursuing degrees. The institutional head is responsible for assuring that all teaching assistants are carefully supervised.

MINIMUM FACULTY TEACHING LOAD

Each person paid full time from the appropriations item "Faculty Salaries" shall teach a minimum of nine semester credit hours of instruction in organized undergraduate classes each long term semester with adjustments permitted for the teaching load equivalencies listed below.

Adjustments

1. One semester credit hour of graduate instruction is equal to one and one-half semester credit hours of undergraduate instruction.
2. Instruction of regularly scheduled laboratory and clinical courses, physical activity courses, studio art, studio music instruction, and primary music performance organizations such as ensembles and marching bands shall provide teaching load credit at the rate of one semester hour of teaching load credit for each one and one-half contact hours of instruction per week per long term semester.
3. Supervision of student teachers, clinical supervision, and intern supervision, shall be credited such that 12 total student semester credit hours taught is equivalent to one semester credit hour of teaching load credit.
4. Supervision of student practicum and individual instruction courses such as honors programs and individual research projects shall provide teaching load credit at the rate of one-tenth semester hour of teaching load credit for each student semester hour of undergraduate instruction and one-fifth semester hour of teaching load credit for each student semester hour of graduate instruction per long term semester. In no case will individual instruction in a single course generate more teaching load credits than if the course were taught as a regularly-scheduled, organized course.

5. Supervision of graduate thesis is provided teaching load credit only to the chairperson of the thesis or dissertation committee and at the rate of one semester hour of teaching load credit for each six total student semester hours of thesis research credit and at the rate of one semester hour of teaching load credit for each three total student semester hours of dissertation credit.
6. A faculty member who coordinates several sections of a single course shall be given one semester hour of teaching load credit for each 6 sections coordinated up to a maximum of 3 semester hours of teaching load credit.
7. Credit may be proportionally increased for teaching a large class, which requires extensive grading or evaluation of students' work by the faculty member according to the following weighting factors:

Class Size	59 or less	60-69	70-79	80-89	90-99	100-124	125-149	150-174	175-199	200-249	250 or more
Weighting Factor	1.0	1.1	1.2	1.3	1.4	1.5	1.6	1.7	1.8	1.9	2.0

8. Credit for teaching may be granted for a faculty member who is head of a department or head of a comparable administrative unit up to a maximum of six semester hours of teaching load credit. When justified by department/unit head and approved by the institutional head, an additional three hours of teaching load credit may be given to faculty members who provide academic services to the unit head, but in no case will the total for departmental administration, including the head, exceed nine teaching load credits.
9. At the discretion of the head of the department or comparable unit, and upon approval of the institutional head, up to three semester hours of teaching load credit may be given to a newly-appointed faculty member during the first year of employment for the purpose of developing instructional materials for the course he or she will teach.

When more than one teacher participates in the instruction in a single course, the teaching load credit is proportioned according to the effort expended. Also, when a faculty member is paid partially from a source of funds other than the "Faculty Salaries" line item, the minimum teaching workload shall be proportioned to the percentage of salary paid from the appropriations item "Faculty Salaries."

Exceptions

1. A reduced teaching load may be granted temporarily if classes do not materialize because of insufficient enrollment and when additional classes cannot be assigned to the faculty member. This exception may only be granted for two consecutive long term semesters for any particular faculty member.
2. Limited faculty teaching load credit may be granted with approval of the institutional head for major academic advising responsibilities, for preparing major documents in the fulfillment of programmatic needs or accreditation requirements, or for duties performed in the best interest of the institution's instructional programs as determined by the head of the institution. Teaching load credit granted by the head of the institution for such purposes is limited to 1/10 of 1% of the total semester credit hours taught at the institution during the

comparable (fall or spring) semester in the previous year. (NOTE: This is one 3-hour undergraduate course teaching load credit per semester for each 3,000 total semester credit hours taught.)

Salary payments for intercollegiate coaching activities may not come from the appropriation item "Faculty Salaries."

The institutional head shall designate the officer of the institution who will monitor workloads, review workload reports, and submit the reports to the institutional head for approval and comment as appropriate prior to submitting the reports to the Board of Regents through System Administration following the standard reporting format and deadlines as provided by the Coordinating Board in accordance with Section 51.402 of Subchapter H, Chapter 51 of the Texas Education Code and any riders in the current legislative Appropriations Bill.

OUTSIDE EMPLOYMENT AND CONSULTING

The University of Texas System's guidelines for institutional policies pertaining to consulting and outside employment were established in January 1978. The policy states, in part, that each institution's Handbook of Operating Procedures should include statements emphasizing that (1) outside employment is in addition to normal U.T. institution employment; (2) outside employment is considered an overload and must not interfere with the individual's full-time obligation to the institution; (3) outside employment must not involve conflict with the individual's obligation to the U.T. institution or the University's objective; and (4) prior approval for outside employment must be obtained from either the President or the President's designee. Copies of the policy have been provided to the Coordinating Board.

Withdrawn

3. U. T. El Paso - Sun Bowl Stadium: Proposed Expansion of Seating Capacity (3-B&G-79). --It is recommended by President Templeton and concurred in by Chancellor Walker that approval be given to the County of El Paso to increase the seating capacity of the Sun Bowl Stadium to approximately 50,430 seats and to make certain other improvements. It is further recommended that the Chairman of the Board of Regents be authorized to execute an amendment to the lease with the County of El Paso after approval as to content by Chancellor Walker and as to form by an attorney in the Office of General Counsel.

4. University Cancer Center: Request for Chairman to Execute Agreement and Deed for the Sale of Certain Lands from the Estate of Bertha and Earl Carpenter (2-L&I-79). --The System Cancer Center is a beneficiary of the estate of Bertha and Earl Carpenter to receive 3/16 of the unappointed trust property after certain distributions. At the time of death of Earl Carpenter, there was an agreement for contract for sale of certain lands from that estate to Mr. Charles L. Ottinger, who was named as independent executor in Mr. Carpenter's will. Mr. Ottinger could decline the appointment as independent executor and enforce this sale but the estate would save approximately \$100,000 if Mr. Ottinger serves. It is recommended that the Chairman of the Board be authorized to execute the necessary agreement and deed for the sale of this land to Mr. Ottinger. This will consummate the agreement for contract of sale that was outstanding at Mr. Carpenter's death.

5. U. T. Arlington, U. T. Austin, U. T. San Antonio, Institute of Texan Cultures, Dallas Health Science Center (Dallas School of Allied Health Sciences), Galveston Medical Branch and its Galveston Medical School, Houston Health Science Center (Houston Medical School), San Antonio Health Science Center and its San Antonio Medical School, and Tyler Health Center: Amendments to the 1977-78 and 1978-79 Budgets (4-B-79 and 5-B-79). --

RECOMMENDATION

It is recommended by the appropriate chief administrative officers, concurred in by System Administration, that their respective 1977-78 and 1978-79 Operating Budgets be amended as indicated on the pages set out below:

- The University of Texas at Arlington, Page SAC - 10
- The University of Texas at Austin, Pages SAC 10-16
- The University of Texas at San Antonio, Page SAC - 17
- The University of Texas Institute of Texan Cultures at San Antonio, Page SAC - 17
- The University of Texas Health Science Center at Dallas (Dallas School of Allied Health Sciences), Page SAC - 18
- The University of Texas Medical Branch at Galveston and its Galveston Medical School, Pages SAC 19-28
- The University of Texas Health Science Center at Houston (Houston Medical School), Pages SAC 29-34
- The University of Texas Health Science Center at San Antonio and its San Antonio Medical School, Pages SAC 35-36
- The University of Texas Health Center at Tyler, Pages SAC 37-39

The source of funds will be from departmental appropriations unless otherwise specified.

THE UNIVERSITY OF TEXAS AT ARLINGTON

1978-79 BUDGET

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
10.	Mo-Shing Chen (Tenure) Electrical Engineering Academic Rate Source of Funds: Unallocated Salaries and Grant Funds	Professor \$ 33,000	Professor \$ 35,000	12-1-78

The proposed increase in salary for Dr. Mo-Shing Chen is a merit increase based on his international standing in power systems engineering. It is granted in an attempt to bring his salary more nearly in line with those paid to other faculty of his stature in other universities.

SAC . 10

THE UNIVERSITY OF TEXAS AT AUSTIN

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
47.	Darwin Klingman (Tenure) General Business Salary Rate - 9 Mos. Academic Rate: \$28,000 Source of Funds: College of Business Administration Foundation - Graduate School Faculty Excellence Fund	Professor \$ 28,000	Professor \$ 30,000	11-1-78

This increase is based on the strong contribution that Dr. Klingman is making to the operations research group at the University and his increasing vulnerability to outside offers.

48.	Paul C. Trickett Student Health Center Salary Rate Source of Funds: Auxiliary Enterprises - Student Health Center Salaries	Director and Physician General Medicine \$ 44,500	Director and Physician General Medicine \$ 46,500	11-1-78
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THE UNIVERSITY OF TEXAS AT AUSTIN

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
49.	Ben A. Shoulders Chemistry and Research Instruments Laboratory Salary Rate Source of Funds: Unallocated Salaries	Research Scientist \$ 25,400	Research Scientist \$ 27,500	12-1-78

Dr. Shoulders directs the Research Instruments Laboratory located in the Chemistry Department but serving a number of scientists outside that department as well. This laboratory includes major instruments for the study of nuclear magnetic resonance, an area in which Dr. Shoulders is an expert. He received his Ph.D. in 1964 and has been on the staff of the University of Texas since that time. Through his collaboration with a number of faculty, he has published nineteen research papers.

In recent years Dr. Shoulders has largely been limited to cost of living increases. This has caused him to drop seriously behind the salary scale paid by private industry, and both he and they are beginning to take notice of this fact. It is important that we keep such highly competent and dedicated staff to assure the continued productivity of our faculty and students who depend on this complicated instrumentation.

50.	Henry R. Bose, Jr. (Tenure) Microbiology Academic Rate Source of Funds: Unallocated Faculty Salaries	Associate Professor \$ 23,500	Associate Professor \$ 26,000	12-1-78
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Professor Henry R. Bose of the Department of Microbiology at the University of Texas at Austin is one of our outstanding faculty members. As a result, Dr. Bose is sought after by other universities. This Fall in response to a generous offer from the University of South Carolina School of Medicine, I recommend a salary rate of \$26,000 for Dr. Bose. It is essential for the Department of Microbiology to keep this talented faculty member.

THE UNIVERSITY OF TEXAS AT AUSTIN

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
51.	David F. Rohde Applied Research Laboratories Salary Rate Source of Funds: Government Contract Funds - Payroll Clearing Account	Research Engineer Associate V \$ 24,564	Research Engineer Associate V \$ 27,156	12-1-78

Mr. Rohde plays a key role in the research on nonlinear acoustics of ARL. At the present time, ARL is negotiating a new \$300,000 contract to continue this work. Mr. Rohde is a key person in this continuation. He has worked at ARL for thirteen years and is one of the outstanding senior research and development engineers.

At the present time Mr. Rohde's salary is only 85% of the national median for engineers with his experience. This raise will still keep him less than the median; however, it is essential that we provide this recognition of his contributions at this time in order to encourage him to stay with the University rather than accept employment elsewhere. Salaries for professional engineers are very high at present. We must pay these salaries if we are to attract and keep high quality staff.

52.	Speech and Hearing Clinic (Designated Funds) Transfer of Funds	From: Speech and Hearing Clinic Unappropriated Balance via Estimated Income \$ 32,882	To: Speech and Hearing Clinic - Classified Salaries \$26,526 Other Operating Expenses 6,356 <u>\$32,882</u>	---
	Amount of Transfer			

The increase in budget is funded from income paid by clients using the service. This activity is pertinent to the training of students concerned with speech and hearing treatment careers.

53.	Division of Continuing Education - Continuing Education Activities (Designated Funds) Transfer of Funds	From: Continuing Education Activities Unappropriated Balance via Estimated Income \$ 40,000	To: Continuing Education Activities Classified Salaries \$12,000 Wages 500 Other Operating Expenses 27,055 Unallocated 445 <u>\$40,000</u>	---
	Amount of Transfer			

THE UNIVERSITY OF TEXAS AT AUSTIN

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
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Item 53. (Continued)

When budgets were being prepared for the 1978-79 fiscal year, the program development section of the Division of Continuing Education lacked sufficient empirical data on which to base income projections for non-credit programs. As the year progressed and this unit gained experience in conducting such programs, the need developed for a budget amendment to reflect a more accurate picture of the projected activities of the Division's non-credit program development section.

54. Auxiliary Enterprises -
Gregory Gymnasium Store
Transfer of Funds

From: Recreational Sports - Non-
Student Services - Unappropriated
Balance

To: Gregory Gymnasium Store -
Special Equipment

Amount of Transfer

\$ 10,000

\$ 10,000

This transfer from Income will establish an outdoor equipment rental service as a function of the Gregory Gymnasium Store. The basic purposes of the service will be: 1.) to provide high quality outdoor equipment on a rental basis to members of the University community and 2.) to serve as a potential source of additional income for the Gregory Gym Store.

55. Auxiliary Enterprises - Special
Events Center
Transfer of Funds

From: Special Events Center Unappro-
priated Balance via Estimated
Income

To: Special Events Center - Adminis-
trative and Professional
Salaries \$ 1,280
Classified Salaries 95,076
Other Operating Expenses 109,265
\$ 205,621

Amount of Transfer

\$ 205,621

\$ 205,621

When the 1978-79 budget for the Special Events Center was prepared, the staff did not have a reliable basis for projecting event-related income. With its successful operations for the past six months, the Special Events Center is in a better position to estimate income and expenditures for 1978-79. As a result, a revised budget has been prepared to reflect the updated financial status of the Special Events Center.

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THE UNIVERSITY OF TEXAS AT AUSTIN

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
56.	Auxiliary Enterprises - Winedale Historical Center Transfer of Funds	From: Winedale Historical Center Unappropriated Balance via Estimated Income	To: Winedale Historical Center - Other Operating Expenses	
	Amount of Transfer	\$ 37,000	\$ 37,000	---
<p>Winedale has operated an overnight conference facility used by various University and external groups. The effect on the 1978-79 budget change is to increase income <u>and</u> expenditure projections by \$22,000. Several expense categories are added to the revised budget to reflect more accurately anticipated activities. Of note are Food and Utilities/Maintenance.</p> <p>A sizable portion of the Winedale budget is earmarked for physical facilities' repair and renovation. The 1978-79 budget revision reflects an estimated beginning balance of \$15,000 carried forward from the past year. These funds are being budgeted again for use in completing the repair projects. Although the Winedale Advisory Committee continues to be committed to the concept of allocating approximately \$10,000 annually for visiting scholars at Winedale, implementation of this program will be delayed in order to make much needed improvements to the Winedale physical plant.</p>				
57.	U. T. Austin Plant Funds Transfer of Funds	From: Available University Fund (Original Budget Allocations): Updating Teaching and Laboratory Equipment \$1,500,000 Academic and Research Development Projects 1,035,000 Operation and Capital Improvements 1,200,000	To: U. T. Austin Plant Funds - Allocation for Building and Laboratory Modifications and Updating Teaching and Laboratory Equipment	
	Amount of Transfer	\$3,735,000	\$ 3,735,000	---

The original allocations included in the Available Fund budget (pink sheet summary page 4) are by this item being transferred to U. T. Austin Plant Funds. Details of individual projects, as appropriate, will be reported to the Board through the Docket or submitted as Agenda items through the Board Committee concerned.

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THE UNIVERSITY OF TEXAS AT AUSTIN

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
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Item 57. (Continued)

President Rogers states at this time that: "Although limited reserve funds will have to be maintained until we are further into the fiscal year, the majority of funds can be now allocated to enhance the development and improvement of our programs.

"I have requests now before me amounting to \$4.3 million for teaching and laboratory equipment. Funds available locally to meet part of these requests amount to only \$850,000 from regularly budgeted special equipment funds of \$350,000 and the \$500,000 budgeted for improvements to undergraduate teaching facilities. At a minimum, I feel we should allocate nearly \$3 million for this purpose immediately, and make additional allocations at a later date if possible from reserve funds. Included within these allocations are equipment matching funds to support proposals written by our faculty in attempts to secure external partial funding to meet our needs.

"For at least the past six years, regularly budgeted special equipment funds have remained at a level of about \$350,000 for undergraduate and graduate teaching equipment. The situation was improved in 1974-75 when the special program to upgrade undergraduate teaching facilities was implemented and continued at a level of \$500,000 per year. With your assistance, we have also in recent years been able to commit certain re-appropriated funds and Available Fund monies to meet these program needs.

"We have capital improvement needs that really cannot be deferred any longer. For example, our joint efforts to get the new Engineering Teaching Center underway have not been successful, and the previous pressures to provide some relief are only intensified by enrollment growth. I believe we are going to have to make at least some minimal improvements to the older portion of Taylor Hall in order to provide for instructional programs in Mechanical Engineering and instructional and research support activities by the Computation Center. Such improvements could easily amount to a half-million dollars even if restricted to minimum improvements for the interim period until ETC-II can be constructed. You will recall that in August we provided \$638,000 to Mechanical Engineering to upgrade teaching and laboratory equipment in some of its programs. The current request is more related to facilities and to other departmental programs. There is some concern that failure to remedy some of the existing problems may jeopardize the full-accreditation status now given to the Department.

"Another needed project involves the child development program in the Department of Home Economics and the developmental psychology program in the Department of Psychology. With completion of the new Music Building and subsequent shifts by Architecture to Wooldridge Hall on a temporary basis pending improvements to Architecture's facilities, we will have an opportunity to relocate the child development activities to the old Lutheran Student Center. This will require improvements and some remodeling of that building.

THE UNIVERSITY OF TEXAS AT AUSTIN

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
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Item 57. (Continued)

"We also have Main Building spaces which were released by the General Libraries and not reassigned to library uses when the Perry-Castaneda Library was completed. Although all such spaces have now been assigned to other programs, a number of these activities await the remodeling work required before the spaces can be used. We have attempted to hold down renovation costs by careful selection of the new occupants.

"The millimeter wave radio telescope at McDonald Observatory is very much in need of repairs. An engineering study of the situation indicates costs for the work will approach \$100,000.

"Completion of the Welch Hall Addition and the consolidation of several branch libraries into the Science Library in the Main Building have released spaces in Patterson Hall which need to be converted to use by the Department of Zoology. Some minor remodeling may be needed in Experimental Science Building following the release of some spaces by Chemistry at this time. A more major renovation project would follow relocation of Chemistry's organic teaching laboratories in a few years if we are soon able to renovate the old portion of Welch Hall as now planned.

"While the list of projects described above is not exhaustive of our total needs, it does clearly indicate that the funds now requested are needed, and indeed, that even the \$1.2 million will not be adequate to meet all of our needs. The exact scope of each project which can be accommodated within these funds will be determined, and we will work with the System administration, as appropriate, in matters such as securing required approvals by the Coordinating Board. Some of these projects may be best handled by our Division of Physical Plant, while others may require the assistance and involvement of Office of Facilities Planning and Construction. I am certain that through our cooperative efforts we can accomplish some of the needed improvement projects for the benefit of our programs."

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
3.	Unallocated Account and Staff Benefits			
	Transfer of Funds	From: Unappropriated Balance	To: Unallocated Departmental	
			Operating Expense \$ 70,000	
			Accrued Vacation 30,000	
	Amount of Transfer	\$ 100,000	<u>\$100,000</u>	--

To budget unappropriated balance to provide funds for anticipated increases in departmental operating expenses and to fund anticipated liability for payment of terminal vacation leave benefits.

INSTITUTE OF TEXAN CULTURES

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
2.	Unallocated Account			
	Transfer of Funds	From: Unappropriated Balance	To: Unallocated Maintenance and Operation	
	Amount of Transfer	\$ 15,218.75	\$ 15,218.75	---

Under the provisions of the current Appropriations Bill, "any unexpended balances of funds heretofore appropriated to the Institute of Texan Cultures are hereby reappropriated for the biennium ending August 31, 1979". It is requested that the unexpended balance of \$15,218.75 as of August 31, 1978, be budgeted into the 1978-79 year into an unallocated account to provide for anticipated increases in departmental operating costs.

3.	Leonard R. Scotty			
	Administration and General Services	Business Manager	Business Manager	
	Salary Rate	\$ 22,500	\$ 25,000	12-1-78
	Source of Funds: Transfer from Physical Plant Salaries and from the Unallocated Account			

Mr. Scotty was hired on a temporary basis for three months to handle the fiscal operations of the Institute. The prior Business Manager has now retired due to health problems. Mr. Scotty is to take over the operation of the business office on a permanent basis.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT DALLAS

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
<u>Dallas School of Allied Health Sciences</u>				
20.	Donna J. El-Din (Tenure) Physical Therapy	Associate Professor and Acting Chairman	Associate Professor and Acting Chairman	
	Salary Rate	\$ 21,500	\$ 24,000	11-1-78
	Source of Funds: Unallocated Faculty Salaries			
<p>Mrs. El-Din is presently directing a major reorganization and restructuring of the Physical Therapy Program and has experienced a significant increase in duties as a result.</p> <p>It has become apparent that the present level of remuneration for Mrs. El-Din is well below National and State averages. Because of her importance to the Program, it is necessary to bring her salary closer to accepted norms and this increase will help us move in that direction.</p>				
21.	Marjorie S. Barre (Tenure) Physical Therapy	Assistant Professor	Assistant Professor	
	Salary Rate	\$ 18,900	\$ 21,500	11-1-78
	Source of Funds: Unallocated Faculty Salaries			

The increase is recommended both for merit and because of reassignment of duties. The Department of Physical Therapy is presently undergoing a major reorganization and restructuring of curriculum. Ms. Barre has assumed significant responsibility for the curriculum development and is, in effect, serving as untitled assistant program director to the acting chairman.

In the course of an outside review of our Physical Therapy Program, it has become apparent that the present level of remuneration for Ms. Barre is neither competitive within the State nor Nationally. Because of her importance to the Program, it is necessary to bring her salary closer to accepted norms and this increase will help in that direction.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

1977-78 BUDGET

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
31.	Plant Funds Transfer of Funds	From: Unappropriated Balance via Estimated Income	To: Capital Improvements, including Equipment - Customs Building Remodeling Fund \$ 75,000 U.T. Cancer Center- For Central Food Service Facility 250,000 Project Allocation Account <u>1,175,000</u>	
	Amount of Transfer	\$ 1,500,000	<u>\$1,500,000</u>	---

Customs Building Remodeling Fund (\$75,000) - For completion of the remodeling of the Customs House in accordance with UTMB's agreement with the federal General Services Administration.

Due to UT Cancer Center (\$250,000) - For Central Food Service Facility equipment and supplies; pro rata share of the start-up costs for this facility.

Project Allocation (\$1,175,000) - To be appropriated for special projects as required. Details of the projects, as appropriate, will be presented to the Board at a later date.

1978-79 BUDGET

6.	Auxiliary Enterprises - Capital Equipment Fund Transfer of Funds	From: Auxiliary Enterprises - Unappropriated Balances	To: Captial Equipment Fund	
	Amount of Transfer	\$ 70,000	\$ 70,000	---

These transfers will provide funds for the purchase, installation and maintenance of 148 television sets for the Waverly Smith Pavillion and Jennie Sealy Hospital.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Galveston Medical School</u>								
7.	Sau-Wah Kwan (Non-tenure) Human Biological Chemistry and Genetics Assistant Professor	\$ 20,000	---	\$ 20,000	\$ 23,000	---	\$ 23,000	11-1-78

Source of Funds: Unallocated Salaries

Dr. Kwan joined the faculty at the University of Texas Medical Branch in September, 1975 as a Research Scientist. She has had extensive experience in molecular biology and biochemistry and is an effective and enthusiastic teacher. She has made significant contributions to the teaching program for both medical and graduate students. Dr. Kwan has recently been assigned responsibility for developing the Cell-Gene graduate course. Dr. Kwan has proven to be a productive member of the department, and her expertise has added strength and quality to the departmental teaching and research efforts.

This increase will bring her compensation to an appropriate level in comparison to other members of the department with similar background and experience.

8.	Joseph M. Shabot (Non-tenure) Internal Medicine Instructor	\$ 30,000	\$ 4,000	\$ 34,000	\$ 33,000	\$ 4,000	\$ 37,000	11-1-78
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Source of Funds: Unallocated Salaries

After completing three years of residency and two years of fellowship training, Dr. Shabot was initially appointed as Assistant Instructor in July, 1976, and was promoted to Instructor in the Gastroenterology Division in July, 1978. Dr. Shabot has proven to be an effective clinician and contributor to the teaching programs of the department.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Galveston Medical School</u> (Continued)								
8.	Joseph M. Shabot (Non-tenure) (Continued)							
	<p>Dr. Shabot has been given an inordinately large responsibility in the departmental teaching program for medical students and house officers, due to substantial turnover within the division. He has responded effectively and enthusiastically, allowing the department to maintain an effective teaching program in this area.</p> <p>The proposed compensation is appropriate in comparison to other faculty members within the department with similar background and experience.</p>							
9.	Caroline W. Rowe (Tenure) Radiology Associate Professor	\$ 31,200	\$ 15,100	\$ 46,300	\$ 34,667	\$ 17,333	\$ 52,000	11-1-78

Source of Funds: Unallocated Salaries and MSRDP

Dr. Rowe is a talented and dependable radiologist. She has served creditably throughout her career as a general diagnostic radiologist with particular interest in diseases of the chest. Dr. Rowe is a capable teacher of both house officers and students, and provides excellent services to patients and referring physicians.

This proposed compensation level is justified based on Dr. Rowe's background, training and experience and places her compensation at an appropriate level in comparison to other faculty members within the department.

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THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Galveston Medical School</u> (Continued)								
10.	Eugenio G. Amparo (Non-tenure) Radiology Assistant Professor	\$ 28,667	\$ 13,333	\$ 42,000	\$ 30,900	\$ 15,450	\$ 46,350	11-1-78

Source of Funds: MSRDP

Dr. Amparo has proven to be an effective teacher and clinician in the Division of Diagnostic Ultrasound and Xerography since he joined the faculty in March of 1977. He has actively participated in the departmental teaching programs for senior medical students on the diagnostic track segment, and has continued to pursue additional learning experience which will make him a more effective teacher.

Dr. Amparo has been assigned additional clinical responsibilities as part of a group of radiologists who will be assigned to cover the Jennie Sealy Hospital Radiology Department on a rotational basis.

The proposed compensation level is justified based on Dr. Amparo's background, training, and experience in comparison to other members of the departmental faculty.

11.	William M. Floyd, Jr. (Non-tenure) Radiology Assistant Professor	\$ 27,334	\$ 13,666	\$ 41,000	\$ 30,234	\$ 15,116	\$ 45,350	11-1-78
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Source of Funds: Unallocated
Salaries and MSRDP

Dr. Floyd has contributed to the teaching and clinical programs in General Diagnostic Radiology. He has assumed an active role in the development of both house officers and medical students.

Dr. Floyd has been assigned additional clinical responsibilities as part of a group of radiologists who will be assigned to cover the Jennie Sealy Hospital Radiology Department on a rotational basis.

The proposed compensation level is appropriate based on Dr. Floyd's background and experience in comparison to other members of the departmental faculty.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	

Galveston Medical School (Continued)

12.	Rajendra Kumar (Non-tenure) Radiology Assistant Professor	\$ 31,000	\$ 15,500	\$ 46,500	\$ 33,900	\$ 16,950	\$ 50,850	11-1-78
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Source of Funds: Unallocated
Salaries and MSRDP

Dr. Kumar joined the faculty of the Department of Radiology as Assistant Professor in March of 1978, and has proven to be an effective clinician and contributor to the teaching programs of the department. He also has an active research program with special interests in uro-radiology and diseases of the genitourinary system.

Dr. Kumar has been assigned additional clinical responsibilities as part of a group of radiologists who will be assigned to cover the Jennie Sealy Hospital Radiology Department on a rotational basis.

Dr. Kumar's past experience has made him a valuable faculty member, and he fully warrants this increased level of compensation. It is appropriate based on his education and training in comparison to other members of the departmental faculty.

13.	Charles B. Wysong (Non-tenure) Radiology Assistant Professor	\$ 28,000	\$ 14,000	\$ 42,000	\$ 30,900	\$ 15,450	\$46,350	11-1-78
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Source of Funds: Unallocated
Salaries and MSRDP

Dr. Wysong is a capable and efficient surgical radiologist. He joined the Department of Radiology as Faculty Associate in July of 1977, and was promoted to Assistant Professor in July of 1978. He had six months training in vascular Radiology and Special Procedures, and six months in Gastroenterology Radiology.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

Item No.	Explanantion	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	

Galveston Medical School (Continued)

13. Charles B. Wysong (Non-tenure) (Continued)

Dr. Wysong has been chosen to head a section of Skeletal Radiology, where he will develop the first serious communicative interface with the orthopedic surgeons and rheumatologists. He is particularly well qualified for this assignment.

Dr. Wysong has been assigned additional clinical responsibilities as part of a group of radiologists who will be assigned to cover the Jennie Sealy Hospital Radiology Department on a rotational basis.

This proposed compensation level is justified based on Dr. Wysong's background, training and experience in comparison to other members of the departmental faculty.

14. Ivan Siddons (Non-tenure)
Radiology
Instructor

\$ 16,666	\$ 8,334	\$ 25,000	\$ 19,567	\$ 9,783	\$ 29,350	11-1-78
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Source of Funds: Unallocated
Salaries and MSRDP

Dr. Siddons has contributed to the teaching and clinical programs within the Department of Radiology. He has brought the expertise and experience of thirteen years of private practice in general diagnostic radiology to the departmental program, and is currently updating his knowledge of diagnostic ultrasound, computerized topographic scanning of the body, vascular radiology and special procedures.

Dr. Siddons has been assigned additional clinical responsibilities as part of a group of radiologists who will be assigned to cover the Jennie Sealy Hospital Radiology Department on a rotational basis.

This proposed compensation level is appropriate based on Dr. Siddon's background, training and experience in comparison to other faculty members within the Department.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Galveston Medical School (Continued)</u>								
15.	Ted T. Huang (Tenure) Surgery Associate Professor	\$ 42,600	\$ 21,300	\$ 63,900	\$ 45,600	\$ 22,800	\$ 68,400	11-1-78

Source of Funds: Shrine Affiliation Agreement and MSRDP

Dr. Huang is a well-respected plastic surgeon. He bears a very important responsibility in the teaching and clinical programs within the Division of Plastic Surgery. He also actively participates in the teaching and clinical programs of Shriners Burns Institute. Dr. Huang is a productive investigator and has established an active research program which has resulted in quality publications.

This level of compensation is appropriate based on Dr. Huang's background, training and experience in comparison to other members of the departmental faculty.

16.	Donald H. Parks (Non-tenure) Surgery Assistant Professor	\$ 30,100	\$ 14,200	\$ 44,300	\$ 33,700	\$ 16,850	\$ 50,550	11-1-78
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Source of Funds: Shrine Affiliation Agreement and MSRDP

Dr. Parks is a valuable asset to the Division of Plastic Surgery and has made significant contributions to the teaching and clinical programs at Shriners Burns Institute. Dr. Parks is a gifted surgeon, a highly respected teacher and clinician, and has assumed an active role of leadership in the development of both house officers and medical students.

This proposed compensation level is justified based on Dr. Parks' background, training and experience in comparison to other faculty members within the department.

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Galveston Medical School</u>								
17.	Edward V. Hannigan (Non-tenure) Obstetrics and Gynecology Assistant Professor Source of Funds: Dysplasia Clinic and MSRDP	\$ 26,000	\$ 10,000	\$ 36,000	\$ 26,240	\$ 12,560	\$ 38,800	12-1-78
<p>Dr. Hannigan is an effective teacher and clinician who has assumed major responsibility in the coordination of the departmental clinical science and residency training program. He is well organized and highly respected by both students and house officers. During the past six months, Dr. Hannigan has served as junior consultant on the Gynecological Oncology Service and has worked closely with the ambulatory care prenatal and family planning clinics in the Rio Grande Valley.</p> <p>In addition to his clinical and teaching responsibilities, Dr. Hannigan continues an active research program, having submitted three papers for publication during the past year. The proposed compensation level requested is appropriate in comparison to other faculty members in the department with similar background, training, and experience.</p>								
18.	Mary L. Kapner Otolaryngology Communications Specialist Clinician	\$ 12,576	---	\$ 12,576	\$ 14,868	---	\$ 14,868	12-1-78
<p>The merit increase for Ms. Kapner is necessary to bring the salary for this position in line with comparable technical salaries of this type.</p>								
19.	Janos Lonovics (Non-tenure) Surgery Visiting Instructor Source of Funds: MSRDP Gift Funds	\$ 12,000	---	\$ 12,000	\$ 15,000	---	\$ 15,000	12-1-78

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Galveston Medical School (Continued)</u>								
19.	Janos Lonovics (Non-tenure) (Continued)							
	<p>Dr. Lonovics is a widely known surgeon and researcher who was educated in Hungary. He joined the Department of Surgery at the University of Texas Medical Branch on September 1, 1978, and in the short time that he has been here, he has demonstrated significantly improved techniques in the approaches to the study of gastrin.</p> <p>It is anticipated that Dr. Lonovics will be a member of the staff for at least one year, and it is evident that his knowledge and expertise will greatly improve the gastrointestinal digestive system research program in the Department of Surgery.</p> <p>This proposed compensation level is appropriate based on Dr. Lonovics' background and experience, and is comparable to the other visiting faculty in the Department of Surgery.</p>							
20.	Seymour Fisher (Tenure) Psychiatry and Behavioral Science Professor Source of Funds: MSRDP	\$ 49,500	---	\$ 49,500 (1/5T)	\$ 49,500	\$ 12,000	\$ 62,000 (F.T.)	12-1-78

Beginning on February 1, 1978, Dr. Fisher was employed as a part-time faculty member. He spent twenty per cent of his time at UTMB and received a commensurate portion of his base salary on an annual basis. He is now being changed to a full-time basis and will participate actively in the departmental program with particular emphasis in two areas: assisting Dr. Robert M. Rose, Chairman of the Department of Psychiatry and Behavioral Sciences, with faculty recruitment efforts, and mounting a project to examine the effectiveness of patient education techniques. Dr. Fisher's participation in recruitment activities is crucial since the department currently has barely enough faculty members to accomplish its educational and patient care responsibilities. Dr. Fisher's participation in such efforts will significantly enhance the department's ability to attract high quality candidates interested in a well balanced academic program.

Dr. Fisher is an internationally known researcher in psychopharmacology and is one of the founding fellows of the American College of Neuropsychopharmacology. He has been a faculty member at Boston University School of Medicine for the last fifteen years and has been responsible for the establishment and success of a research training program for post-graduate fellows in psychiatry. His training program has resulted in many residents entering academic medicine.

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	

Galveston Medical School (Continued)

20. Seymour Fisher (Tenure) (Continued)

It is anticipated that Dr. Fisher will be a crucial individual in building a scientific base in the Department of Psychiatry and Behavioral Sciences, assisting young faculty members in the development of methodology, which is his area of specialization. It is anticipated that Dr. Fisher will greatly strengthen the teaching and research program in the department, and will make significant contributions as a faculty member at UTMB.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Houston Medical School</u>								
14.	Benjamin P. N. Mo (Non-tenure) Anesthesiology Associate Professor Source of Funds: MSRDP	\$ 39,000	\$ 17,500	\$ 56,500	\$ 40,700	\$ 20,300	\$ 61,000	11-1-78
	Dr. Mo was appointed to the faculty as Assistant Professor of Anesthesiology in August, 1975. He was promoted to the rank of Associate Professor in September, 1976. Due to financial constraints, the initial salary of Dr. Mo was lower than that of other Associate Professors in the Department. This disparity has continued although he discharges similar responsibilities in a very effective manner. In view of the difficulty in recruiting and retaining faculty in the Department of Anesthesiology, it is considered important that the total compensation of Dr. Mo be adjusted to a level more comparable to that of other faculty of the same rank in the department.							
15.	Young S. Kim (Non-tenure) Anesthesiology Assistant Professor Source of Funds: MSRDP	\$ 29,100	\$ 15,800	\$ 44,900	\$ 32,700	\$ 16,300	\$ 49,000	11-1-78
	Dr. Kim was appointed as Instructor in Anesthesiology in July, 1975, after completing her residency training in the Department of Anesthesiology. She was promoted to the rank of Assistant Professor in October, 1976. Due to financial constraints, her initial salary was lower than that of several other faculty members in the department of similar rank. This disparity has continued although Dr. Kim discharges her responsibilities in a very effective manner. Inasmuch as two Assistant Professors of Anesthesiology have resigned this month to enter private practice, it is essential and appropriate to increase the total compensation of Dr. Kim to a more competitive and equitable level.							
16.	Samia Nazir Khalil (Non-tenure) Anesthesiology Assistant Professor Source of Funds: MSRDP	\$ 33,600	\$ 11,800	\$ 45,400	\$ 33,600	\$ 15,900	\$ 49,500	11-1-78
	Dr. Khalil was appointed as Assistant Professor of Anesthesiology in November, 1976. Due to financial constraints, her initial salary was lower than that of several other Assistant Professors in the department. This disparity has continued although she discharges similar responsibilities in a very effective manner. This month two of the Assistant Professors of Anesthesiology have resigned to enter private practice. It is essential that the total compensation of Dr. Khalil be increased to a more competitive and equitable level.							

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THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	

Houston Medical School (Continued)

17.	Eddie K. S. Yip (Non-tenure) Anesthesiology Assistant Professor Source of Funds: MSRDP	\$ 29,500	\$ 16,000	\$ 45,500	\$ 33,000	\$ 16,500	\$ 49,500	11-1-78
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Dr. Yip was appointed as Instructor in Anesthesiology in October, 1975, after completing his residency and fellowship training in the Department of Anesthesiology. He was promoted to the rank of Assistant Professor in October, 1976. Due to financial constraints his initial salary was lower than that of several other faculty members of similar rank in the department. This disparity has continued although Dr. Yip discharges similar responsibilities in a very effective manner. Two Assistant Professors of Anesthesiology have resigned this month to enter private practice. It is both essential and appropriate to increase the total compensation of Dr. Yip to a more competitive and equitable level.

18.	Berel Held (Tenure) Obstetrics and Gynecology Professor and Chairman Source of Funds: MSRDP	\$ 49,500	\$ 23,000	\$ 72,500	\$ 50,400	\$ 25,100	\$ 75,500	11-1-78
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It has been difficult for the Department of Obstetrics and Gynecology to establish a strong clinical base due to several factors. These have included an excellent gynecologic oncology service at the M. D. Anderson Hospital, the affiliation of Jefferson Davis Hospital with the Baylor College of Medicine, the presence of the Texas Woman's Hospital in close proximity to the Texas Medical Center, the tendency for normal deliveries to occur in suburban hospitals, and the substandard obstetrical floor and labor and delivery suite which existed until recently at the Hermann Hospital. For these reasons, it has been necessary for Dr. Held to be quite conservative in recommending salary augmentation levels for himself and faculty of the department.

The recent renovation of the obstetrical floor at Hermann Hospital has resulted in an expanded clinical service and the number of deliveries has shown a sustained increase over the last several months.

In view of the improved financial situation in the department and to encourage further efforts to further expand the clinical service, it is recommended that the total compensation of Dr. Held be increased to a level more appropriate for the chairman of a major clinical department.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	

Houston Medical School (Continued)

19.	Vaseem Ali (Non-tenure) Obstetrics and Gynecology Assistant Professor Source of Funds: MSRDP	\$ 29,000	\$ 4,000	\$ 33,000	\$ 29,000	\$ 7,500	\$ 36,500	11-1-78
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Dr. Ali was appointed as Instructor in Obstetrics and Gynecology in August, 1976. She was promoted to the rank of Assistant Professor in September, 1977.

In the time she has been a member of the department, Dr. Ali has proved to be an able clinician and an effective teacher. She is responsible, primarily, for operating the family planning clinic and serving as a consultant to the University of Houston Student Health Service.

It is evident that Dr. Ali is being compensated at a level which is considerably below average for an Assistant Professor in this clinical discipline. For this reason, and because she has proved herself to be a valuable and talented member of the faculty of the Department of Obstetrics and Gynecology, it is recommended that her total compensation be increased to a more competitive and equitable level.

20.	Patti J. Ross (Non-tenure) Obstetrics and Gynecology Assistant Professor Source of Funds: MSRDP	\$ 32,500	\$ 4,900	\$ 37,400	\$ 32,500	\$ 8,500	\$ 41,000	11-1-78
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Dr. Ross was appointed as Assistant Professor of Obstetrics and Gynecology in June, 1976. Her special interests are related to adolescent obstetrics and gynecology, particularly the social, medical, and psychological problems concerned with teenage pregnancy. Toward this end, Dr. Ross established an Adolescent Gynecology Unit which has been in operation for slightly less than a year. This clinic has been eminently successful and clearly has met a great need in the community. In addition, Dr. Ross is a popular and respected teacher who was selected by the 1978 graduating class to be the Class Marshall.

It is evident that Dr. Ross is being compensated at a level which is below average for an Assistant Professor in this clinical discipline, particularly one with her significant clinical responsibilities. For this reason, it is considered appropriate that her total compensation be increased to a more competitive and equitable level.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Houston Medical School (Continued)</u>								
21.	Louis A. Faillace (Tenure) Psychiatry and Behavioral Sciences Professor and Chairman Source of Funds: MSRDP	\$ 51,000	\$ 24,000	\$ 75,000	\$ 52,000	\$ 26,000	\$ 78,000	11-1-78

Dr. Faillace has been a particularly effective chairman since his appointment to this position in August, 1971. In addition to recruiting a young and able faculty, developing a teaching program in psychiatry for third and fourth year students as well as a behavioral science course for second year students, and mounting research and service programs in the area of drug and alcohol abuse, Dr. Faillace has successfully created a vigorous clinical service program at Hermann Hospital where none existed before. This service now comprises approximately 80 beds and has a high occupancy rate. The establishment of this service was accompanied by the initiation of a residency training program. Dr. Faillace has been particularly successful in eliciting the support of volunteer faculty members who contribute significantly to the quality of the teaching and service programs of the department.

It is considered that this increase in compensation is appropriate in recognition of the important contributions that Dr. Faillace has made, and is making, to this institution and also for the chairman of a major clinical department.

22.	Stanley J. Dudrick (Tenure) Surgery - General Professor and Chairman Source of Funds: MSRDP	\$ 53,000	\$ 27,000	\$ 80,000	\$ 54,000	\$ 29,000	\$ 83,000	11-1-78
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Dr. Dudrick was appointed to his present position in July, 1972. In this relatively short period of time, he has assembled an outstanding faculty, developed strong undergraduate and graduate teaching programs, achieved the highest quality and standards of patient care, and maintained a remarkable degree of research productivity. His standards of excellence in all areas have been emulated by all members of his department.

He has received numerous honors and awards for his accomplishments and has been actively recruited by several institutions. There is no doubt that our successful recruiting of Dr. Thomas Andreoli as the new Chairman of the Department of Medicine was in large part due to the fact that Dr. Dudrick was here and had developed such an outstanding Department of Surgery.

In addition, he has served as Chairman of the Board of Directors of the Medical Service Research and Development Plan during a critical period. His efforts in this role have been of significant help in placing this program on a more solid footing.

In summary, Dr. Dudrick has contributed greatly to the development of the medical school and Hermann Hospital. The increase in total remuneration is considered to be appropriate recognition for the valuable services which he has rendered to this institution.

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Houston Medical School (Continued)</u>								
23.	James H. Duke, Jr. (Tenure) Surgery - General and Office of the President Professor and Special Assistant to the President for Clinical Affairs Source of Funds: MSRD	\$ 51,000	\$ 25,000	\$ 76,000	\$ 51,500	\$ 27,000	\$ 78,500	11-1-78
<p>Dr. Duke was appointed to the faculty in July, 1972 as Associate Professor of Surgery. He was promoted to the rank of Professor in September, 1973.</p> <p>He is a mainstay of the Department of Surgery. His exemplary personal and professional qualifications have won the respect and affection of the entire medical school community as well as the medical community at large. His community service activities have included committee assignments in the Harris County Medical Society and the Texas Medical Association.</p> <p>Dr. Duke's efforts as Director of the Hermann Hospital Emergency Room, in conjunction with the development of the Life Flight helicopter ambulance service have materially assisted the recognition of Hermann Hospital as a trauma center. An outgrowth of this activity was the implementation of the Regional Emergency Medical Service Training Program in conjunction with the School of Allied Health Sciences. Dr. Duke serves as Project Director of this program.</p> <p>We are fortunate to have Dr. Duke as a member of the faculty. His contributions to the life and programs of the medical school are great. In addition, he represents us well at the institutional/community interfaces. The increase in total compensation is considered to be an appropriate recognition of his dedicated and unselfish efforts.</p>								
24.	Edward M. Copeland, III (Tenure) Surgery - General (Houston Medical School) and Surgery (M.D. Anderson) Professor Source of Funds: MSRD	\$ 47,250	\$ 25,750	\$ 73,000	\$ 51,000	\$ 25,500	\$ 76,500	11-1-78

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THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	

Houston Medical School (Continued)

24. Edward M. Copeland, III (Tenure) (Continued)

Dr. Copeland was appointed to this faculty as Assistant Professor of Surgery in July, 1972. He was promoted to the rank of Associate Professor in September, 1973, and to the rank of Professor in September, 1976. This rapid advancement clearly demonstrates the esteem in which he is held by his faculty peers. He is a member of numerous professional and academic societies and at the present time serves as President of the Association of Academic Surgery. In 1977 he received the College of Nutrition Award for Clinical Research. He has been actively recruited by several institutions. Fortunately, these efforts have been unsuccessful.

In addition to being an excellent surgeon and productive researcher, Dr. Copeland is one of our most highly respected teachers. He is also a contributing member of the medical school community, having served effectively on most of the major standing committees of the faculty. These have included the Educational Policy Committee; Faculty Appointments, Promotions and Tenure Committee; Student Evaluation Committee; and the Committee on Committees. He has served for three years as Counselor of our Alpha Omega Alpha Honor Medical Society Chapter.

In summary, Dr. Copeland has contributed greatly to the life and programs of the medical school. His dedication and contributions are worthy of recognition.

SAC - 34

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
20.	Auxiliary Enterprises - Bookstore Transfer of Funds	From: Bookstore Unappropriated Balance via Estimated Income	To: Bookstore Operating Budget Unallocated Account	
	Amount of Transfer	\$ 128,967.84	\$ 128,967.84	--

To budget Balances to cover hiring of additional personnel, for increased inventory, and for increased expenditures due to increases in sales volume related to student enrollment.

San Antonio Medical School

21.	Shelley P. Roaten (Non-tenure) Family Practice Residency Training Program Salary Rate	Assistant Professor \$ 33,600	Assistant Professor \$ 35,600	11-1-78
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Source of Funds: Unallocated
Salaries

During the brief time of his employment by our Health Science Center, Dr. Roaten has become an invaluable member of the Department of Family Practice and one who provides an excellent role model for medical students, residents and other faculty members. His persistent scholarly approach to medicine and teaching is one which we like to instill in all of our faculty.

He has accepted the additional responsibility of assisting me in coordinating off-campus activities in McAllen and the planning activities in San Angelo. He has done this at significant personal sacrifice with a large amount of time spent away from home in McAllen during our period there without a director, and has continued to travel quite frequently in order to support the current director and deputy director. This has resulted in a very stable situation in McAllen with a marked improvement in morale. He has also been a very positive influence in his contacts in San Angelo and is viewed in San Angelo positively as a product of a three-year Family Practice residency training program.

THE UNIVERSITY OF TEXAS HEALTH 'SCIENCE CENTER AT SAN ANTONIO

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
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San Antonio Medical School (Continued)

21. Shelley P. Roaten (Non-tenure) (Continued)

Dr. Roaten has worked with the people in the Office of Educational Resources to increase his own teaching skills and has developed several excellent presentation in his area of special interest of teaching dermatology. These lectures have been identified around a core content of knowledge defined from patient utilization data in our own Family Health Center. His effort has resulted in two (2) papers, one which will be published very shortly. He is recognized by all the students and residents and other faculty for his additiona' skill in the area of rheumatology and is used quite frequently as a consultant teacher in this respect. He has now assumed the chairmanship of the Task Force with the Physical Diagnosis Course and is the Course Director. This additional responsibility will require a lot of time above and beyond that which might be expected for his salary level.

The department is extremely impressed with Dr. Roaten's accomplishments this early in his career and would like to afford him appropriate monetary recognition.

San Antonio Medical School

22. Richard E. Ellis (Tenure)

Family Practice	\$ 40,800	\$ 1,200	\$ 42,000	\$ 42,800	\$ 1,200	\$ 44,000	12-1-78
Associate Professor							

Source of Funds: Unallocated Salaries

Dr. Ellis chaired the committee formulated to study the feasibility of a primary ambulatory care clerkship as a required part of our curriculum. He carried this task to completion with a unanimously accepted plan and report to our Faculty Council. Since that time, he has been named Chairman of the Task Force for Primary Ambulatory Care Clerkship and has very successfully molded these somewhat diverse representation and goals of the three (3) departments into what is the beginning of a very successful clerkship.

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THE UNIVERSITY OF TEXAS HEALTH CENTER AT TYLER

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
1.	Plant Funds Transfer of Funds	From: Unappropriated Balance - General Funds	To: Unexpended Plant Funds Projects:	
			Water System	\$ 250,000
			Radiology Equipment-New Facility	486,680
			Telephone System	200,000
			Rebuilding Primary Health Center Access Road	90,000
			Graphics for New, Renovated Facility and Campus	70,000
			Special Equipment	513,396
			Motor Pool Facility	150,000
	Amount of Transfer	\$ 1,760,076		<u>\$1,760,076</u>

The plant projects are considered essential to the continued growth of The University of Texas Health Center at Tyler and are intended to compliment the current expansion program. Details of the projects, as appropriate, will be presented to the Board at a later date.

THE UNIVERSITY OF TEXAS HEALTH CENTER AT TYLER

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
1.	William T. Matlage Inpatient Treatment and Care Clinical Director Source of Funds: MSRDP	\$ 45,550	\$ 13,450	\$ 59,000	\$ 45,550	\$ 18,450	\$ 64,000	12-1-78
	Dr. William T. Matlage, Clinical Director, has assumed responsibility for all the regional chest clinics, accreditation matters regarding medical and medical support departments, coordination of utilization review, direction of nursing and medical audits, as well as provided leadership which has contributed to an increased quality of patient care.							
2.	James R. Lowell Inpatient Treatment and Care Chief of Medicine Source of Funds: MSRDP	\$ 42,350	\$ 10,350	\$ 52,700	\$ 42,350	\$ 14,350	\$ 56,700	12-1-78
	Dr. James R. Lowell, Chief of Medicine, has assumed expanded responsibilities for the Cardiopulmonary Lab, supervision of our Intensive Care Unit, and directing medical consultations.							
3.	Fred H.Y. Liu Cardiopulmonary Chest Physician Source of Funds: MSRDP	\$ 36,960	\$ 8,790	\$ 45,750	\$ 36,960	\$ 12,790	\$ 49,750	12-1-78

Dr. Fred H.Y. Liu has recently assumed responsibility for our oncology service, directing protocols for chemotherapy and coordinating same with the nursing and medical staff.

THE UNIVERSITY OF TEXAS HEALTH CENTER AT TYLER

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
4.	Kenwyn G. Nelson Surgery Chief Surgeon and Director of Education Source of Funds: MSRDP	\$ 43,700	\$ 12,400	\$ 56,100	\$ 43,700	\$ 15,400	\$ 59,100	12-1-78

Dr. Kenwyn G. Nelson, Chief of Surgery and Director of Education, has been responsible for expanding surgical diagnostic services and assumed greater responsibilities related to clinical teaching duties.

5.	Gordon D. Onstad Office of Chief of Clinical Research Chief of Clinical Research Source of Funds: MSRDP	\$ 41,910	\$ 12,400	\$ 54,310	\$ 41,910	\$ 16,400	\$ 58,310	12-1-78
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Dr. Gordon D. Onstad has recently assumed new responsibilities as Medical Director of the Respiratory Therapy School and has become increasingly involved with clinical teaching of students and fellows in medicine.

**Academic & Developmental Affairs
Committee**

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE

Date: February 9, 1979

Time: Following the Meeting of the System Administration Committee

Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

	<u>Page</u> <u>A&D</u>
1. U. T. System: <u>Docket of the Chancellor of the System</u>	Below
2. U. T. Austin: Proposed Appointment of Six Distinguished Faculty Members as Ashbel Smith Professors	2
3. U. T. Austin: Proposed Appointment of Visiting Professor in Latin American Studies to Edward Larocque Tinker Chair for Spring Semester 1979	3
4. U. T. Austin: Proposed Amendments to Declaration of Trust Executed by the Board of Operating Trustees of Student Publications and Proposed Changes in the <u>Student Publications Handbook</u>	3
5. U. T. El Paso: Request to Seek Permission from Coordinating Board to Establish a Bachelor of Science Degree in Allied Health Sciences (Catalog Change)	21
6. U. T. El Paso: Request to Seek Permission from Coordinating Board to Establish a Doctor of Philosophy Degree in Environmental Science and Engineering (Catalog Change)	22
7. U. T. San Antonio: Recommendation for Authorized Agent for Tax-Free Alcohol	23

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1. U. T. System: Docket No. 2 of the Chancellor of the System. --

RECOMMENDATION

It is recommended that Docket No. 2 of the Chancellor of the System be approved.

It is requested that the Committee confirm that authority to execute contracts, documents, or instruments approved therein has been delegated to the officer or official executing the same.

2. U. T. Austin: Proposed Appointment of Six Distinguished Faculty Members as Ashbel Smith Professors. --

RECOMMENDATION

President Rogers and Chancellor Walker recommend that the following six distinguished faculty members at U.T. Austin be appointed Ashbel Smith Professors effective on the date of approval by the Board of Regents:

R. H. Bing, Professor of Mathematics
Oscar G. Brockett, Professor of Drama and Dean
of the College of Fine Arts
Juan Lopez-Morillas, Professor of Spanish and Portuguese
Joanne M. Ravel, Professor of Chemistry
Janet T. Spence, Professor of Psychology
John A. Wheeler, Professor of Physics

BACKGROUND INFORMATION

The Board of Regents on July 12, 1963, authorized the designation of ten professorships at The University of Texas at Austin as Ashbel Smith Professors effective September 1, 1963. These professorships are in recognition of Ashbel Smith, the first, and historically one of the most energetic, proponents of excellence in the University of Texas, and honor faculty for distinguished service to higher education. No additional stipend is provided. Currently, there are two full-time Ashbel Smith Professors, Winfred Lehmann and W. Gordon Whaley, and two Ashbel Smith Professors on part-time modified service, Karl Folkers and Archie W. Straiton.

The six individuals recommended to become Ashbel Smith Professors are all well qualified scholars who have made great contributions to their fields and to higher education. A capsule summary of each nominee follows:

1. R. N. Bing, Professor of Mathematics, with 36 years of outstanding teaching and research in higher education.
2. Oscar G. Brockett, Professor of Drama and Dean of the College of Fine Arts, with 29 years of creative teaching and service to higher education.
3. Juan Lopez-Morillas, Professor of Spanish and Portuguese, with 42 years of distinguished teaching and service to higher education.
4. Joanne M. Ravel, Professor of Chemistry, with 29 years of distinguished research and teaching in higher education.
5. Janet T. Spence, Professor of Psychology, with 27 years of outstanding research and teaching in higher education.
6. John A. Wheeler, Professor of Physics, with 43 years of distinguished research and teaching in higher education.

PRESIDENT ROGERS

Recommendation, Background Information and Justification

"Dear Chancellor Walker:

"I wish to recommend the appointment of six distinguished members of the faculty as Ashbel Smith Professors at the University of Texas at Austin. These nominations are the culmination of an extensive consultation with the deans of the several schools and colleges who in turn solicited advice and nominations from their faculty. The professional and scholarly accomplishments of each of the individuals are truly outstanding and it is my distinct pleasure to recommend to you and the Board of Regents that they be honored by being named Ashbel Smith Professors:

R.H. Bing, Professor of Mathematics

Oscar G. Brockett, Professor of Drama and Dean of
the College of Fine Arts

Juan Lopez-Morillas, Professor of Spanish and Portuguese

Joanne M. Ravel, Professor of Chemistry

Janet T. Spence, Professor of Psychology

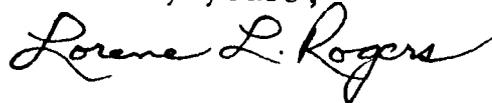
John A. Wheeler, Professor of Physics

"Although the custom and general procedure has normally excluded from consideration those individuals who hold administrative positions, I ask that an exception be made in the case of Dean Oscar Brockett. Dean Brockett had an outstanding career at Indiana University prior to coming to Austin and has attained international preeminence in the field of drama. His service at The University of Texas at Austin has been outstanding and, taken together with his distinguished career accomplishments, fully support this request for exceptional action.

"If approved, these six new Ashbel Smith Professors will join the two present full-time holders of this title, Winfred Lehmann and W. Gordon Whaley, thus leaving two vacancies among the ten Ashbel Smith Professorships that have been authorized. In accordance with the general provisions set-out by Chancellor Ransom in his presentation to the Board in 1963, the two Ashbel Smith Professors who are on modified service, Karl Folkers and Archie W. Straiton, retain their titles but are not included in the authorized total of ten.

"Brief professional summaries of each of these nominees are attached for your information. In keeping with tradition, no announcement of these recommendations will be made until after the Board's approval."

Sincerely yours,



Lorene L. Rogers
President

3. U. T. Austin: Proposed Appointment of Visiting Professor in Latin American Studies to Edward Larocque Tinker Chair for Spring Semester 1979. --

RECOMMENDATION

It is recommended by President Rogers and concurred in by Chancellor Walker that approval be given to appoint Dr. Juan Luna-Cardenas to the Edward Larocque Tinker Chair as Visiting Professor in Latin American Studies for the Spring Semester 1979. This request supersedes the previous approval by the Regents for Dr. Guillermo A. O'Donnell (on June 9, 1978) and Dr. Florestan Fernandes (on December 1, 1978) to both serve as Tinker Visiting Professors in Latin American Studies for the Spring Semester 1979, since neither Dr. O'Donnell nor Dr. Fernandes were able to accept the appointment.

BACKGROUND INFORMATION

The appointment of Dr. Luna-Cardenas as the Tinker Visiting Professor for the Spring Semester 1979 has been recommended by the Tinker Selection Committee and approved by Miss Martha Muse of the Tinker Foundation. Dr. Luna-Cardenas is a world renowned scholar in the field of cultural anthropology and has authored numerous books on the prehistory and folklore of the Mexican people. His appointment will be in both the Department of Anthropology and the Ethnic Studies-Mexican American Program.

4. U. T. Austin: Proposed Amendments to Declaration of Trust Executed by the Board of Operating Trustees of Student Publications and Proposed Changes in the Student Publications Handbook. --

See yellow sheet.

BACKGROUND INFORMATION

On September 8, 1971, the Board of Regents adopted a Declaration of Trust with the Board of Operating Trustees for Student Publications. On March 15, 1974, and again on December 12, 1975, the Board of Regents adopted revisions to the Declaration of Trust. Other revisions were adopted on August 4, 1978. These additional changes to the Declaration of Trust, and changes in the Texas Student Publications Handbook, are now ready for consideration by the Board of Regents.

RECOMMENDATION

President Rogers recommends three changes in the Declaration of Trust of the Board of Operating Trustees of Student Publications and submits a list of 56 changes in the Texas Student Publications Handbook, two of which are discussed in detail below. These recommendations were developed considering requests from the Texas Student Publications (TSP) Board. Chancellor Walker concurs with the recommendations as listed below.

Recommendation 1.

Section 7 of the Declaration of Trust should be changed to provide that vacancies on the TSP Board occurring at least two weeks prior to the spring student publication election be filled

in that election. The remaining portion of the first year's term would be filled by appointment until the end of the first year. Any vacancy occurring after the spring election or during the second year of a term would continue to be filled by appointment.

Rationale. Currently, the TSP Board appoints a student to fill a vacancy after consultation with the President. Although TSP Board members prefer that all student vacancies be filled by election, Dr. Rogers states that individual "special" elections on the campus have elicited extremely small turn-outs of voters. Incidentally, the proposal as presented by President Rogers is in accordance with an earlier TSP Board request that was later rescinded.

The proposed change in Section 7 of the Declaration of Trust presented in Congressional style follows:

Should any voting member or members of the Board of Operating Trustees resign, become ineligible or for any other reason fail to serve, if such member be one who was appointed by the President of The University of Texas at Austin, such President after consultation with the Operating Trustees, shall appoint a successor, and if such member be one who is otherwise selected, then a majority of the Operating Trustees, after consultation with the President, shall appoint a successor trustee, and in the event of a tie vote by the Operating Trustees, the President shall make such appointment. Each successor trustee shall possess the qualifications of his predecessor in office. If the vacancy occurs at least two weeks prior to the deadline for filing in the spring student publication election during the first year of the member's term, the appointed successor trustee shall serve only until May 31. The remaining year of the term shall be filled by the election of a successor trustee in the spring student publications election. If the vacancy occurs after two weeks prior to the deadline for filing in the spring student publication election during the first year of the member's term, the appointed successor trustee shall serve the remainder of the term.

Recommendation 2.

Section 13 of the Declaration of Trust should be changed to make any student member of the TSP Board eligible to serve on the Executive Committee. Currently, only the four advertising or journalism students are allowed to serve.

Rationale. Any voting student member of the TSP Board should be eligible to serve on the Executive Committee since TSP is responsible to the entire campus. Also, depriving a student member from another academic department the experience of serving on the Executive Committee is not in keeping with TSP's purpose. This change would not deprive the journalism and advertising students of special service to TSP, but would simply offer equal opportunities to each of the six student members to serve on the Executive Committee.

The proposed change in Section 13 of the Declaration of Trust, presented in Congressional style, follows:

There shall be an Executive Committee of the Board of Operating Trustees to be composed of three faculty members and two students [~~from the Department of Journalism and/or the Department of Advertising~~] to be elected by the Board of Operating Trustees from its voting membership.

Recommendation 3.

Section 5(B) of the Declaration of Trust should be changed to make the two at-large student positions open to graduate and law students as well as undergraduates.

Rationale. Since every student on the campus -- graduate and undergraduate -- is required to pay a mandatory fee to help fund The Daily Texan, all students should be eligible to run for the two at-large positions on the Board. The four TSP Board positions from Journalism/Advertising would still be restricted to undergraduate students. The proposed change in Section 5(B) of the Declaration of Trust presented in Congressional style follows:

Two [undergraduate] students elected at large from the student body of The University of Texas at Austin (one to be elected in even-numbered years and one to be elected in odd-numbered years after the initial election, at the first election under these rules both shall be elected with provision for staggered terms as hereinafter set out) at the same time as the editor of The Daily Texan, pursuant to Section 11 hereof. If the President of the Students' Association is not one of the students elected at the election, then the President of the Students' Association shall serve as an ex-officio [sic] member of the Board of Operating Trustees without vote. A student who qualifies as a candidate under Section 5,A, shall be neither qualified as a candidate nor eligible to serve as an at-large member of the Board.

Recommendation 4.

The 56 proposed changes in the Texas Student Publications Handbook recommended by the TSP Board on September 12, 1978, should be adopted with the exception of those relating to duties of the Editorial Manager listed as Items 26 and 45 in the presentation. These items concern the Editorial Manager's authority to withhold copy.

Concerning Items 26 and 45, a majority of the Board has recommended that the Editorial Manager be authorized to withhold material from publication only if he or she believes it to be libelous, obscene, an invasion of privacy, or misstatement of fact. The majority view of the TSP Board was that decisions to withhold copy which violates a Board policy or good journalistic standards should be made by the student editor and not the Editorial Manager. Four members of the TSP Board issued a minority statement stressing that an Editorial Manager should

not be limited to withholding copy only for libel, obscenity, invasion of privacy, or misstatement of fact. President Rogers has reviewed the majority and minority recommendations of the Board and has provided alternative language for those sections covered in Items 26 and 45.

Rationale: President Rogers supports the opinion that the student editor should have the authority to withhold copy for violation of Board policy, including good journalistic practice. However, she also feels that the Editorial Manager should have the same authority.

The revised sections B.5. and D.1. of Chapter II of the Texas Student Publications Handbook (bottom paragraph on page 25 and bottom paragraph on page 35 in the March, 1970 version) covered in Items 26 and 45, respectively, will read as follows:

Item 26.

Call to the attention of the editor, managing editor, (and/or other student editor or reporter involved) any possible violations of handbook policies. The Editorial Manager is authorized to withhold temporarily from publication copy deemed to violate Board policy, including good journalistic practice, or material that he or she believes to be libelous, obscene, an invasion of privacy, or misstatement of fact.

Item 45.

The paper shall present, therefore, an unbiased, non-partisan and scrupulously accurate coverage of the news, a coverage as complete as the limitations of space and circumstance will permit. Although the Board does not restrict the editorial or news staff in its selection of subjects on which to editorialize (except as hereinafter prescribed), it has authority to examine and reject through its Editorial Manager any material violating Board policy, including good journalistic practice, or material that he or she deems to be libelous, obscene, invasion of privacy or a misstatement of fact. The editor or, in his or her absence, the managing editor is also responsible for following all handbook policies and is authorized to reject any material violating good journalistic practice.

of news to present or its selection

CHANGES IN THE TEXAS STUDENT PUBLICATIONS HANDBOOK
 CONCERNING DUTIES OF THE EDITORIAL MANAGER
 PROPOSED BY THE TSP BOARD ON SEPTEMBER 12, 1978

ITEM NO.	1970 TSP HANDBOOK	CHANGES PROPOSED BY TSP BOARD	RATIONALE FOR CHANGES
1.	<p>CHAPTER I. GENERAL ORGANIZATION</p> <p>D. COMMITTEES OF THE BOARD</p> <p>2. FINANCE COMMITTEE. Composed of the Treasurer, Treasurer Pro-Tem, Chairman of the Faculty Committee, one student (not an editor) and the General Manager. The Editors of the publications shall serve as ex-officio members of this committee without vote when the financial matters affecting their particular publications are under consideration. The Editorial Manager shall serve as an ex-officio member without vote when matters pertaining to the Texan are being considered.</p>	Delete paragraph.	The Declaration of Trust does not provide for a Finance Committee. Instead all of the duties of the Finance Committee were assigned to the Executive Committee.
2.	<p>3. TEXAN EDITORIAL APPOINTMENT COMMITTEE. Composed of the Managing Editor of the Texan as Chairman, Editor of The Texan, Chairman of the Board's Faculty Committee, Editorial Manager of the Texan, and any other as designated by the board.</p>	Delete paragraph	The Declaration of Trust does not provide for a Texan Editorial Appointment Committee. Instead all of the duties of this committee were assigned to the Executive Committee.
3.	<p>E. FACULTY COMMITTEE ON STUDENT PUBLICATIONS.</p> <p>The Faculty Committee on Student Publications consists of a Chairman and three other members of the General Faculty appointed by the Vice Chancellor for Academic Affairs of the University to serve on the Board of Directors of Texas Student Publications, Inc., plus the Dean of Students or his representative, and the Editorial and General Managers of Texas Student Publications, Inc.; the latter three ex-officio without vote.</p>	Delete paragraph.	The Faculty Committee on Student Publications no longer exists. The Declaration of Trust does not provide for it, and it is no longer considered a standing committee of The University of Texas at Austin.

A & D - 7

CHAPTER I. GENERAL ORGANIZATION

J. EMPLOYEES.

1. GENERAL MANAGER (3rd Paragraph)
~~In-questions-in-which-editorial-and-business-policies-are-both-involved,-the-Editorial-Manager-will-be-responsible-to-the-General-Manager-~~

Delete paragraph.

It was not foreseen that there would be any overlapping of responsibilities. The editorial manager is responsible only for the news and editorial content of the Texan except where specifically delegated responsibility in areas of business and production.

~~2. EDITORIAL MANAGER OF THE DAILY TEXAN. If-he-is-not-to-teach,-the-Editorial-Manager-is-appointed-by-the-Executive-Committee.--(See-duties-of-the-Executive-Committee,-TSP-Charter,-Article-VII-for-method-of-selection-if-the-Editorial-Manager-is-to-teach.)--That-part-of-his-salary-to-be-paid-by-TSP-is-fixed-by-the-Executive-Committee--~~

Delete two paragraphs and substitute:

The editorial manager is now a fulltime employee of Texas Student Publications, and does not teach, hence the deletion of the first paragraph. The changed wording is directly from the Declaration of Trust.

C. EMPLOYEES.

2. EDITORIAL MANAGER(S) OF THE DAILY TEXAN. The Texan editorial manager(s) shall be appointed by the executive committee, subject to basic policies set forth by the operating trustees. The executive committee shall determine the compensation of the editorial manager(s). No action taken, however, with respect to the employment, dismissal, salary or duties and responsibilities of the editorial manager shall have any force or effect until it has been approved by the Board of Regents. His duties are listed in The Daily Texan section of the handbook.

~~The-appointment-of-the-Editorial-Manager-of-The-Daily-Texan-is-subject-to-the-following-provisions-of-the-Regents'-Rules-and-Regulations,-Part-Two,-Section-8.5,-Chapter-X:-"...provided-further-that-no-action-taken-by-the-Board-of-Directors-of-Texas-Student-Publications,-Inc.-with-respect-to-the-employment,-dismissal,-salary,-or-duties-and-responsibilities-of-either-the-TSP-General-Manager-or-the-Editorial-Manager-of-The-Daily-Texan-shall-have-any-force-or-effect-until-it-has-been-approved-by-the-Board-of-Regents."~~

K. CONDUCT OF EMPLOYEES.

~~1.--Alcoholic-beverages-shall-not-be-consumed-in-any-of-the-offices-occupied-by-the-Texas-Student-Publications,-Inc.,-nor-in-any-of-the-halls-adjacent-thereto. The-General-Manager,-the-Editorial-Manager,-and-the-Editors-of-the-Publications-shall-be-responsible-for-the-observance-of-this-rule.~~

Delete paragraph.

Since the Texan occupies a U.T. building, and its employees are UT employees, and there is an institutional rule concerning use of alcoholic beverages, it was deemed unnecessary to say it in the handbook.

<p>CHAPTER I. GENERAL ORGANIZATION</p> <p>M. REPORTS</p> <p>1. REPORTS TO THE BOARD OF DIRECTORS. The Editorial Manager and the General Manager shall report to the Board of Directors on the General Affairs of the organization whenever the Board desires.</p>	<p>Delete paragraph.</p>	<p>The TSP Board may request any reports it desires. It seemed unnecessary to specify that these two employees would make reports when desired.</p>
<p>Q. REQUISITIONS (5th paragraph)</p> <p>Long distance telephone calls and telegrams cannot be placed nor sent except upon authority of the General Manager. The Editorial Manager has authority to act for the General Manager in authorizing such expenditures in emergencies.</p>	<p>Delete paragraph.</p>	<p>Although deleted here, the provision for the Editorial Manager's authority for the handling of long distance calls and telegrams is covered in "Editorial Manager's Duties."</p>
<p>CHAPTER II. THE DAILY TEXAN MANUAL</p> <p>B. GENERAL ORGANIZATION</p> <p>5. EDITORIAL MANAGER OF THE DAILY TEXAN. The duties of the Editorial Manager shall be prescribed by the Executive Committee of the Board subject to basic policies set forth in the Handbook. The Editorial Manager shall:</p>	<p>No changes.</p>	
<p>Be expected to study the editorial problems and procedures of the Texan and to make recommendations for improvements, both to the Editor and to the Board of Directors.</p>	<p><u>a.</u></p> <p>Change wording as follows: <u>Operating Trustees</u></p>	
<p>Be authorized to call meetings for the discussion of such problems and procedures, and the Editor, Managing Editor and their staff members are expected to cooperate in making the meetings effective.</p>	<p><u>b.</u></p> <p>No changes.</p>	
<p>Be invited to attend staff meetings of the Texan in an advisory capacity.</p>	<p><u>c.</u></p> <p>No changes.</p>	

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<p>13. Be authorized by the Board of Directers to see that policies prescribed by the Board are carried out by the Texan, and that the typographical style and display of stories of the Texan are observed.</p>	<p>d. Change wording as follows; <u>Operating Trustees</u></p>	
<p>14. Be an ex-officio member of the Board of Directers, and shall be consulted on matters pertaining to the editorial aspects of the Texan.</p>	<p>e. Change wording as follows; <u>Operating Trustees</u></p>	
<p>15. Be charged with the responsibility of reducing errors as far as reasonably possible. To this end he is requested to a. -- Prepare a criticism of each issue of the Texan for posting -- b. -- Receive complaints of errors, keep a record of them, and so far as possible track down the source of the errors. c. -- Make recommendations for reducing the errors to the editors and editorial workers, to instructors in Journalism laboratories and to the Board of Directors.</p>	<p>f. Delete portion indicated and substitute: <u>To this end he or she will make recommendations for reducing errors to the Editors and editorial workers, to instructors in Journalism laboratories and to the Board of Operating Trustees.</u></p>	<p>It is not feasible to have the Editorial Manager prepare a written criticism of each issue of the Texan. His full time is taken up at night reading copy and counseling staff members. One or more journalism professors do regularly critique the Texan by marking up a copy with suggestions for improvement and posting the copy on the bulletin board.</p> <p>In actual practice errors in news and editorial content are usually discovered after the paper comes out and long before the editorial manager comes to work. The editor or managing editor track down the source of the error and make whatever correction is necessary.</p>
<p>In cooperation with the Texan Editor and the managing editor, work out a program of staff recruitment early in the fall and shall pursue that program throughout the year.</p>	<p>Delete paragraph.</p>	<p>The TSP Board thought that staff recruitment should be a function of the student editors.</p>
<p>Serve as a member of the Editorial Appointment Committee of the Texan.</p>	<p>Delete paragraph.</p>	<p>There is no longer a committee called the "Editorial Appointment Committee." Instead all appointments to the staff are made by the editor and managing editor with the approval of the Executive Committee of the Board.</p>

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1970 TSP HANDBOOK	CHANGES PROPOSED BY TSP BOARD	RATIONALE FOR CHANGES
13. Be charged with seeing that proper working conditions are provided for the Texan editorial staff.	Delete paragraph.	Proper working conditions such as ample space, typewriters, video display terminals, lighting, clean floors, and ventilation are provided. The General Manager rather than the Editorial Manager is responsible for the business and production affairs of TSP, which covers "working conditions."
14. Maintain records of the work done by the Texan staff members as required for eligibility to various positions.	Delete paragraph.	The Texan secretary is responsible for recording work done by the Texan staff.
15. Seek the best cooperation between the Texan editorial staffs. Any request for additional use of the Journalism classes in work on the Texan should be made through the Editorial Manager to the Chairman of the Journalism Department. Since it seems desirable to strengthen work on the Texan where possible with more aid from organized classes, the Editorial Manager and the respective editors should confer periodically on needs in this area.	g. Delete paragraph and substitute: <u>Be authorized to coordinate the activities between The Daily Texan and the Department of Journalism so as to secure the most effective use of the journalism laboratories and classes in the preparation of material for The Daily Texan.</u>	Wording is changed to conform with the Declaration of Trust.
16. Supervise the work of the night staff and shall have the authority to authorize and control expenditures by the night staff, or expenditures on incidentals by members of the day staff provided that these expenditures must be within the budgets approved by the Board of Directors.	h. Delete phrase. Change wording as follows: <u>Operating Trustees</u>	The Editorial Manager is not on duty during the day. Any expenditures during the day are authorized by the General Manager, who is overall responsible for the administration of the budget.
17. Supervise the use of teletype machines seeing that there are no deviations from the agreement which has been made with the Associated Press concerning the use of wire news in The Daily Texan.	i. Delete paragraph and substitute: <u>See that there are no deviations from the contracts signed with the various news services.</u>	TSP no longer has the use of Associated Press wire service, but does use UPI and New York Times Wire News service.

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~~Supervise the care of the physical property used by the Texan editorial staff. He should encourage the editors to keep their offices neat, presentable, and free from objectional pictures. He should supervise the care of typewriters, desks, and similar equipment in the editorial offices. He should provide calendars, directories, dictionaries, copy paper, and other needed supplies for the editorial staff. He should report broken or damaged furniture and have it replaced or repaired. He should see that the offices are kept clean and talk with the janitor when better service is needed.~~

j. Delete paragraph and substitute:
Supervise the care of the physical property used by the Texan editorial staff.

It seems unnecessary to spell out in detail all the items encompassed by "care of physical property."

~~See that the composing room is adequately supplied with copy from 6:30 p.m. and if live copy is not available, to see that time copy is supplied.~~

Delete paragraph.

The Managing Editor is given the responsibility to enforce copy deadlines under the "Managing Editor's Duties."

~~Read all copy sent to the composing room except advertising copy, checking same for errors and making necessary corrections or seeing that corrections are made. He shall see that no violations occur either of Texan policy or any other directions or policies of the Regents and the Board as set forth in the Handbook. In reading editorial copy, contributions from the readers, and copy for columns he shall note any divergence from the rules or policies of the Texan and shall call same to the Editor's attention.~~

k. Delete paragraph and substitute:
Read all copy sent to the composing room, except advertising copy, to see that the editorial and news policies prescribed in Section D of this chapter are carried out.

The Editorial Manager is to read all copy to see that TSP policies are followed, but if corrections are to be made, they are made by the student editor or reporter after consultation with the Editorial Manager.

~~Be authorized to revise copy whenever it seems possible to make it conform to policies of the Texan. Whenever such revisions will not change the copy sufficiently to make it conform to the policies of the paper, he shall have the power to withhold it. Immediately after such action he shall report same to the Editor or Managing Editor. It will be the privilege of the Editor and Managing Editor in their respective fields to submit the copy to the Texan Intermediate Appeals Committee and if overruled by the Committee, to the Board of Directors for their decision whether it should be run. Appeal shall be made only on request of the Editor or Managing Editor. No appeals of decisions made by the Editorial Manager shall be made on the night of his decision.~~

1. Delete paragraph and substitute:

Call to the attention of the editor, managing editor (and/or other student editor or reporter involved) any possible violations of handbook policies. The Editorial Manager is authorized to withhold temporarily material from publication only if he or she believes the material is libelous, obscene, an invasion of privacy, or misstatement of fact.

m.

Notify the General Manager in writing that the material was withheld and why. The General Manager will notify the Review Committee within 24 hours after the material was withheld. The Editorial Manager shall present the basis for withholding the material and shall have the burden of convincing the Review Committee that his or her decision should stand. A majority vote of the committee is necessary in order for the material to be withheld permanently. Any decision of the Review Committee may be appealed to the full TSP Board by either the Editorial Manager or the student Editor or Managing Editor. Such an appeal must be considered within 24 hours of the Review Committee's decision. Seven affirmative votes of the Operating Trustees are required to overrule a decision of the Review Committee. In all such matters, the action of the Operating Trustees shall be final and complete without review outside the Operating Trustees.

If a violation involves libel, obscenity, invasion of privacy, or misstatement of fact, in the opinion of the Editorial Manager, he may withhold. If the question involves any other aspect of TSP policies, only the editor or managing editor may withhold.

Rewording here is to conform with the Declaration of Trust provisions for Review Committee rather than Intermediate Appeals Committee.

NO.	1970 TSP HANDBOOK	CHANGES PROPOSED BY TSP BOARD	RATIONALE FOR CHANGES
27.	Direct the work of the mechanical staff in making up the paper, giving, through the shop's foreman, any order for major changes and divergences from the usual routine. He alone shall be the person through whom orders may be given by the editorial staff to the mechanical staff. -- Nothing here shall be taken to mean that members of the editorial staff cannot work with the mechanical staff in production of the Texan; they should, in fact, be encouraged to cooperate with the understanding that the Editorial Manager has final authority in issuing instructions to the mechanical superintendent except that with regard to overtime work or other matters involving expenditures both the Editorial Manager and the Mechanical Superintendent will be subject to direction by the General Manager.	<p><u>n.</u> Delete paragraph and substitute:</p> <p><u>Approve, in conjunction with the production supervisor, any divergence from usual production procedures concerning the acceptance of copy after deadlines or changing make-up.</u></p>	<p>The work of the mechanical staff is directed by the Production Supervisor, who is responsible to the General Manager. The Editorial Manager should not "direct" the mechanical staff. The relationship of the printing and editorial departments is spelled out under printing policies in the Handbook, which states that any divergence from usual production procedures concerning acceptance of copy after deadlines or changing make-up will be approved by the Editorial Manager in conjunction with the Production Supervisor. This change is to make the Handbook consistent with regard to duties of the Editorial Manager and the Production Supervisor.</p>
28.	Assist the business staff with the supervision of the morgue in order that materials will be readily accessible for use in the Texan.	Delete paragraph.	The Editorial Manager doesn't need to be involved with the morgue. Clipping and filing is done by the Texan librarian.
29.	Give advice and answer questions in news editing, news writing, and headline writing to the night staff, insofar as time permits.	<p><u>o.</u> Delete phrases.</p>	Superfluous wording.
30.	Keep a complete record of the work of the night staff and to make any reports of such work needed by the General Manager.	Delete paragraph.	Records of student work is kept by the Texan secretary.
31	Oversee the work of the proofreader and make recommendations for improvement of his or her work.	Delete paragraph.	Proofreading is now done by copy editors and the Editorial Manager now reads all copy proofread by copy editors prior to its publication.

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No.	1970 ISF HANDBOOK	CHANGES PROPOSED BY TSP BOARD	RATIONALE FOR CHANGES
32.	See that proofs of all overset type and any copy that was not set are put in a basket for delivery to the Journalism Department laboratory the next day.	Delete paragraph.	Handling of overset proofs is a duty of the Texan secretary, not the Editorial Manager.
33.	Pass on to the Journalism Department laboratory any news tips that come to his attention and that cannot be covered at night.	Delete paragraph.	News tips are handled through the student staff rather than the Editorial Manager.
34.	Observe budget allowances set by the Board. However, he or she may authorize the placing of long distance telephone calls, sending of telegrams, hiring means of transportation, or may take any other reasonable steps to obtain important news at night, making a detailed report in writing the next day to the General Manager.	p. Delete phrase.	Detailed report in writing the next day from the Editorial Manager is not necessary since a record is made of each long distance call, taxi trip, or telegram sent.
35.	A & D - 15 Confer with the Managing Editor and the General Manager regarding proposed changes in the typography and format.	q. No changes.	
36.	Authorize publication of an extra in an emergency when it is impossible to reach the General Manager.	r. No changes.	
37.	Discuss with the Editor, the Managing Editor and the business office plans for special editions and special sections.	s. No changes.	
38.	Enforce copy deadlines.	t. Delete sentence and substitute: <u>In conjunction with the editor and the managing editor see that copy deadlines are enforced.</u>	Since the Texan editor and managing editor have direct responsibility for enforcing deadlines, this revised wording seems appropriate.
39.	Render general assistance in production and improvement of the Texan in stimulating interest among the volunteer staff.	u. No changes.	

CHAPTER II, THE DAILY TEXAN MANUAL
B. GENERAL ORGANIZATION

40. ~~6. ASSISTANT EDITORIAL MANAGER. When deemed necessary, the Executive Committee may appoint an Assistant Editorial Manager who is responsible to the Editorial Manager.~~
Delete paragraph.

The Declaration of Trust provides for "Editorial manager(s)" to be appointed by the Executive Committee. It did not seem necessary to restate it here.

41. ~~7. PROOFREADER. The Editorial Manager shall recommend applicants to the General Manager. The proofreader will be employed and compensation set by the General Manager. The proofreader shall.~~
Delete entire section.

Proofreading is now done by copy editors and the Editorial Manager now reads all copy prepared by copy editors prior to its publication.

C. EDITORIAL STAFF

1. EDITOR.

d. Duties.

(1) Regarding Policy Formation, the Editor shall:

42. ~~(b) Set the editorial policy of the Texan with the advice of the Editorial Manager and within the limits prescribed by the Board in the Handbook. He will remember that "freedom of the press" means in the campus situation the right of the students to have an organ for the reflection of campus opinion on the editorial page and leadership in the formation of campus opinion.~~
Delete paragraph and substitute:
(b) Set the editorial policy of the Texan within the limits prescribed by the Board in the Handbook.

The TSP Board through the student editor should be allowed to set the editorial policy of the Texan, under the Board's guidelines, without the advice of the Editorial Manager.

43. ~~(e) Advise the Managing Editor and the Editorial Manager on the Texan's typographical appearance.~~
Delete paragraph.

The TSP Handbook section on Printing provides for the typestyle for the Texan to be established by the editor and managing editor in consultation with the editorial manager and general manager.

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(2) Regarding Editorial Page Production, the Editor shall:

~~(g)--Certify-to-the-Dean-of-Students-through-the-Editorial-Manager-the-names-of-students-on-the-editorial-page-staff-and-to-carry-out-the-rules-of-the-University,-the-Students'-Assn.,-and-Texas-Student-Publications,-Inc.,-governing-eligibility-of-these-students-~~

Delete paragraph.

This paragraph applied when UT institutional rules prohibited students on scholastic probation from participating in non-athletic extra curricular activities. Now TSP sets the rules of participation by students in TSP publications, so it is unnecessary to send the lists of students to the Dean of Students.

CHAPTER II, THE DAILY TEXAN MANUAL

D. EDITORIAL AND NEWS POLICIES

1. BASIC PRINCIPLES. (paragraph 5)

The paper shall present, therefore, an unbiased, non-partisan and scrupulously accurate coverage of the news, a coverage as complete as the limitations of space and circumstance will permit. Although the Board does not restrict the editorial or news staff in its selection of news to present or its selection of subjects on which to editorialize (except as hereinafter prescribed), it has authority to examine and reject, through its Editorial Manager any material ~~violating-good-journalistic-practice-or-containing-misstatements-of-fact,-or-containing-illogical-conclusions-~~

Delete portion and substitute;

he or she deems to be libelous, obscene, invasion of privacy or a misstatement of fact. The editor or, in his or her absence, the managing editor is responsible for following all handbook policies and is authorized to reject any material violating good journalistic practice.

The editorial manager still has authority to withhold copy for four specific reasons; libel, obscenity, invasion of privacy or misstatement of fact. He or she can no longer withhold copy simply because he or she considers the material in violation of good journalistic practice. "Good journalistic practice" is a matter of judgment, and the TSP Board prefers to let the editor or managing editor be the judge rather than the editorial manager. Likewise, the TSP Board makes the editor or managing editor responsible for following handbook policies. Both the editor and managing editor are employees of the Board, they both sign contracts which provide that the Board may remove them from office for violating Board policies. So, this change is simply shifting the responsibility for carrying out some of the Board's editorial policies from the editorial manager to the editors, all of whom are employees of the board.

When the Editorial Manager, in accordance with his or her interpretation of the provisions of this Handbook, withholds from publication any item submitted, he or she shall give reasons, and the Editor or Managing Editor shall have the right to appeal the decision to the ~~Board itself-for-final-disposition-~~

Delete portion and substitute:

Review Committee and to the Board itself for final disposition. See provisions for appeal to the Review Committee and to the TSP Board under Editorial Manager's Duties in the Handbook and the Declaration of Trust.

The Review Committee is added here as the intermediary step between the editors and the full board, as provided in the Declaration of Trust.

47.	<p>The Editorial Manager, as an agent of the board, is selected for his or her experience as a responsible journalist and the Board urges that his advice and counsel be made use of so that service on the Texan may be of value as education in Journalism.</p>	<p>No changes.</p>	
48.	<p>The Board and the staff of the paper shall recognize the fact that the Texan exists to serve the students in a state supported university and that the welfare of the University rests on a broad base of support from the entire state, rather than upon support from any particular region or from any particular segment of the state's population. The students themselves represent a wide diversity of interests, views, and convictions. The implications are clear to a staff which takes seriously its responsibility of community service; the University community may best be served by a newspaper which encourages respect for and understanding of the University through the exercise of good judgment by its Editor and staff; through fair, objective and impartial treatment of controversial issues in news stories and interpretive articles; and in general through constructive, reasoned, fact-supported expressions of editorial opinion.</p>	<p>No changes</p>	
49.	<p>2. POLICIES B. Every effort shall be made to insure the accuracy of statements of fact made in news and editorial materials with primary responsibility resting on those who write and edit the materials. The Editorial Manager shall serve as a safe-guard on matters where accuracy is in question.</p>	<p>Delete words and substitute: <u>an adviser</u></p>	<p>The TSP Board preferred that the Editorial Manager be considered an adviser rather than a safeguard on matters of accuracy.</p>

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CHAPTER II, THE DAILY TEXAN MANUAL

~~E.---TYPE-CHANGES.~~

~~Type-changes-can-be-made-by-agreement of-the-General-Manager-of-Texas-Student Publications,-Inc.-and-the-Editorial-Manager,-Editor-and-Managing-Editor-of-The-Daily-Texan,-subject-to-ratification by-the-Board-if-substantial-expense-is-involved.~~

~~Changes-in-the-nameplate,-The-Daily-Texan, may-be-made-only-with-the-approval-of-the-board.--~~

~~A-standard-head-sheet-and-other-instruc-- tions-regarding-typography-shall-be--- prepared-and-posted-for-the-guidance-of-- staff-workers.--These-shall-be-prepared--- by-the-Managing-Editor-in-accordance-with-Stylebook-rules-and-approved-by-the-Edit-- erial-Manager-of-The-Daily-Texan.~~

Delete three paragraphs and substitute:

D. EDITORIAL AND NEWS POLICIES

4. PRINTING.

a. Type Style. The style of type used in the Texan shall be established by the editor and managing editor of The Daily Texan in consultation with the Editorial Manager and the General Manager, subject to ratification by the TSP Board. Changes in the name plate of The Daily Texan may be made only with the approval of the TSP Board.

The revised wording says the same as the old, but in fewer words. It is not necessary for the Editorial Manager to approve the standard head sheet since all typography has already been approved by the TSP Board.

~~F.---RELATIONS-BETWEEN-THE-PRINTING-AND-EDITORIAL DEPARTMENTS-OF-TEXAS-STUDENT-PUBLICATIONS-~~

~~The-Printing-Department-and-The-Daily-Texan shall-cooperate-in-producing-the-best-paper possible-within-budgetary-limits.~~

~~1.---OVERTIME.---The-Texan-Editorial-Manager in-unusual-circumstances,-can-authorize-acceptance-of-copy-after-deadline,-changing makeup,-resetting-of-heads,-and-any-other divergencies-from-the-usual-procedures. He-shall-report-such-overtime-immediately-to-the-General-Manager.~~

~~2.---COPY.---The-Texan-Editorial-Manager shall-keep-the-composing-room-supplied-with-copy-without-unnecessary-delay.---Copy shall-be-typed-and-in-good-condition-when sent-to-the-composing-room.~~

Delete three paragraphs and substitute:

CHAPTER II, D, 4.

b. Relationship between printing and editorial departments. Student workers on the Texan are responsible for the writing, editing and making-up of the dummies while the printing department is responsible for setting type, pulling proofs, and the actual printing of the paper. Since working on the Texan is to be an educational experience, students are encouraged to watch the actual production of the paper, but after the copy leaves the editing room, the actual work of putting the paper together is done under the direction of the production supervisor. Any divergence from usual production procedures concerning the acceptance of copy after deadlines or changing makeup must be approved by the editorial manager, in conjunction with the production supervisor.

The revised wording doesn't change the Editorial Manager's authority in accepting copy after deadlines.

	<p>5.---OFFICE ADS.---When not dummied, office ads should not appear unless in an emergency and then when specifically authorized by the Texan Editorial Manager or General Manager.</p>	<p>Delete paragraph.</p>	<p>No ads that are not dummied are run. Superfluous paragraph.</p>
	<p>6.---MAKE-UP.---The Texan Editorial Manager and Night Editor shall provide the Foreman with suitable dummies on all pages that are to have special makeup and will be present to give him any assistance in making up the paper.</p>	<p>Delete paragraph.</p>	<p>Dummies for pages with special makeup are responsibility of the student editors, not the Editorial Manager.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">A & D - 20</p>	<p>7.---COPY DEADLINES.---Copy deadlines shall be established by the Board in September and again in May, upon recommendation of the General Manager.---They may be changed by agreement among the Mechanical Superintendent, General Manager of Student Publications, Editorial Manager, Editor and Managing Editor of the Texan.</p> <p>The Managing Editor, Editor and the Editorial Manager are responsible for seeing that these deadlines are met.</p>	<p>Delete two paragraphs and substitute:</p> <p>CHAPTER II, D, 4</p> <p><u>(c) Deadlines. Copy deadlines shall be established by the General Manager in consultation with the production supervisor, editorial manager, editor and managing editor. It is the responsibility of the editor, managing editor and editorial manager to see that deadlines are met.</u></p>	<p>Revised wording seemed better. Nothing of substance was changed.</p>
	<p>CHAPTER II, THE DAILY TEXAN MANUAL</p> <p>5.---THE ASSOCIATED PRESS-</p> <p>3.---Policies-</p> <p>a.---Who Is In Charge.---(Last sentence)- No copy shall be taken from the newsroom without the permission of either the Telegraph Editor, the Laboratory Supervisor, the Night Telegraph Editor or the Editorial Manager.</p>	<p>Delete entire section.</p>	<p>AP is no longer used by The Daily Texan.</p>
	<p>5.---SUMMER SESSION.---Duties of Editor, Managing Editor and Editorial Manager remain the same during the Summer Session as during the long session.</p>	<p>Delete paragraph.</p>	<p>This paragraph seemed superfluous.</p>

5. U. T. El Paso: Request to Seek Permission from Coordinating Board to Establish a Bachelor of Science Degree in Allied Health Sciences (Catalog Change). --

RECOMMENDATION

It is recommended by President Templeton and concurred in by Chancellor Walker that approval be given to establish a Bachelor of Science degree in Allied Health Sciences at The University of Texas at El Paso. It is listed in the University's statement on role and scope as submitted to the Coordinating Board in 1976 and has been approved by the appropriate faculty groups. The degree will help U. T. El Paso provide allied health training for the West Texas area in cooperation with other institutions of higher education located in El Paso.

BACKGROUND INFORMATION

The proposed degree includes two options. Option I, to be implemented immediately after regental and Coordinating Board approval, is designed for individuals holding associate degrees with professional certification in health-related programs. Option II, designed for students seeking a degree in a specialty area of allied health science leading to professional certification, will be implemented as the needs for the program arise.

No new faculty will be required to implement the program, and library resources and existing facilities are adequate to support it. No accreditation is required at this time. The program has been planned to be financially self-supporting from formula funds within three years.

A Bachelor of Science in Allied Health Sciences is needed at The University of Texas at El Paso because a large number of allied health employees who hold two and three-year professional certifications live in the region and desire the opportunity to obtain a baccalaureate degree. Additionally, the El Paso Community College has a number of two-year associate degree programs in the health professions and those graduates are seeking ways to obtain a baccalaureate degree without losing credit for work already completed. Only a few similar programs are offered elsewhere in Texas and those exist at institutions quite distant from El Paso.

Secretary's Note: If this recommendation is approved, the minute order will reflect that after the program is approved by the Coordinating Board, the next appropriate catalog published will be amended to reflect this action.

6. U. T. El Paso: Request to Seek Permission from Coordinating Board to Establish a Doctor of Philosophy Degree in Environmental Science and Engineering (Catalog Change). --

RECOMMENDATION

President Templeton

President Templeton requests approval to establish a Doctor of Philosophy Degree in Environmental Science and Engineering at The University of Texas at El Paso. The degree will emphasize arid and semi-arid region environmental studies.

Chancellor Walker

The Office of Academic Affairs has reviewed the proposal and Chancellor Walker recommends its approval.

BACKGROUND INFORMATION

The proposed degree will emphasize scientific and engineering approaches to the study of environmental problems. It is designed to produce industrially oriented environmental scientists who have strong graduate study backgrounds leading to a master's degree in one technical field and who have the training needed to apply their knowledge to the solution of multidisciplinary problems. U. T. El Paso is well suited to offer the degree due to its location in the arid mountainous region of West Texas and the research experience held by members of its faculty. Historically, the institution has been concerned with the study of problems related to the western third of the United States, such as mineral exploration and resource development and the ecology of arid and mountainous regions. Programs related to environmental studies do exist at other institutions within Texas, but no other university offers an environmental science program stressing arid environments.

Current library holdings and facilities are adequate to support the implementation of the program, and only two additional faculty members will be needed upon its initiation. Funds to implement the program will come from local sources and it is expected to be self-supporting after the third year of operation.

The Deans of the Colleges of Science and Engineering and the Dean of the Graduate School will be responsible for the administrative coordination of the program and will report as a group to the Vice President for Academic Affairs.

Secretary's Note: If this recommendation is approved, the minute order will reflect that after the program is approved by the Coordinating Board, the next appropriate catalog published will be amended to reflect this action.

7. U. T. San Antonio: Recommendation for Authorized Agent for Tax-Free Alcohol.--

RECOMMENDATION

It is recommended by President Wagener and concurred in by Chancellor Walker that approval be given to the resolution set out below to designate Mr. Gary L. Hammon, Vice President for Business Affairs of The University of Texas at San Antonio, as agent for tax-free alcohol:

WHEREAS, The University of Texas at San Antonio is carrying on research programs which require a continuing supply of alcohol for experimental and other scientific purposes:

THEREFORE, BE IT RESOLVED, That Mr. Gary L. Hammon, Vice President for Business Affairs of The University of Texas at San Antonio, be authorized to have charge of and be responsible for and apply for and sign the "Application and Withdrawal Permit to Procure Spirits Free of Tax" for The University of Texas at San Antonio, and

BE IT FURTHER RESOLVED, That it shall be the duty of Mr. Gary L. Hammon to execute on behalf of The University of Texas at San Antonio any and all documents required by the Alcohol and Tobacco Tax, Internal Revenue Service.

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE

SUPPLEMENTAL INFORMATION

February 8-9, 1979

	<u>Page No.</u>
4. U. T. Austin: Proposed Amendments to Declaration of Trust Executed by the Board of Operating Trustees of Student Publications and Proposed Changes in the <u>Student Publications Handbook</u>	Below

Documentation

4. U. T. Austin: Proposed Amendments to Declaration of Trust Executed by the Board of Operating Trustees of Student Publications and Proposed Changes in the Student Publications Handbook. -- The proposed changes in the Student Publications Handbook of The University of Texas at Austin are based on the Handbook as amended through March 1, 1970. The following month, April 17, 1970, the Board of Regents approved an amendment to the Student Publications Handbook which changed K. 3, Chapter 1 to read as follows:

Funds of the Texas Student Publications, Inc., shall not be spent for alcoholic beverages for minors. State law regarding minors will be enforced at any TSP function at which alcoholic beverages are served, and the Regents' Rules and Regulations, Part One, Chapter VI, Section 3.4 regarding use of intoxicating beverages on University premises will be followed. No state appropriated funds shall be allocated toward buying alcoholic beverages. The TSP Board shall be responsible for the observance of this rule.

This change should be incorporated in the revised edition of the Handbook for March 1, 1970 together with any of the recommendations submitted today that are approved.

Buildings & Grounds Committee

BUILDINGS AND GROUNDS COMMITTEE

Date: February 8, 1979 - If there are unfinished items, the Committee will reconvene on February 9, 1979, following the meeting of the Academic and Developmental Affairs Committee

Time: 2:00 p. m.

Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

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HOUSTON HEALTH SCIENCE CENTER AND UNIVERSITY CANCER CENTER

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SAN ANTONIO HEALTH SCIENCE CENTER

14. Expansion of Basic Science Teaching Space - Completion of Three Shelled-In Floors: Request for Approval of Final Plans and for Authorization to Advertise for Bids 12

UNIVERSITY CANCER CENTER

15. M. D. Anderson - Cyclotron Addition: Request for (a) Approval of Final Plans; (b) Authorization to Advertise for Bids; (c) Additional Appropriation; and (d) Appointment of Committee to Award Construction Contract 12

TYLER HEALTH CENTER

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1. U. T. ARLINGTON: STADIUM (MULTIPURPOSE ATHLETIC FACILITY): (PROJECT NO. 301-364): REQUEST FOR AUTHORIZATION TO GRANT UNDERGROUND WATERLINE EASEMENT CONSISTING OF FOUR SEGMENTS TO CITY OF ARLINGTON ON CONSTRUCTION SITE. --

BACKGROUND INFORMATION

In order to provide underground water service to the site of the U. T. Arlington Stadium (Multipurpose Athletic Facility), the City of Arlington has requested an easement consisting of four segments under, across and through that certain tract or parcel of land within the U. T. Arlington campus described in the Owen Medlin Survey, Abstract No. 1043, Tarrant County, Texas, and being parts of a tract of land recorded in Volume 400, Page 343 of the Tarrant County deed records.

The requested waterline easement will convey to the City of Arlington the right to construct, reconstruct and perpetually maintain underground water service to the new stadium now under construction.

The proposed easement is more fully described in the easement document which will be available for examination at the Board meeting.

RECOMMENDATIONS

President Nedderman and Chancellor Walker recommend that authorization be given by the Board for an easement consisting of four segments to be executed by the Chairman of the Board after approval as to content by Chancellor Walker and as to form by a University of Texas Attorney.

2. U. T. ARLINGTON: STUDENT HOUSING (PROJECT NO. 301-402) - REPORT OF FEASIBILITY STUDY; REQUEST FOR PROJECT AUTHORIZATION; PROPOSED SITE; REQUEST TO APPOINT PROJECT ARCHITECT TO PREPARE PRELIMINARY PLANS AND APPROPRIATION THEREFOR

BACKGROUND INFORMATION

In accordance with the authorization of the Board of Regents at its meeting on August 4, 1978, initial investigative studies and evaluations of program requirements for Student Housing at The University of Texas at Arlington have been made by U. T. Arlington Administration, the Office of Facilities Planning and Construction and the Consulting Architect, Geren & Associates, Fort Worth, Texas.

The Feasibility Study proposes an ultimate development of student housing for 1200 students on a 10.8 acre site located in the southwest quadrant of the campus bounded on the south by Fourth Street, on the east by Trading Horse Creek, on the north by Second Street and on the west by Summit Avenue. The site is within 7 to 8 minutes walking distance of the central academic area of the campus.

The design and planning objectives outlined in the Feasibility Study suggest the following criteria:

- a. Provide initial student housing for approximately 300 students with the ultimate goal of housing 1200 students, or a minimum of approximately 15% of the student enrollment, in accordance with the concept approved by the Board in February 1978
- b. Provide economical apartment units which can be rented on a competitive basis with private enterprise
- c. Create flexibility of occupancy and operation to accommodate conversion from single student to married student use or from male to female housing, responsive to enrollment demands, without requiring building changes
- d. Establish aesthetic design criteria which will avoid the appearance of an institutional building.

The Feasibility Study recommends construction of student housing for 324 students at an estimated total project cost of \$6,286,780, or a unit cost per square foot of approximately \$68 for 92,340 square feet. Unfortunately, this scope of the project is not supported by the Bond Advisor, Mr. Sam Maclin, who instead recommends initial construction of only 162 student spaces at a total estimated project cost of \$3,143,390. He suggests that if construction costs can be reduced to a range of \$40-\$50 per square foot, financing of a project for 162 students is feasible. It would require a Housing Revenue Bond issue of approximately \$1,500,000 and approximately \$1,500,000 from Unexpended Plant Funds - Interest.

RECOMMENDATIONS

President Nedderman and Chancellor Walker recommend that the Board:

- a. Approve the proposed site location for student housing in the southwest quadrant of the campus
 - b. Authorize construction of housing for 162 students at an estimated total project cost of \$3,143,390, and also such additional housing units as are found to be feasible within the authorized cost and additional funding which may become available during design, but not to exceed housing for 324 students
 - c. Appoint the Consulting Architect, Geren & Associates, Fort Worth, Texas, as Project Architect with authorization for the preparation of preliminary plans which will be presented to a future Board meeting for consideration
 - d. Appropriate \$40,000 from Unappropriated Unexpended Plant Funds - Interest Earned on Time Deposits for fees and related project expenses through completion of preliminary plans.
3. U. T. AUSTIN: REMODELING OF TEXAS UNION WEST (PROJECT NO. 102-257) - REQUEST FOR APPOINTMENT OF HEARING OFFICER TO HEAR CLAIM OF CONSTRUCTION CONTRACTOR

BACKGROUND INFORMATION

On October 2, 1974, the Board of Regents of The University of Texas System and Anken Construction Company, Inc. of Austin, Texas, entered into a contract for the Remodeling of Texas Union West at The University of Texas at Austin. The contract has been completed and is ready to be closed out. However, a disputed claim arising from the construction contract needs to be resolved before the project can be fiscally closed out. This claim is pending before the Board of Regents as an appeal from rulings by the Chancellor and the Office of Facilities Planning and Construction that the contract claim has been denied.

Under procedures of the "disputes clause" of the contract a Hearing Officer should be appointed to hear the claim, to determine questions of fact as they may arise under the contract, and to report appropriate findings to the Board of Regents for its consideration.

RECOMMENDATIONS

Accordingly, Chancellor Walker recommends that:

- a. The Chancellor, with the approval of the Chairman of the Board of Regents, be authorized to appoint a Hearing Officer to hear all disputed claims concerning a question of fact pending before the Board of Regents at this time or which may be subsequently presented as they relate to the construction contract with Anken Construction Company, Inc., for the Remodeling of Texas Union West at The University of Texas at Austin

BUILDINGS AND GROUNDS COMMITTEE

SUPPLEMENTAL INFORMATION

February 8-9, 1979

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Documentation

U. T. EL PASO

5. College of Business Administration Classroom and Office
Building: Recommended Architectural Firms.

FOUTS, LANGFORD, GOMEZ, MOORE, INC.	EL PASO
CARROLL, DUSANG & RAND	EL PASO
GARLAND & HILLES ARCHITECTS	EL PASO
KUYKENDALL, McCOMBS & ASSOCIATES	EL PASO
FOSTER, HENRY, HENRY & THORP, INC.	EL PASO

*Review
with
Casper*

- b. The Hearing Officer be empowered to adopt such rules of procedure for the hearing of claims as he deems necessary and that he be authorized to employ any consultants and office personnel, with the approval of the Chancellor, necessary to conclude such hearings in an expeditious manner
- c. Upon the conclusion of the testimony and presentation of all pertinent data to such Hearing Officer, he shall present his findings to the Board of Regents for its consideration in passing upon the validity of the claims pending before it.

4. U. T. DALLAS - THERMAL ENERGY PLANT: PROPOSED MODIFICATION OF EXISTING LEASE AGREEMENT BETWEEN BOARD OF REGENTS AND WIN-SAM, INC.

BACKGROUND INFORMATION

At its meeting on June 9, 1978, the Board authorized expansion of the thermal energy plant which is owned and operated by Win-Sam, Inc. at U. T. Dallas. The expansion is necessary to meet additional cooling and heating loads imposed by new construction. Win-Sam has requested that fifteen (15) feet on each side of the existing plant be added to the existing lease to accommodate the expansion.

The proposed Lease Amendment is fully described in revised metes and bounds which will be available for examination at the Board meeting.

RECOMMENDATIONS

President Jordan and Chancellor Walker recommend that the Board authorize the Chairman of the Board to sign the Amended Lease Agreement after approval as to content by Chancellor Walker and as to form by the Office of General Counsel.

5. U. T. EL PASO: COLLEGE OF BUSINESS ADMINISTRATION CLASSROOM AND OFFICE BUILDING - REQUEST FOR AUTHORIZATION FOR FEASIBILITY STUDY, APPOINTMENT OF CONSULTING ARCHITECT AND APPROPRIATION THEREFOR

BACKGROUND INFORMATION

At the October 1978 Board meeting the Administration of U. T. El Paso reported the anticipated need for new facilities which will be required to meet current enrollment trends and growth projections for the next ten years. Board approval was given for amending the U. T. El Paso Long Range Campus Development Plan to include the new facilities, with the understanding that individual project requests would be brought to future Board meetings for consideration.

New classroom and office facilities for the College of Business Administration are needed to centralize all functions of the departments of Accounting, Business, Economics and Finance now inadequately housed in scattered campus locations. Since 1972 the declared majors in Business Administration have increased from 1466 to 2502. The College of Business Administration plays a major role in interdisciplinary programs in Industrial Engineering, Computer Science and Business Education. Additionally, the new building should provide for Faculty and Administrative offices for the College of Business Administration and the Center for Continuing Education.

It is considered advantageous to start a feasibility study to define the project scope and to develop a cost estimate for new facilities for the College of Business Administration.

RECOMMENDATIONS

President Templeton and Chancellor Walker recommend that the Board:

- a. Authorize a feasibility study to define the required functions, project scope, campus site location, and estimated cost of a new College of Business Administration Classroom and Office Building
 - b. Appoint a Consulting Architect from a list to be submitted at the meeting to work with a Planning Committee from The University of Texas at El Paso and the Office of Facilities Planning and Construction on the feasibility study, with recommendations to be brought to a future Board meeting for consideration
 - c. Appropriate \$15,000 from Permanent University Fund Bond proceeds for the feasibility study including fees and related expenses.
6. U. T. EL PASO: EXPANSION OF UNION FACILITIES - REPORT OF FEASIBILITY STUDY; REQUEST FOR PROJECT AUTHORIZATION; REQUEST TO APPOINT PROJECT ARCHITECT TO PREPARE PRELIMINARY PLANS AND APPROPRIATION FOR COMPLETED FEASIBILITY STUDY AND FEES

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 20, 1978 and December 1, 1978, initial investigative studies and evaluations of program requirements for the Expansion of Union Facilities at The University of Texas at El Paso have been made by U. T. El Paso Administration, the Office of Facilities Planning and Construction and the Consulting Architect, Garland and Hilles, El Paso, Texas.

The existing Union Facilities were designed to accommodate a student enrollment of approximately 12,000, while actual enrollment at U. T. El Paso has now grown to approximately 16,000. Expansion of the Union is needed to provide adequate facilities for the current and anticipated enrollment increases.

The feasibility study for the Expansion of Union Facilities proposes an addition to Union East of approximately 50,300 gross square feet with minor remodeling of approximately 26,700 square feet of existing facilities at an estimated total project cost of \$4,000,000. This addition and remodeling includes doubling the amount of existing food service space, expansion of bookstore facilities by more than 50%, a new Post Office, new facilities for Student Publications, and necessary additional meeting rooms and office space.

U. T. El Paso concurs in the recommended plan of expansion proposed in the feasibility study prepared by the Consultants, Garland and Hilles.

RECOMMENDATIONS

President Templeton and Chancellor Walker recommend that the Board:

- a. Appropriate \$15,000 from Unappropriated Balance, The Union, Account No. 280-90-950-00 for the previously authorized and completed feasibility study and related expenses. (These funds to be restored after sale of bonds.)
- b. Authorize construction of an addition of approximately 50,300 square feet and remodeling of approximately 26,700 square feet existing Union facilities at an estimated total project cost of \$4,000,000

- c. Appoint the Consulting Architect, Garland and Hilles, El Paso, Texas, as Project Architect with authorization for the preparation of preliminary plans which will be presented to a future Board meeting for consideration
- d. Appropriate \$40,000 from Unappropriated Balance, The Union, Account No. 280-90-950-00 for fees and related project expenses through completion of preliminary plans. (These funds to be restored after sale of bonds.)

7. U. T. SAN ANTONIO - THERMAL ENERGY PLANT: PROPOSED MODIFICATION OF EXISTING LEASE AGREEMENT BETWEEN BOARD OF REGENTS AND WIN-SAM, INC.

BACKGROUND INFORMATION

At its meeting on December 16, 1977, the Board authorized expansion of the thermal energy plant which is owned and operated by Win-Sam, Inc. at U. T. San Antonio. The expansion is necessary to meet additional cooling and heating loads imposed by new construction. Win-Sam has requested that fifteen (15) feet on each side of the existing plant be added to the existing lease to accommodate the expansion.

The proposed Lease Amendment is fully described in revised metes and bounds which will be available for examination at the Board meeting.

RECOMMENDATIONS

President Wagener and Chancellor Walker recommend that the Board authorize the Chairman of the Board to sign the Amended Lease Agreement after approval as to content by Chancellor Walker and as to form by the Office of General Counsel.

8. INSTITUTE OF TEXAN CULTURES AT SAN ANTONIO: PHASE I REMODELING - MECHANICAL/ELECTRICAL DISTRIBUTION SEGMENT (PROJECT NO. 404-386) - REQUEST FOR APPROVAL OF FINAL PLANS AND AUTHORIZATION TO ADVERTISE FOR BIDS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on July 29, 1977, final plans and specifications for the Phase I Remodeling - Mechanical/Electrical Distribution Segment for the Institute of Texan Cultures at San Antonio have been prepared by the Project Architect, Bartlett Cocke and Associates, San Antonio, Texas.

The authorized Phase I Remodeling of the Institute of Texan Cultures at San Antonio will be accomplished in segments as funding becomes available. A Legislative appropriation in the amount of \$146,532 has been made for part of the Phase I Remodeling.

The scope of Phase I Remodeling - Mechanical/Electrical Distribution provides for equipment purchases and installation of Mechanical/Electrical Systems to serve the available expansion space on level three of the Institute Building. Three additional segments of the Phase I Remodeling are estimated to total \$490,000, including cost escalation to September 1979. As funding becomes available, final plans for future remodeling segments will be presented to the Board for consideration.

RECOMMENDATIONS

Director Maguire and Chancellor Walker recommend that the Board:

- a. Approve the final plans and specifications for the Phase I Remodeling - Mechanical/Electrical Distribution Segment for the Institute of Texan Cultures at an estimated total project cost of \$146,532
- b. Authorize the Office of Facilities Planning and Construction to advertise for bids which will be presented at a future meeting of the Board of Regents for their consideration.

9. GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS) - RENOVATION AND ADDITION TO GRAVES HOSPITAL (PROJECT NO. 601-377) - REQUEST FOR PHASE I RENOVATION FOR DEPARTMENT OF PSYCHIATRY AND BEHAVIORAL SCIENCES, AUTHORIZATION FOR COMPLETION OF PROJECT AND APPROPRIATION THEREFOR

BACKGROUND INFORMATION

In April 1977 the Board authorized the Renovation of Graves Hospital and appointed Koetter, Tharp, Cowell and Bartlett as Project Architect. Subsequently, in December 1977 when a new addition to Graves Hospital was authorized, the planning for the Renovation of the Existing Graves Hospital was temporarily deferred. In recent months the Galveston Medical Branch has re-established the need for centralizing the location of facilities of the Department of Psychiatry and Behavioral Sciences. In the existing Graves Hospital, approximately 7,800 square feet of space on the first floor can now be renovated for offices of the departmental chairman, administrative staff, a student library and conference area.

RECOMMENDATIONS

President Levin and Chancellor Walker recommend that the Board:

- a. Authorize a remodeling project for 7,800 square feet of space on the first floor of the Graves Hospital as Phase I of the Renovation of the Graves Hospital at an estimated total project cost of \$250,000
 - b. Authorize the previously appointed Project Architect, Koetter, Tharp, Cowell and Bartlett, to prepare plans and specifications for the Phase I project
 - c. Authorize the completion of this renovation project through all necessary actions of the Galveston Medical Branch Administration and Physical Plant Department with their own forces and all required contract services, in consultation with the Office of Facilities Planning and Construction
 - d. Appropriate \$250,000 from Medical Branch Unexpended Plant Funds - Project Allocation for funding of this project.
10. GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS) REMODELING OF EXISTING JOHN SEALY HOSPITAL (ORIGINAL BUILDING) (PROJECT NO. 601-296) - REMODELING OF DIETARY AREA - PRESENTATION OF PRELIMINARY PLANS, REQUEST FOR COMPLETION OF FINAL PLANS, AUTHORIZATION TO ADVERTISE FOR BIDS AND ADDITIONAL APPROPRIATION FOR FEES

BACKGROUND INFORMATION

In February 1974, the Board authorized the Remodeling of John Sealy Hospital (Original Building) and appointed Page Southerland Page, Houston, Texas, as Project Architect. To minimize disruption of hospital services, phased remodeling was authorized. As part of the phased program, the Remodeling of the Dietary Area (kitchen and support facilities) was authorized at the Regents' meeting on August 4, 1978. Preliminary plans for the renovation of approximately 44,400 gross square feet of dietary functions in the original John Sealy Hospital Building have been completed by the Project Architect with an estimated construction cost of \$4,746,000. Completion of final plans and advertisement for bids would permit a timely construction start for this remodeling of the food service operation.

RECOMMENDATIONS

President Levin and Chancellor Walker recommend that the Board:

- a. Approve the preliminary plans for the Remodeling of the Dietary Area and authorize completion of the final plans at an estimated construction cost not to exceed \$4,746,000

- b. Authorize the Office of Facilities Planning and Construction to approve the final plans and advertise for bids which will be presented at a future Board meeting
- c. Appropriate additional funds in the amount of \$251,000 from Account No. 9-41881-948100 - Unexpended Plant Funds for fees and related project expenses through completion of final plans.

11. GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS) - TEXAS DEPARTMENT OF CORRECTIONS HOSPITAL (PROJECT NO. 601-385) - SITE PREPARATION AND FOUNDATION CONSTRUCTION - REPORT OF COMMITTEE TO AWARD CONTRACTS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 20, 1978, bids were called for and were received, opened and tabulated on December 12, 1978, as shown on the attached sheet, for the Site Preparation and Foundation Construction for the Texas Department of Corrections Hospital at the Galveston Medical Branch.

The Committee appointed at the November 30, 1978 Board meeting to award construction contracts met on December 19, 1978. After making an evaluation of the bidding results, the Committee awarded two contracts within previously appropriated funds as set out in the recommendations below. The Committee's report was filed with the Secretary of the Board.

RECOMMENDATIONS

President Levin and Chancellor Walker recommend that the Board:

- a. Approve the action taken by the Special Committee for the award of the construction contracts for Site Preparation and Foundation Construction for the Texas Department of Corrections Hospital at the Galveston Medical Branch to the lowest responsible bidders as follows:

Contract No. 1 - (Site Preparation)

Lowest Responsible Bid	\$ 831,499
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Contractor:

John Gray Company, Inc.,
Galveston, Texas

Contract No. 2 - (Foundation Construction)

Lowest Responsible Bid	\$ 1,031,252
------------------------	--------------

Contractor:

SUSCO, INC., Galveston, Texas

TOTAL TWO CONTRACT AWARDS	<u>\$ 1,862,751</u>
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- b. Authorize an expenditure of \$2,051,000 to cover the two construction contract awards, fees and related project expenses.

TEXAS DEPARTMENT OF CORRECTIONS HOSPITAL
The University of Texas Medical Branch at Galveston, Galveston, Texas
Base Bids Received at 2:00 p.m., C.S.T., December 12, 1978
at The University of Texas Medical Branch at Galveston
The University of Texas System

CONTRACT NO. 1 - SITE PREPARATION (ACCESS ROAD & UTILITIES)

	<u>Base Bid</u>	<u>Alternates</u>	<u>Bond</u>
*SUSCO, INC., Galveston, Texas	\$ 858,996		5%
Texas Gulf Construction Company, Inc., Galveston, Texas	No Bid		5%
John Gray Company, Inc., Galveston, Texas	831,499		5%

CONTRACT NO. 2 - FOUNDATION CONSTRUCTION (EXCAVATION & PILE WORK)

*SUSCO, INC., Galveston, Texas	\$ 1,309,086	1) \$ 1,055,442 2) 1,048,657 3) 1,031,252	5%
Texas Gulf Construction Company, Inc. Galveston, Texas	1,210,450	1,050,000	5%
John Gray Company, Inc., Galveston, Texas	1,501,968	1,182,917	5%

*NOTE: SUSCO, INC. - Deduct \$15,000 if awarded both contracts.

12. GALVESTON MEDICAL BRANCH: REQUEST FOR CONSTRUCTION OF SURFACE PARKING LOT AND FUNDING THEREFOR

BACKGROUND INFORMATION

In a continuing effort to provide adequate parking on the Galveston Medical Branch campus, the Physical Plant Department has prepared plans and specifications for the construction of an 86-space surface parking lot at an estimated total project cost of \$98,500. A site for this parking lot is available between Twelfth and Thirteenth Streets on the south side of Mechanic Avenue. The planned construction of the Learning Center and the Ambulatory Care Center will further intensify parking needs on the Medical Branch campus. Construction of this parking at this time will help alleviate parking space loss when the aforementioned building construction is begun.

RECOMMENDATIONS

President Levin and Chancellor Walker recommend that the Board:

- a. Authorize the construction of the surface parking lot between Twelfth and Thirteenth Street on the south side of Mechanic Avenue with appropriate lighting, sidewalks and site development at an estimated total project cost of \$98,500
- b. Authorize the completion of the parking lot construction through all necessary actions of the Galveston Medical Branch Administration and the Department of Physical Plant with their own forces or through contract services
- c. Approve funding of the estimated total project cost of \$98,500 from the Galveston Medical Branch Unexpended Plant Funds - Parking Lot Construction.

13. HOUSTON HEALTH SCIENCE CENTER AND UNIVERSITY CANCER CENTER: STATUS REPORT ON FIRST SIX MONTHS OF OPERATION OF THERMAL ENERGY PLANT OPERATED BY TEXAS MEDICAL CENTER HEATING AND COOLING COOPERATIVE ASSOCIATION

BACKGROUND INFORMATION

Over the past several years, the Board of Regents has been involved with the thermal energy plant which serves many institutions located on the campus of the Texas Medical Center in Houston, including the U. T. Health Science Center and the University Cancer Center. The 64th Legislature authorized formation of a cooperative association to buy and operate the thermal plant which was owned by Houston Natural Gas Corporation. At its meeting in April 1977, the Board authorized University participation in the TMC Heating and Cooling Cooperative Association and its proposed venture. On May 31, 1978, the sale was consummated and the plant has operated under the Cooperative Association's control for six months without major problems.

OFPC Director Kristoferson serves as U. T. System's designated representative on the board of directors of the Cooperative. In his capacity as President of the Cooperative's Board of Directors, he has prepared a report covering the first six months of operation of the thermal plant, copies of which have been forwarded to each Regent prior to the February Board meeting. Mr. Kristoferson will be prepared to present an oral summary of the report at the February Board of Regents' meeting. For the purposes of this brief report, however, suffice it to say that the thermal plant is under competent management, is well operated and maintained, and is operating in the black, all to the benefit of the Users.

14. SAN ANTONIO HEALTH SCIENCE CENTER: EXPANSION OF BASIC SCIENCE TEACHING SPACE (PROJECT NO. 402-381) - COMPLETION OF THREE SHELLED-IN FLOORS - REQUEST FOR APPROVAL OF FINAL PLANS AND FOR AUTHORIZATION TO ADVERTISE FOR BIDS

BACKGROUND INFORMATION

In December 1977 the Board authorized the construction of the shelled-in addition of Levels 3, 4 and 5 to the project entitled Expansion of Basic Science Teaching Space at The University of Texas Health Science Center at San Antonio. Final plans for the completion of Levels 3, 4 and 5 have now been completed by the Project Architect, the associated firms of Phelps & Simmons & Garza and Bartlett Cocke & Associates, San Antonio, Texas. Completion of the interior finishing on these three levels will provide 78,000 square feet of facilities for the Departments of Physiology, Microbiology and Pediatrics at an estimated construction cost of \$3,500,000. Legislative funds, previously appropriated for this project, are available to cover the estimated cost of this phase of construction.

RECOMMENDATIONS

President Harrison and Chancellor Walker recommend that the Board:

- a. Approve the final plans and specifications for the completion of Levels 3, 4 and 5 for Expansion of Basic Science Teaching Space at the San Antonio Health Science Center at an estimated construction cost of \$3,500,000
 - b. Authorize the Office of Facilities Planning and Construction to advertise for bids which will be presented to a future Board meeting for consideration.
15. UNIVERSITY CANCER CENTER (M. D. ANDERSON): CYCLOTRON ADDITION (PROJECT NO. 703-397) - REQUEST FOR APPROVAL OF FINAL PLANS, AUTHORIZATION FOR BID ADVERTISEMENT, ADDITIONAL APPROPRIATION OF FUNDS, AND APPOINTMENT OF A COMMITTEE TO AWARD A CONSTRUCTION CONTRACT

BACKGROUND INFORMATION

Final plans and specifications for the M. D. Anderson Cyclotron Addition at the University Cancer Center have been prepared by the Office of Facilities Planning and Construction in accordance with the December 1977 Board of Regents' authorization. Grants from the M. D. Anderson Foundation and the National Cancer Institute to assist in the construction cost were appropriated at the October 1978 Board meeting.

On January 3, 1979, the National Cancer Institute reviewed and approved the final documents. Subject to inclusion of their final comments and recommendations, advertisement for bids was authorized. This action will permit the receipt of bids in early March 1979.

The appointment of a committee to award a construction contract between meetings of the Board will facilitate obtaining required granting agency concurrence in the award, expedite an early construction start for this project, and accommodate installation of technical equipment. In addition to the grant funds, an additional appropriation of \$1,239,959 will be required to provide for the final estimated total project cost of \$3,100,000.

RECOMMENDATIONS

President LeMaistre and Chancellor Walker recommend that the Board:

- a. Approve the final plans and specifications for the M. D. Anderson Cyclotron Addition at the University Cancer Center at an estimated total project cost of \$3,100,000 with authorization for the Office of Facilities Planning and Construction to advertise for bids after completion of final plan reviews
- b. Appropriate additional funds in the amount of \$1,239,959 from M. D. Anderson Account No. 187720
- c. Appoint a committee consisting of President LeMaistre, Director Kristoferson, Vice Chancellor Boyd, Chancellor Walker, the Chairman of the Buildings and Grounds Committee, and the Chairman of the Board to award a construction contract for the M. D. Anderson Cyclotron Addition at the University Cancer Center, within funds appropriated and subject to the concurrence of the Federal Granting Agency.

16. TYLER HEALTH CENTER: EXPANSION OF TYLER HEALTH CENTER - THE UNIVERSITY OF TEXAS HEALTH CENTER AT TYLER (PROJECT NO. 801-387) - RECOMMENDED AWARD OF CONTRACTS FOR FURNITURE AND FURNISHINGS TO ABEL CONTRACT FURNITURE & EQUIPMENT COMPANY, INC., AUSTIN, TEXAS; ELLISON'S FURNITURE COMPANY, FORT WORTH, TEXAS; HILL-ROM COMPANY, INC., BATESVILLE, INDIANA; AND ROCKFORD FURNITURE & CARPETS, INC., AUSTIN, TEXAS

BACKGROUND INFORMATION

Bids for Furniture and Furnishings were called for and were received, opened and tabulated on January 9, 1979, as shown on the attached sheet, for the Expansion of Tyler Health Center, The University of Texas Health Center at Tyler.

Base Bid "C" (Hospital Recliners) - of the four bidders who submitted bids on the project, only one bidder submitted a bid for this section. A canvas of the bidders indicates that one bidder requested but did not receive a quotation from the manufacturer. The other two bidders stated that they do not customarily bid on this type of item and, therefore, made no proposal. The bid received is less than the estimated cost and is considered to be reasonable.

Base Bid "D" (Hospital Wardrobes) - resulted in two bids. A canvas of the bidders on the project indicates that two of them do not customarily bid on this type equipment. The low bid is substantially less than the estimated cost, therefore it is considered in the best interest of the University to accept the bid.

Base Bid "E" (Hospital Beds) - resulted in only one bid. This bid was for beds to match existing beds already in use in the hospital. A canvas of the other three bidders indicates that they do not bid on this item. The one bid received did not indicate acknowledgment of receipt of the only addendum published; however, that addendum did not affect the hospital beds and therefore had no bearing on the bid. Accordingly, the Board can waive the administrative irregularity involved. The bid received is less than the estimated cost. Re-bidding at this time probably would not produce improved results.

RECOMMENDATIONS

It is recommended by Superintendent Hurst and Chancellor Walker that the Board of Regents award the contracts for furniture and furnishings to the lowest responsible bidders as follows:

Ellison's Furniture Company,
Fort Worth, Texas

Base Proposal "A" (Wood Furniture) \$ 62,925.42

Abel Contract Furniture & Equipment
Co., Inc., Austin, Texas

Base Proposal "B" (Steel Furniture) 15,835.80

Rockford Furniture & Carpets, Inc.,
Austin, Texas

Base Proposal "C" (Hospital Recliners) \$42,531.43

Base Proposal "D" (Hospital Wardrobes) \$92,416.24

Total Contract Award to Rockford
Furniture & Carpets, Inc. 134,947.67

Hill-Rom Company, Inc., Batesville, Indiana

Base Proposal "E" (Hospital Beds) 109,967.55

GRAND TOTAL RECOMMENDED CONTRACT AWARDS \$323,676.44

The funds necessary to cover these contract awards are available in the Furniture and Equipment Account.

FURNITURE AND FURNISHINGS FOR EXPANSION OF TYLER HEALTH CENTER
 THE UNIVERSITY OF TEXAS HEALTH CENTER AT TYLER
 Bids Received at 2:00 p.m., Central Standard Time, Tuesday, January 9, 1979
 Office of Facilities Planning and Construction, The University of Texas System, Austin, Texas

	<u>Base Proposal "A"</u>	<u>Base Proposal "B"</u>	<u>Base Proposal "C"</u>	<u>Base Proposal "D"</u>	<u>Base Proposal "E"</u>	<u>Bidder's Bond</u>
Abel Contract Furniture & Equipment Co., Inc., Austin, Texas	\$ 64,518.75	\$15,835.80	No Bid	No Bid	No Bid	5%
Ellison's Furniture Company, Fort Worth, Texas	62,925.42	19,645.23	No Bid	No Bid	No Bid	5%
Hill-Rom Company, Inc., Batesville, Indiana	314,456.55	No Bid	No Bid	\$200,969.00	\$109,967.55	5%
Rockford Furniture & Carpets, Inc., Austin, Texas	66,387.59	18,884.24	\$42,531.43	92,416.24	No Bid	5%

BUILDINGS AND GROUNDS COMMITTEE

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17. U. T. AUSTIN: ADDITION TO PHARMACY BUILDING (INCLUDING RENOVATION OF EXISTING BUILDING) (PROJECT NO. 102-351) - RECOMMENDED AWARD OF CONTRACT TO J. A. JONES CONSTRUCTION COMPANY, DALLAS, TEXAS, AND APPROVAL OF TOTAL PROJECT COST

BACKGROUND INFORMATION

In accordance with authorization given by the Board of Regents at its meeting on December 1, 1978, bids were called for and were received, opened and tabulated on February 6, 1979, as shown on the attached sheet for the Addition to the Pharmacy Building at The University of Texas at Austin.

The scope of the project includes construction of a new addition of approximately 65,000 gross square feet, renovation of certain areas in the existing building, extension of utilities to serve the building site, procurement of equipment in the amount of \$710,000, and a project contingency in the amount of \$159,995 to handle unforeseen problems which may arise in the remodeling phase of the work. The proposed construction contract award can be made within previously appropriated funds at a total project cost of \$8,300,000.

RECOMMENDATIONS

President Rogers and Chancellor Walker recommend that the Board:

- a. Award the construction contract for the Addition to the Pharmacy Building at U. T. Austin to the lowest responsible bidder, J. A. Jones Construction Company, Dallas, Texas, as follows:

Base Bid	\$6,397,000
Alternates:	
1) Wood Lab Furniture	-78,000
2) Misc. Mech. & Elec. Items	+76,000
3) Replace Stair Nosings	+12,000
4) Replace Fume Hoods/HVAC	+265,000
5) Extend Gas Piping	<u>+30,000</u>
Total Recommended Contract Award	<u>\$6,702,000</u>

- b. Authorize a total project cost of \$8,300,000 to cover the recommended building construction contract award, institutional equipment, movable furniture and equipment, project contingency, air balancing, fees and related project expenses.

ADDITION TO PHARMACY BUILDING (INCLUDING RENOVATION OF EXISTING BUILDING)
 THE UNIVERSITY OF TEXAS AT AUSTIN
 Bids Received at 2:00 p.m., C.S.T., February 6, 1979, Office of Facilities Planning and Construction
 The University of Texas System, Austin, Texas

<u>Bidder</u>	<u>Base Bid</u>	<u>ALTERNATES</u>						<u>Bidder's Bond</u>
		<u>Alt. #1</u> <u>Wood Lab Furn.</u>	<u>Alt. #2</u> <u>Misc. M&E</u>	<u>Alt. #3</u> <u>Stair Nosings</u>	<u>Alt. #4</u> <u>Roofing</u>	<u>Alt. #5</u> <u>Hoods/HVAC</u>	<u>Alt. #6</u> <u>Gas Piping</u>	
B-F-W Construction Co., Inc., Temple, Texas	\$7,120,000.00	\$-78,000.00	+\$85,000.00	+\$24,000.00	\$-2,000.00	+\$300,000.00	+\$27,000.00	5%
J. A. Jones Construction Company, Dallas, Texas	6,397,000.00	-78,000.00	+76,000.00	+12,000.00	-4,000.00	+265,000.00	+30,000.00	5%
Manhattan Construction Co., Houston, Texas	6,968,800.00	-78,000.00	+78,000.00	+16,400.00	-3,000.00	+273,700.00	+26,100.00	5%
Robert E. McKee, Inc., El Paso, Texas	6,716,000.00	-78,000.00	+76,000.00	+12,000.00	-4,000.00	+296,000.00	+29,000.00	5%
Temple Associates, Inc., Diboll, Texas	7,170,000.00	-78,000.00	+69,500.00	+ 9,015.00	-4,100.00	+300,000.00	+22,100.00	5%
Zapata Warrior Constructors, A Division of Zapata Con- structors, Inc., Houston, Texas	6,600,000.00	-78,000.00	+74,000.00	+12,000.00	-4,000.00	+254,000.00	+26,000.00	5%

B & G - 17a

18. U. T. AUSTIN: SPECIAL EVENTS CENTER - ADDITIONAL EXTERIOR LIGHTING
(PROJECT NO. 102-198) - RECOMMENDED AWARD OF CONTRACT TO WALTER A.
TEW ELECTRIC, INC., AUSTIN, TEXAS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 20, 1978, bids were called for and were received, opened and tabulated on January 23, 1979, as shown below, for Additional Exterior Lighting at the U. T. Austin Special Events Center:

<u>Bidder</u>	<u>Base Bid</u>	<u>Bidder's Bond</u>
Allied Contracting Co., Austin, Texas	\$145,000.00	5%
O. H. Cummins Electric Co., Austin, Texas	134,518.00	5%
W. K. Jennings Electric Co., Inc., Austin, Texas	108,946.00	5%
Walter A. Tew Electric, Inc., Austin, Texas	94,450.00	5%

RECOMMENDATIONS

President Rogers and Chancellor Walker recommend that the Board:

- a. Award the electrical construction contract for Additional Exterior Lighting at the U. T. Austin Special Events Center to the lowest responsible bidder, Walter A. Tew Electric, Inc., Austin, Texas, in the amount of the base bid of \$94,450.00
- b. Authorize a total project cost of \$114,000.00 to cover the recommended electrical construction contract award, lighting equipment, special testing, fees and other related project expenses payable from funds previously appropriated.

- 8
19. U. T. AUSTIN: SPECIAL EVENTS CENTER - ADDITIONAL TICKET WINDOWS
(PROJECT NO. 102-198) - RECOMMENDED AWARD OF CONTRACT TO ALLIED
CONTRACTING COMPANY, AUSTIN, TEXAS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 20, 1978, bids were called for and were received, opened and tabulated on January 23, 1979, as shown below, for Additional Ticket Windows at the U. T. Austin Special Events Center.

<u>Bidder</u>	<u>Base Bid</u>	<u>Bidder's Bond</u>
Allied Contracting Co., Austin, Texas	\$102,000.00	5%
Canyon Construction Company, Austin, Texas	134,000.00	5%
Hawthorne Construction, Inc. Llano, Texas	109,212.00	5%
Thomas Hinderer, Austin, Texas	113,800.00	5%
B. L. McGee, Inc., Austin, Texas	113,000.00	5%

RECOMMENDATIONS

President Rogers and Chancellor Walker recommend that the Board:

- a. Award the construction contract for Additional Ticket Windows at the U. T. Austin Special Events Center to the lowest responsible bidder, Allied Contracting Company, Austin, Texas, in the amount of the base bid of \$102,000.00
- b. Authorize a total project cost of \$120,000.00 to cover the recommended construction contract award, furnishings, equipment, fees and other related project expenses payable from funds previously appropriated.

20. U. T. EL PASO: ALTERATIONS AND ADDITIONS TO THE ADMINISTRATION BUILDING (PROJECT NO. 201-379) - RECOMMENDED AWARD OF CONTRACTS FOR FURNITURE AND FURNISHINGS TO BUSINESS PRODUCTS AND SERVICES, INC., EL PASO, TEXAS; ABEL CONTRACT FURNITURE & EQUIPMENT CO., INC., AUSTIN, TEXAS; ELLISON'S FURNITURE COMPANY, FORT WORTH, TEXAS; ROCKFORD FURNITURE & CARPETS, INC., AUSTIN, TEXAS; AND HIGHLAND INTERIORS, INC., LUBBOCK, TEXAS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on February 10, 1978, bids for furniture and furnishings were called for and were received, opened and tabulated on February 1, 1979, as shown on the attached sheets, for Alterations and Additions to the Administration Building at The University of Texas at El Paso.

Base Proposal "A" (Wood Desks) is a higher quality desk than the desk bid in Alternate "A-1". This higher quality furniture will be more enduring and require less maintenance than the furniture listed in Alternate "A-1". The relatively small cost difference between the two proposals does not justify the selection of the lesser quality furniture.

Base Proposal "D" (Administration Office Furniture) resulted in only one bid. It is believed that a re-bid of this item at this time would not result in lower proposals. A post-bid survey determined that the U. T. El Paso campus was considered too remote by many qualified bidders in the State.

Base Proposal "H" (Draperies) resulted in five bids, the least of which was non-responsive because of the failure to provide bid security. The other four bids exceeded the estimate. It is believed that re-advertising this item will result in more favorable proposals.

Base Proposal "J" (Graphics) resulted in no bids. A post-bid survey of the qualified bidders determined that available bidders were too encumbered with existing commitments to bid at this time. This item will be re-bid in the future.

RECOMMENDATIONS

It is recommended by President Templeton and Chancellor Walker that the Board of Regents:

- a. Award the contracts for furniture and furnishings to the lowest responsible bidders as follows:

Business Products and Services,
Inc., El Paso, Texas

Base Bid "A" (Wood Desks)	\$38,710.19
Base Bid "B" (Metal Furniture)	24,223.69
Base Bid "C" (Chairs & Tables)	14,153.67
Add Alternate "C-1" (Additional Chairs & Tables)	5,567.52
Add Alternate "C-2" (Additional Chairs & Tables)	<u>3,548.97</u>

Total Contract Award to
Business Products and
Services, Inc.

\$ 86,204.04

Abel Contract Furniture &
Equipment Co., Inc.,
Austin, Texas

Add Alternate "B-1" (Chairs)	4,355.00
Base Bid "F" (Lounge Furniture)	<u>2,967.42</u>

Total Contract Award to
Abel Contract Furniture &
Equipment Co., Inc.

7,322.42

Ellison's Furniture Company,
Fort Worth, Texas

Base Bid "D" (Administration
Office Furniture) 24,984.32

Rockford Furniture and Carpets,
Inc., Austin, Texas

Base Bid "E" (Miscellaneous Items) 11,493.93
Base Bid "I" (Chair Mats) 1,860.22

Total Contract Award to
Rockford Furniture & Carpets,
Inc. 13,354.15

Highland Interiors, Inc.,
Lubbock, Texas

Base Bid "G" (Carpeting) 12,479.50
Add Alternate "G-1"
(Additional Carpet) 1,376.00

Total Contract Award to
Highland Interiors, Inc. 13,855.50

GRAND TOTAL RECOMMENDED CONTRACT AWARD \$145,720.43

- b. Reject all bids received on Proposal "H" (Draperies), re-advertise and report the results to a future meeting of the Board
- c. Re-advertise Proposal "J" (Graphics) on which no bids were received and report the results to a future meeting of the Board
- d. Appropriate additional funds in the amount of \$57,000.00 from Permanent University Bond proceeds to cover the balance of funds required for the contract awards outlined and to provide the estimated funds required to re-advertise for draperies and graphics.

FURNITURE AND FURNISHINGS FOR ALTERATIONS AND ADDITIONS TO THE ADMINISTRATION BUILDING
 THE UNIVERSITY OF TEXAS AT EL PASO
 Bids Received at 2:00 p.m., Central Standard Time, Thursday, February 1, 1979
 Office of Facilities Planning and Construction, The University of Texas System, Austin, Texas

Bidders	Base Proposal "E"	Base Proposal "F"	Base Proposal "G"	Add Alternate "G-1"	Base Proposal "H"	Base Proposal "I"	Base Proposal "J"	Bidder's Bond or Cashier's Check
Abel Contract Furniture & Equipment Company, Inc., Austin, Texas	\$11,575.64	\$ 2,967.42	No Bid	No Bid	No Bid	\$1,894.87	No Bid	B.B. 5%
Business Products and Service, Inc., El Paso, Texas	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	B.B. 5%
Carpet Services, Inc., Austin, Texas	No Bid	No Bid	\$14,498.90	\$1,590.40	No Bid	No Bid	No Bid	B.B. 5%
Charlotte's Contract Division, El Paso, Texas	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	C.C. \$2,109.00
Courtesy Carpets, Inc., El Paso, Texas	No Bid	No Bid	No Bid	No Bid	No Bid	2,649.78	No Bid	C.C. \$132.49
Ellison's Furniture Company, Fort Worth, Texas	No Bid	3,436.19	No Bid	No Bid	No Bid	No Bid	No Bid	B.B. 5%
Highland Interiors, Inc., Lubbock, Texas	No Bid	No Bid	12,479.50	1,376.00	\$15,090.00	No Bid	No Bid	B.B. 5%
Imperial Furniture Co., Inc., El Paso, Texas	No Bid	No Bid	12,811.85	1,444.80	11,785.34	No Bid	No Bid	B.B. 5%
E. G. Jenkins Co., Dallas, Texas	No Bid	No Bid	No Bid	No Bid	7,450.00	No Bid	No Bid	C.C. \$372.50
Jones Carpet Company, El Paso, Texas	No Bid	No Bid	14,312.80	1,702.40	13,088.20	No Bid	No Bid	C.C. \$1,475.17
Rockford Furniture & Carpets, Inc., Austin, Texas	11,493.93	3,268.36	No Bid	No Bid	No Bid	1,860.22	No Bid	B.B. 5%
San Antonio Floor Finishers, Inc., San Antonio, Texas	No Bid	No Bid	14,507.00	1,890.00	No Bid	No Bid	No Bid	B.B. 5%
Sherrill Draperies, Inc., Irving, Texas	No Bid	No Bid	No Bid	No Bid	5,891.00	No Bid	No Bid	None*
Stewart Office Supply Company, Dallas, Texas	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	B.B. 5%
Tri-County Floor Finishers, San Marcos, Texas	No Bid	No Bid	13,208.00	1,425.60	No Bid	No Bid	No Bid	C.C. \$731.68

*Cannot be considered as a valid bid because no bidder's bond or cashier's check was submitted with bid.

21. U. T. EL PASO: REPAIR, REHABILITATION AND ADDITIONS TO THE EL PASO CENTENNIAL MUSEUM (PROJECT NO. 201-383) - RECOMMENDED AWARD OF CONTRACTS FOR FURNITURE AND FURNISHINGS TO ABEL CONTRACT FURNITURE & EQUIPMENT COMPANY, INC., AUSTIN, TEXAS; IMPERIAL FURNITURE COMPANY, INC., EL PASO, TEXAS; AND ROCKFORD FURNITURE & CARPETS, INC., AUSTIN, TEXAS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on April 7, 1978, bids for furniture and furnishings were called for and were received, opened and tabulated on January 23, 1979, as shown on the attached sheet, for the Repair, Rehabilitation and Addition to the El Paso Centennial Museum at The University of Texas at El Paso.

RECOMMENDATIONS

It is recommended by President Templeton and Chancellor Walker that the Board of Regents award the contracts for furniture and furnishings to the lowest responsible bidders as follows:

Abel Contract Furniture &
Equipment Company, Inc.,
Austin, Texas

Base Proposal "B" (Steel Furniture) \$13,542.00

Imperial Furniture Company,
Inc., El Paso, Texas

Base Proposal "C" (Carpet & Drapes) 2,204.00

Rockford Furniture & Carpets,
Inc., Austin, Texas

Base Proposal "A" (Wood Furniture) 26,316.96

GRAND TOTAL RECOMMENDED CONTRACT AWARDS \$42,062.96

The funds necessary to cover these contract awards are available in the Furniture and Equipment Account.

FURNITURE AND FURNISHINGS
 REPAIR, REHABILITATION AND ADDITIONS TO THE EL PASO CENTENNIAL MUSEUM
 Bids Received at 2:00 p.m., Central Standard Time, Tuesday, January 23, 1979
 Office of Facilities Planning and Construction, The University of Texas System, Austin, Texas

	<u>Base Proposal "A"</u>	<u>Base Proposal "B"</u>	<u>Base Proposal "C"</u>	<u>Bidder's Bond or Cashier's Check</u>
Abel Contract Furniture & Equipment Co., Inc., Austin, Texas	\$26,693.00	\$13,542.00	No Bid	B.B. 5%
Imperial Furniture Company, Inc., El Paso, Texas	28,073.73	14,309.97	\$2,204.00	B.B. 5%
E. G. Jenkins Company, Dallas, Texas	No Bid	No Bid	4,323.00	C.C. \$216.15
Rockford Furniture & Carpets, Inc., Austin, Texas	26,316.96	14,512.18	No Bid	B.B. 5%

22. U. T. SAN ANTONIO: CLASSROOM AND OFFICE BUILDING AND ADDITION TO ARTS BUILDING (PHASE II BUILDINGS) (PROJECT NO. 401-334) - RECOMMENDED AWARD OF CONTRACTS FOR FURNITURE AND FURNISHINGS TO ABEL CONTRACT FURNITURE & EQUIPMENT COMPANY, INC., AUSTIN, TEXAS; ROCKFORD FURNITURE & CARPETS, INC., AUSTIN, TEXAS; AND WITTIG'S, INC., SAN ANTONIO, TEXAS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on June 10, 1977, bids for furniture and furnishings were called for and were received, opened and tabulated on February 1, 1979, as shown on the attached sheet, for Classroom and Office Building and Addition to Arts Building (Phase II Buildings) at The University of Texas at San Antonio.

Base Bid "A" (Wood Desks) is of a higher quality than the furniture bid in Alternate "A-1". This higher quality furniture will be more enduring and require less maintenance than the furniture bid in Alternate "A-1". The relatively small cost difference does not justify the selection of a lesser quality product.

RECOMMENDATIONS

It is recommended by President Wagener and Chancellor Walker that the Board of Regents award the contracts for furniture and furnishings to the lowest responsible bidders as follows:

Abel Contract Furniture &
Equipment Co., Inc.,
Austin, Texas

Base Bid "A" (Wood Furniture)	\$ 82,892.00
Base Bid "B" (Office Furniture)	130,972.75
Base Bid "D" (Lounge & Classroom Seating)	69,829.83
Base Bid "F" (Conference & Stacking Tables)	<u>27,174.55</u>

Total Contract Award to Abel Contract Furniture & Equipment Co., Inc.	\$310,869.13
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Rockford Furniture & Carpets,
Inc., Austin, Texas

Base Bid "E" (Stacking Chairs & Stools)	\$ 21,660.78
Base Bid "G" (Steel Shelving & Miscellaneous)	<u>8,878.24</u>

Total Contract Award to Rockford Furniture & Carpets, Inc.	30,539.02
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Wittig's, Inc., San Antonio,
Texas

Base Bid "C" (Bookcases)	<u>32,138.84</u>
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GRAND TOTAL RECOMMENDED CONTRACT AWARDS	<u><u>\$373,546.99</u></u>
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The funds necessary to cover these contract awards are available in the Furniture and Equipment Account for this project.

FURNITURE AND FURNISHINGS FOR CLASSROOM AND OFFICE BUILDING AND
 ADDITION TO ARTS BUILDING (PHASE II BUILDINGS)
 THE UNIVERSITY OF TEXAS AT SAN ANTONIO

Bids Received at 2:00 p.m., Central Standard Time, Thursday, February 1, 1979
 Office of Facilities Planning and Construction, The University of Texas System, Austin, Texas

Bidders	Base Proposal "A"	Alternate "A-1"	Base Proposal "B"	Base Proposal "C"	Base Proposal "D"	Base Proposal "E"	Base Proposal "F"	Base Proposal "G"	Bidder's Bond or Cashier's Check
Abel Contract Furniture & Equipment Company, Inc., Austin, Texas	\$82,892.00	\$79,140.60	\$130,972.75	\$33,576.40	\$69,829.83	\$23,779.60	\$27,174.55	\$9,746.00	B.B. 5%
American Desk Mfg. Company, Temple, Texas	No Bid	No Bid	No Bid	No Bid	No Bid	31,222.60	32,168.90	No Bid	B.B. 5%
Paul Anderson Company, San Antonio, Texas	84,483.45	80,958.70	133,314.92	41,881.52	No Bid	25,447.07	28,269.03	No Bid	B.B. 5%
Ellison's Furniture Company, Fort Worth, Texas	94,665.47	No Bid	178,288.26	No Bid	No Bid	43,300.00	No Bid	No Bid	B.B. 5%
Hoover Brothers, Inc., Dallas, Texas	No Bid	No Bid	No Bid	No Bid	79,135.60	24,167.90	No Bid	No Bid	B.B. 5%
Rockford Furniture & Carpets, Inc., Austin, Texas	84,085.92	No Bid	131,978.43	36,842.16	No Bid	21,660.78	31,432.48	8,878.24	B.B. 5%
Wittig's, Inc., San Antonio, Texas	No Bid	74,657.00	138,166.34	32,138.84	No Bid	24,376.40	No Bid	No Bid	C.C. \$13,466.50

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23. GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS): AMBULATORY CARE CENTER (PROJECT NO. 601-335) AND GALVESTON MEDICAL BRANCH (GALVESTON MEDICAL SCHOOL): LEARNING CENTER (PROJECT NO. 601-320) - REPORT OF RE-BIDDING AND RECOMMENDED AWARD OF CONTRACT TO J. W. BATESON COMPANY, INC., DALLAS, TEXAS, FOR CONSTRUCTION OF TWO BUILDINGS, ACCEPTANCE OF GIFT AND ADDITIONAL APPROPRIATION THEREFOR

BACKGROUND INFORMATION

At the October 20, 1978, meeting of the Board, authorization was given to reject all bids received on October 12, 1978 for the construction of the Ambulatory Care Center and the Learning Center at the Galveston Medical Branch. Initial bids received exceeded funding available at that time. Re-advertisement of bids was authorized for the two projects.

Prior to re-bidding the two projects, all reasonable efforts were made to reduce construction costs. Changes and reductions estimated to be worth \$2,400,000 were incorporated into the revised plans and specifications issued for re-bidding.

Bids were called for and were received, opened and tabulated on January 25, 1979 as shown on the attached sheet for the Ambulatory Care Center and the Learning Center at the Galveston Medical Branch.

Evaluation of the bids received indicates that the bids were highly competitive and represent the true value of the work bid, as it exists in the market in Galveston.

RECOMMENDATIONS

President Levin and Chancellor Walker recommend that the Board:

- a. Award a construction contract to the lowest responsible bidder, J. W. Bateson Company, Inc., Dallas, Texas, for the construction of the Ambulatory Care Center and the Learning Center at The Galveston Medical Branch as follows; subject to confirmation of other funds:

Combined Base Bid	\$28,957,000
Ambulatory Care Center Alternates	
Add Alternate 1.a	+199,000
Add Alternate 2.	+ 41,000
Deduct Alternate 4.a	-699,000
Learning Center Alternate	
Add Alternate 1	<u>+1,757,000</u>
Total Recommended Contract Award	<u>\$30,255,000</u>

- b. Accept an additional gift of \$450,000 from the M. D. Anderson Foundation for use in funding the Learning Center
- c. Appropriate additional funds required for a total project cost of \$33,600,000 from sources indicated, \$17,241,000 having been previously appropriated:

Houston Endowment Gift	\$ 1,100,000(a)
M. D. Anderson Foundation Gifts	975,000(a)
Libbie Moody Thompson Gift	500,000
Gifts from Alumni and Faculty	275,000
Unexpended Plant Fund Balances	4,041,000
Permanent University Fund Bond Proceeds	1,468,000
Other Funds	<u>8,000,000</u>
Total Appropriation	<u>\$16,359,000</u>

(a) Includes interest earned since receipt of initial gift.

Do you
 have
 any
 other
 approval

THE AMBULATORY CARE CENTER AND THE LEARNING CENTER
The University of Texas Medical Branch at Galveston, Galveston, Texas
Base Bids Received at 2:00 p.m., and Alternate Bids Received at 3:00 p.m., C.S.T., January 25, 1979
at The University of Texas Medical Branch at Galveston

PROJECT A, AMBULATORY CARE CENTER

<u>Bidder</u>	<u>Base Bid</u>	<u>Alt. #1 Materials Transport System</u>	<u>Alt. #2 Conn. of Trash Chute</u>	<u>Alt. #3 Add Eighth Floor</u>	<u>Alt. #4 Face Brick And Plaster Facing</u>	<u>Alt. #5 Delete Int. Fin. Level 7</u>	<u>Bidder's Bond</u>
Algernon Blair, Inc., Montgomery, Alabama	\$20,786,000	a.+\$188,000 b.+\$188,000	+\$43,000	+\$1,176,000	a.-\$670,000 b.-\$779,000	-\$732,000	5%
J. W. Bateson Company, Inc., Dallas, Texas	20,319,000	a.+\$199,000 b.+\$198,000	+\$41,000	+\$1,203,000	a.-\$699,000 b.-\$711,000	-\$565,000	5%
J. A. Jones Construction Company, Dallas, Texas	20,947,000	a.+\$185,000 b. No Change	+\$41,000	+\$1,250,000	a.-\$650,000 b.-\$ 65,000	-\$550,000	5%

PROJECT B, LEARNING CENTER

<u>Bidder</u>	<u>Base Bid</u>	<u>Alt. #1 Add Shell Space</u>	<u>Alt. #2 Landscaping</u>	<u>Alt. #3 Pre-Cast Conc. Piles</u>
Algernon Blair, Inc.	\$ 9,124,000	+\$1,524,000	+\$240,000	-\$18,000
J. W. Bateson Company, Inc.	No Bid	+\$1,757,000	+\$237,000	+\$25,000
J. A. Construction Company	No Bid	No Bid	No Bid	No Bid

PROJECT A + B, COMBINED BID

Algernon Blair, Inc.	\$29,284,000
J. W. Bateson Company, Inc.	\$28,957,000
J. A. Jones Construction Co.	No Bid

- mic / hospital*
24. GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS):
RENOVATION AND ADDITION TO GRAVES HOSPITAL (PSY-
~~CHIATRY~~ CENTER) (PROJECT NO. 601-377) APPROPRIATION
OF FUNDS FOR PROJECT

BACKGROUND INFORMATION

At the Board of Regents' meeting of August 3-4, 1978, preliminary plans and specifications were approved for the Renovation of and Addition to the Graves Hospital at a total project cost of \$6,466,000, subject to availability of funds. Authority was given for the project to be submitted to the Coordinating Board for approval. The Coordinating Board has approved the project subject to certification of availability of funds prior to accepting bids.

RECOMMENDATION

President Levin and Chancellor Walker recommend that the Board appropriate \$6,266,000 from Permanent University Fund Bond proceeds to fund this project, \$200,000 having been appropriated earlier.

25. GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS) -
HELIPORT. --No documentation has been submitted.

26. HOUSTON HEALTH SCIENCE CENTER AND UNIVERSITY CANCER CENTER: REMODELING OF PRUDENTIAL BUILDING (PROJECT NO. 701-380) - RECOMMENDED AWARD OF CONTRACT TO MEYERSON CONSTRUCTION COMPANY, INC., HOUSTON, TEXAS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 20, 1978, bids were called for and were received, opened and tabulated on January 31, 1979, as shown on the attached sheet, for the Remodeling of the Prudential Building, a joint project of the Houston Health Science Center and the University Cancer Center.

The scope of this remodeling project includes rehabilitation of the building exterior, improvements to the mechanical system and remodeling of three floors for use by the Nursing School and the School of Allied Health Sciences. Because of the many unexpected problems which crop up during remodeling projects, a project contingency in the amount of \$100,000 is included in the recommended budget for this project. Also included are sums of about \$200,000 and \$40,000 for furniture and equipment purchases and air balancing, respectively.

RECOMMENDATIONS

President Bulger, President LeMaistre and Chancellor Walker recommend that the Board:

- a. Award the construction contract for Remodeling of the Prudential Building at Houston, Texas, to the lowest responsible bidder, Meyerson Construction Company, Inc., Houston, Texas, as follows:

Base Bid	\$1,915,000
Additive Alternates:	
1) Watermain	53,000
2) Emergency Generator	96,000
3) Water Softener	84,000
4) Swimming Pool Work	21,500
5) Stairwell Repairs	70,000
6) Lighting Panel Interiors	14,300
7) Metal Lockers	<u>11,600</u>
Total Recommended Contract Award	<u>\$2,265,400</u>

- b. Authorize total project cost of \$2,856,000 to cover this recommended remodeling construction contract award, project contingency, movable furnishings and equipment, air balancing, fees and other related project expenses. This will leave approximately \$1,737,000 of the legislative appropriation for continuation of remodeling, for installation of a facilities control and monitoring system and for equipment purchases.

REMODELING OF THE PRUDENTIAL BUILDING FOR
 THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON AND THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER, HOUSTON, TEXAS
 Bids Received at 2:00 p.m., C.S.T., January 31, 1979 at the
 Prudential Building, Houston, Texas

<u>Bidder</u>	<u>Base Bid</u>	<u>Add Alternates</u>						
		<u>Alt. #1 Watermain</u>	<u>Alt. #2 Emerg. Gen.</u>	<u>Alt. #3 Wat. Soft.</u>	<u>Alt. #4 Swim. Pool</u>	<u>Alt. #5 Stair Repair</u>	<u>Alt. #6 Lt. Pan. Int.</u>	<u>Alt. #7 Metal Locks</u>
Bullen Gierhart & Gray Construction Company, Bellaire, Texas	\$2,200,000.00	\$73,000.00	\$105,000.00	\$90,000.00	\$25,000.00	\$86,000.00	\$35,000.00	\$16,000.00
Meyerson Construction Company, Inc., Houston, Texas	1,915,000.00	53,000.00	96,000.00	84,000.00	21,500.00	70,000.00	14,300.00	11,600.00
UNICO INDUSTRIES, Houston, Texas	2,065,000.00	58,300.00	112,000.00	84,231.00	20,300.00	64,900.00	19,850.00	13,500.00
Paramount Contracting, Inc., dba S & S Contracting Company and Saul Friedman, A Joint Venture, Houston, Texas	2,400,000.00	28,452.00	111,787.00	85,530.00	No Bid	38,668.00	36,000.00	2,000.00
SPAW-GLASS, INC., Houston, Texas	2,127,000.00	48,400.00	92,400.00	85,000.00	28,600.00	58,000.00	24,000.00	12,100.00
WILMAC CONSTRUCTORS, INC., Houston, Texas	2,193,000.00	55,000.00	100,000.00	90,000.00	42,000.00	65,000.00	15,000.00	15,000.00
Zapata Warrior Constructors, A Division of Zapata Constructors, Inc., Houston, Texas	2,490,000.00	38,000.00	91,000.00	62,000.00	No Bid	86,000.00	14,000.00	14,000.00

Bidders listed above presented a 5% bid bond.

27. HOUSTON HEALTH SCIENCE CENTER AND UNIVERSITY CANCER CENTER - PRUDENTIAL BUILDING - MODERNIZATION OF ELEVATORS (PROJECT NO. 701-380) - RECOMMENDED AWARD OF CONTRACT TO DOVER ELEVATOR COMPANY, HOUSTON, TEXAS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 20, 1978, bids were called for and were received, opened and tabulated on January 31, 1979, as shown on the attached sheet, for the Modernization of Elevators in the Prudential Building, a joint project of the Houston Health Science Center and the University Cancer Center.

The recommended contract award for the Modernization of Elevators in the Prudential Building, fees, related project expenses as well as the future inclusion of an improved SCR drive mechanism can be accomplished within legislative appropriation approved for this remodeling project.

RECOMMENDATIONS

President Bulger, President LeMaistre and Chancellor Walker recommend that the Board:

- a. Award the construction contract for the Modernization of Elevators in the Prudential Building at Houston, Texas, to the lowest responsible bidder, Dover Elevator Company, Houston, Texas, as follows:

Base Bid	\$587,669
Add Alternate:	
Remodel Cab Interiors	<u>22,718</u>
Total Recommended Elevator Contract Award	<u>\$610,387</u>

- b. Authorize a total project cost of \$725,000 from funds previously appropriated to cover the recommended elevator modernization contract award, provision of an SCR drive, fees and other related project expenses.

PRUDENTIAL BUILDING - MODERNIZATION OF ELEVATORS
 THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON AND THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER, HOUSTON, TEXAS
 Bids Received at 11:00 a.m., C.S.T., January 31, 1979 at the
 Prudential Building, Houston, Texas

<u>Bidder</u>	<u>Base Bid</u>	<u>Add Alternates</u>		<u>Bidder's Bond</u>
		<u>Alt. # 1 Alt. Cab Interiors</u>	<u>Alt. #2 SCR Drives</u>	
Dover Elevator Company, Houston, Texas	\$ 578,669.00	\$22,718.00	\$ No Bid	5%
Haughton Elevator Division, Reliance Electric Company, Houston, Texas	869,664.00	24,128.00		5%
Montgomery Elevator Company, Houston, Texas	738,330.00	11,616.00	29,000.00	5%
Otis Elevator Company, Dallas, Texas	1,440,326.00	In Base Bid	No Bid	5%
United States Elevator Corp., Houston, Texas	1,013,546.00	38,445.00	No Bid	5%
Westinghouse Elevator Company, Houston, Texas	1,038,388.00	47,326.00	No Bid	5%

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28. SAN ANTONIO HEALTH SCIENCE CENTER: EXPANSION OF BASIC SCIENCE TEACHING SPACE - LECTURE HALLS (PROJECT NO. 402-381) - RECOMMENDED AWARD OF CONTRACT TO KUNZ CONSTRUCTION COMPANY, INC., SAN ANTONIO, TEXAS

BACKGROUND INFORMATION

In accordance with authorization given by the Board of Regents at its meeting in October 1978, bids were called for and were received, opened and tabulated on January 23, 1979, as shown on the attached sheet, for Lecture Halls, part of the authorized Expansion of Basic Science Teaching Space at the San Antonio Health Science Center. The proposed award can be made within previously appropriated funds.

RECOMMENDATIONS

President Harrison and Chancellor Walker recommend that the Board:

- a. Award the construction contract for the Lecture Halls portion of the Expansion of Basic Science Teaching Space at the San Antonio Health Science Center to the lowest responsible bidder, Kunz Construction Company, Inc., San Antonio, Texas, as follows:

Base Bid	\$2,898,000
Deductive Alternates:	
Substitute Architectural Concrete	- 110,000
Delete Interior Wood Trim	<u>- 30,000</u>
Total Recommended Contract Award	<u>\$2,758,000</u>

- b. Authorize a total project cost of \$2,952,000 to cover the recommended building construction contract award, air balancing, site work, fees and other related project expenses.

BASIC SCIENCE TEACHING SPACE EXPANSION, LECTURE HALLS
The University of Texas Health Science Center at San Antonio
Bids Received at 2:00 p.m., Central Standard Time, Tuesday, January 23, 1979 at
The University of Texas Health Science Center at San Antonio, San Antonio, Texas

<u>Bidder</u>	<u>Base Bid</u>	<u>Deduct Alternates</u>				<u>Bidder's Bond</u>
		<u>Alt. #1</u> Chg. Ext. Arch. Conc. to Stand. Struct.	<u>Alt. #2</u> Del. Vert. Bd. Fin. Sub. Gyp. WB.	<u>Alt. #3</u> Del. Int. Fin. and Devices	<u>Alt. #4</u> Total Interior Development	
Coastal Bend Construction Co., San Antonio, Texas	\$3,111,000.00	\$ 8,500.00	\$23,600.00	\$58,200.00	\$121,700.00	5%
Kunz Construction Company, Inc., San Antonio, Texas	2,898,000.00	110,000.00	30,000.00	78,500.00	136,500.00	5%
LYDA, INC., San Antonio, Texas	2,998,000.00	108,000.00	32,000.00	74,000.00	130,000.00	5%
B & C Prassel Construction Company, San Antonio, Texas	3,330,000.00	8,000.00	20,000.00	50,000.00	110,000.00	5%

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Health Affairs Committee

HEALTH AFFAIRS COMMITTEE

Date: February 9, 1979

Time: Following the meeting of the Academic and Developmental Affairs Committee unless the Buildings and Grounds Committee does not finish its business on February 8 and reconvenes on February 9

Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

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NOTE: The agreements recommended for approval by the Health Affairs Committee have been approved by an attorney of the Office of General Counsel and are based on the model agreement adopted December 16, 1977, unless the document is included.

1. U. T. Hospitals: Report of Subcommittee on Hospitals Relating to Procedures for Compliance with Hospital Accreditation Requirements. --

The Subcommittee on Hospitals is scheduled to meet on Thursday morning, February 8, at which time the following recommendation will be acted on.

RECOMMENDATION

It is recommended by the Subcommittee on Hospitals of the Board of Regents and concurred in by Chancellor Walker that the Vice Chancellor for Health Affairs be directed to review patient care evaluation activities (as required by the Joint Commission on Accreditation of Hospitals) of the medical staff of The University of Texas Hospitals. The Vice Chancellor for Health Affairs shall also be empowered to sign such requests on behalf of the Board of Regents. Periodic summary reports will be presented to the Subcommittee on Hospitals for their review and recommendations to the Board of Regents.

This action will meet the accreditation standards published by the Joint Commission on Accreditation of Hospitals.

2. U. T. Austin: Proposed Affiliation Agreement with Seton Medical Center, Austin, Texas. --

RECOMMENDATION

It is recommended by President Rogers and concurred in by Chancellor Walker that approval be given to the following affiliation agreement (Pages HAC 4 -8) by and between The University of Texas at Austin and Seton Medical Center, Austin, Texas. The agreement, executed on September 1, 1978 by the appropriate officials to be effective upon approval by the Board of Regents, has been approved as to form by the Office of General Counsel and has been reviewed and endorsed by the Office of Academic Affairs.

PURPOSE

This agreement will provide educational experience to students in health education through facilities available at the Seton Medical Center.

HEALTH CARE
EDUCATIONAL EXPERIENCE PROGRAM
AFFILIATION AGREEMENT

THIS AGREEMENT made the 1st day of September, 1978, by and between the University of Texas at Austin ("University"), a component institution of The University of Texas System, ("System"), and Seton Medical Center ("Facility"), a Hospital having its principal office at 1201 West 38th Street, Austin, Texas 78705, State of Texas.

WITNESSETH:

WHEREAS, Facility now operates Hospital facilities located at 1201 West 38th Street, in the City of Austin, State of Texas, and therein provides health care services for persons in need of such services; and University provides an academic program with respect to health care; and;

WHEREAS, University periodically desires to provide health care related educational experiences for its students, which are not otherwise available to them under the existing program of University, by utilization of appropriate facilities and personnel of Facility; and,

WHEREAS, Facility is committed to a goal of providing the best obtainable supply of personnel educated in the field of health care as being in the best interests of Facility, and believes that achievement of such goal can best be accomplished by affording health-care students the opportunity to participate in meaningful educational experiences as a part of an academic health care program, through utilization of appropriate facilities and personnel of Facility; and,

WHEREAS, in order to accomplish such objectives, University and Facility intend to establish and implement from time to time, one or more educational experience programs which will involved the students and personnel of University, and the facilities and personnel of facility;

NOW, THEREFORE, in consideration of the premises and of the benefits derived and to be derived therefrom and from the program or programs established and implemented by said parties, University and Facility agree that any program agreed to by and between Facility and University, during the term of this Agreement, for purposes of achieving the above described objectives of said parties (hereinafter called "Educational Experience Program," or "Program"), shall be covered by and subject to the following terms and conditions:

1. The Program shall not become effective until all agreements between the parties with respect to Program have been reduced to writing ("Program Agreement"), executed by the duly authorized representatives of Facility and University, and approved in writing by the President of The University of Texas System.

2. In the event of conflict between the text of Program Agreement and the text of this Agreement, this Agreement shall govern.

3. After Program Agreement becomes effective, no amendments thereto shall be valid unless in writing and executed by the duly authorized representatives of Facility and University, and approved by the President of The University of Texas System.

4. Except for certain acts to be performed by University pursuant to express provisions of this Agreement, Facility hereby agrees to permit Program students to observe patient care as described in the Program Agreement, under the supervision of the hospital and when properly scheduled in advance, and in connection with such Program, further agrees:

(a) To comply with all Federal, State and Municipal laws, ordinances, rules and regulations applicable to performance by Facility of its obligations under this Agreement, and all applicable accreditation requirements, and to certify such compliance to University or other entity when requested to do so by University.

(b) To permit the authority responsible for accreditation of University's curriculum upon prior written notice to inspect such facilities, services and other things provided by the Facility as they relate to the Program Agreement and are necessary for accreditation evaluation.

(c) To appoint a person to serve for Facility as liaison (Liaison) to the faculty and students engaged in the program; provided, however, that no person not having the prior written approval of University shall be appointed Liaison; and, in such connection, facility shall furnish in writing to University the name and professional and academic credentials of the person proposed by Facility to be Liaison, and within ten days after receipt of same, University shall notify Facility of University's approval or disapproval of such person. In the event the Liaison becomes unacceptable to University after appointment, and University so notifies Facility in writing, Facility will appoint another person to serve as Liaison in accordance with the procedure stated in the first sentence of this sub-paragraph (c).

5. University hereby agrees:

(a) To furnish Facility with the names of the students assigned by University to participate in the Program.

(b) To assign for participation in the Program only those students (1) who have satisfactorily completed those portions of its curriculum which, according to Program Agreement, are prerequisite to such participation, all as determined by University in its sole discretion, and (2) who have entered into a written agreement with University and Facility that they will not publish any material relating to the Program, or their experience in participating therein, without prior written approval of University and Facility.

(c) To designate a member of the University faculty to coordinate with Facility through its Liaison the learning assignment to be assumed by each student participating in the Program, and to furnish to Facility in writing the name of such faculty member.

(d) To furnish the facility with names of any facility personnel accepted by University as Clinical Faculty Members and reimbursed by University for services provided under this Agreement. University will also provide any such Clinical Faculty member with a payment schedule showing paydays and payment amounts.

6. A daily schedule including the names of each student, the area(s) to be observed, and the time in which each student will be in each area will be submitted to the Facility Liaison for approval.

7. All notices under this Agreement shall be provided to the party to be notified in writing, either by personal delivery or by United States mail. All notices under this Agreement shall be deemed given to a party when received by such party's designated representative.

8. All the agreements between the parties on the subject matter hereof have been reduced to writing herein. No amendments to this Agreement shall be valid unless in writing and signed by the duly authorized representatives of the parties, and approved by the Board of Regents of The University of Texas System.

9. No oral representations of any officer, agent, or employee of Facility or The University of Texas System, or any of its component institutions, (including, but not limited to University), either before or after the effective date of this Agreement, shall affect or modify any obligations of either party hereunder or under any Program Agreement.

10. University shall, to the extent authorized under the constitution and laws of the State of Texas, hold Facility harmless from liability resulting from University's acts or omissions within the terms of this Agreement; provided, however, University shall not hold Facility harmless from any claims, demands, or causes of action arising in favor of any person or entity, growing out of, incident to, or resulting directly or indirectly from negligence (whether sole, joint concurring or otherwise) of Facility, its officers, agents, representatives, or employees, or any person or entity not subject to University's supervision or control.

11. This Agreement shall be binding on and shall inure to the benefit of the parties and their respective successors and assignees; provided, however, that no assignment by either party shall be effective without prior written approval of the other party. A delay in or failure of performance of either party shall not constitute default hereunder, or give rise to any claim for damages, if and to the extent such delay or failure is caused by occurrences beyond the control of either party.

12. This Agreement shall not become effective unless and until approved by the Board of Regents of the University of Texas System. If so approved, this Agreement shall become effective on the date of such approval, and shall continue in effect for an initial term ending one (1) year after the date and year of execution by Facility and University, and after such initial term, from year to year unless one party shall have given notice of intent to terminate no earlier than the end of the current semester.

Executed by University and Facility on the day and year first above written, in duplicate copies, each of which shall be deemed an original.

UNIVERSITY

BY Lorene L. Rogers
President
The University of Texas at Austin

CONTENT APPROVED:

Edythe Baker
Chancellor of the System
James J. Moore
ViceChancellor for Academic Affairs
(System)

FORM APPROVED:

W.D. Smith
General Counsel of the System

FACILITY

ATTEST:

By Sister Mary Rose M. Phee
(Title) Administrator S.C.

John P. H. Goodrich
(Title) Associate Administrator

CERTIFICATE OF APPROVAL

I hereby certify that the foregoing Agreement was approved by the
Board of Regents of The University of Texas System on the _____ day of _____,
197__.

Secretary, Board of Regents
The University of Texas System

3. U. T. El Paso: Proposed Affiliation Agreement with Sun Towers, Inc., El Paso, Texas. --

RECOMMENDATION

It is recommended by President Templeton and Chancellor Walker that approval be given to the affiliation agreement by and between The University of Texas at El Paso and Sun Towers, Inc., El Paso, Texas. The agreement was executed by the appropriate officials on November 17, 1978, to be effective upon approval by the Board of Regents.

PURPOSE

This agreement will permit additional educational facilities for U. T. El Paso students in health related fields.

4. U. T. El Paso: Proposed Affiliation Agreement with the West Texas Council of Governments, El Paso, Texas. --

RECOMMENDATION

System Administration recommends that approval be given to the following affiliation agreement (Pages HAC 10-13) by and between The University of Texas at El Paso and the West Texas Council of Governments, El Paso, Texas. The agreement, executed by the appropriate officials on November 27, 1978 to be effective upon approval by the Board of Regents, has been approved as to form by the Office of General Counsel and has been reviewed and endorsed by the Office of Academic Affairs.

PURPOSE

This agreement will allow students to participate in planning and community development activities as interns in a work-study program.

AFFILIATION AGREEMENT

FOR THE
WORK STUDY PROGRAM
FUNDED BY THE
U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT .

This AGREEMENT is being entered into between the UNIVERSITY OF TEXAS AT EL PASO, hereinafter referred to as the Educational Institution, and the WEST TEXAS COUNCIL OF GOVERNMENTS, hereinafter referred to as the Grantee.

WITNESSETH

WHEREAS, the Grantee has been awarded a grant by the U. S. Department of Housing and Urban Development, hereinafter referred to as HUD, under the provisions of Section 701 of the Housing Act of 1954, as amended, for administering a Work Study Program;

WHEREAS, the HUD grant has been awarded for the purpose of increasing the participation of disadvantaged persons who, by virtue of their backgrounds, have insight into minority and low income concerns in comprehensive planning and community development activities; and,

WHEREAS, the Educational Institution desires to participate in the Work Study Program by providing certain educational related services;

NOW THEREFORE, BE IT RESOLVED, that the Educational Institution and the Grantee hereby mutually agree upon the following terms of this Agreement:

1. The Educational Institution will:

A. Comply with the provisions of the HUD Work Study Program Guidelines and the Grantee's Program Administrative Procedures;

B. Designate a full-time professional Faculty Advisor who will be responsible for providing guidance and counseling to the Work Study Program Interns, hereinafter referred to as the Interns, who the Grantee assigns to the Educational Institution;

C. Assist the Grantee in planning overall Seminars and workshops which can contribute to the development of the Work Study Program;

D. Permit the Intern Faculty Advisor to attend and participate in the Work

Study Coordinating Committee meetings, and in Seminars and workshops called or sponsored by the Grantee;

E. Assist the Grantee in advertising the HUD Work-Study Program through the Educational Institution's authorized sources, in the recruitment of Interns for the Program, and in determining the Program Applicant's commitment and eligibility under the provisions of the Work Study Program:

F. Permit and require the Intern Faculty Advisor to participate in the mid-term and final evaluations of the Program, maintain and make available to the Grantee, all records in relation to the Work Study Program and report all violations of the Interns in relation to the academic standards of the Educational Institution to the Work Study Program Coordinator; and,

G. Provide the Grantee, on a quarterly basis, proper documentation on forms approved by the Grantee, of the in-kind services provided by the Educational Institution; and,

H. Not deny the Interns work or assignments or subject the Interns to different treatment on the grounds of race, color, sex, or national origin, and will comply with the provisions of the Civil Rights Act of 1964 (P. L. 88-352; 78 Stat. 252), and the regulations of HUD which will implement that Act.

2. Grantee: The Grantee will:

A. Provide Staff support to the Educational Institution to insure proper coordination and administration for the Intern positions;

B. Provide the Educational Institution with the necessary administrative documents to include the HUD Work Study Program Guidelines, to Faculty Advisor in-kind Sheets, list of Seminars and other meetings and the dates, the membership roster of the Work Study Coordinating Committee, and other documents as they need may arise;

C. Sponsor Seminars and workshops to include the Interns, the Faculty Advisors, Work Supervisors, Grantee Staff, HUD representatives, and guest speakers;

D. Conduct an orientation session to be held at a specified date, time,

and place;

E. Provide overall Program monitoring through the Work Study Program Coordinator; and,

F. In conjunction with the Educational Institution and the Sponsoring Agencies, conduct a mid-term and final evaluations of the Work Study Program.

3. Indemnification: The Educational Institution shall, to the extent authorized under the constitution and laws of the State of Texas, hold the Grantee harmless from liability resulting from the Educational Institution's acts or omissions within the terms of this Agreement; provided, however, the Educational Institution shall not hold the Grantee harmless from any claims, demands, or causes of action arising in favor of any person or entity, growing out of, incident to, or resulting directly or indirectly from negligence (whether sole, joint, concurring, or otherwise) of the Grantee, its officers, agents, representatives, or employees, or any person or entity not subject to the Educational Institution's supervision or control.

4. Period of Agreement. The term of this agreement shall be from September 1, 1978, and shall have perpetual existence, unless terminated by either or both contracting parties.

5. Location of Performance. The place where such services are to be performed is the City of El Paso, in the County of El Paso, State of Texas, or in such cities or States as the Educational Institution may require.

6. Law Governing Contract. For purposes of determining the place of the Contract and the law governing the same, it is agreed that this Contract is entered into in the City of El Paso, in the County of El Paso, State of Texas, and shall be governed by the laws of the State of Texas.

7. Termination of Agreement. This Agreement may be terminated for any reason by the Grantee or the Educational Institution upon thirty (30) days notice, in writing, given by the terminating party to the other party.

8. Entire Agreement. This Agreement constitutes and expresses the entire Agreement of the parties hereto in reference to the professional and expert

services of the Educational Institution, and in reference to any of the matters or things herein provided for, or hereinbefore discussed or mentioned in reference to the providing of such services, all promises, representations, and understandings relative thereto being herein merged.

Executed by the Educational Institution and Grantee on the 27th day of November, 1978, in duplicate copies, each of which shall be deemed an original.

THE UNIVERSITY OF TEXAS AT EL PASO

By: A. B. Templeton
A. B. Templeton, President

Chairman of the Board of Regents
Allan Shivers

FORM APPROVED:

W. D. Ahub
General Counsel of the System

CONTENT APPROVED:

Chancellor
Chancellor of the System

Vice Chancellor
Vice Chancellor for Academic Affairs
(System)

ATTEST:

E. Ray Hill
E. RAY HILL, Executive Dir.

WEST TEXAS COUNCIL OF GOVERNMENTS

By: J. U. Moore
JUDGE T. UDELL MOORE, President

CERTIFICATE OF APPROVAL

I hereby certify that the foregoing Agreement was approved by the Board of Regents of The University of Texas System on the _____ day of _____, 1978.

Secretary, Board of Regents
The University of Texas System
Betty Anne Thedford

5. U. T. El Paso: Proposed Affiliation Agreement with the R. E. Thomason General Hospital, El Paso, Texas. --

RECOMMENDATION

It is recommended by President Templeton and concurred in by Chancellor Walker that approval be given to the following affiliation agreement (Pages HAC 14-18) by and between The University of Texas at El Paso and the R. E. Thomason General Hospital, El Paso, Texas. The agreement, executed by the appropriate officials on January 5, 1979 to be effective upon approval by the Board of Regents, is identical with one between U. T. El Paso and the National Medical Hospital of Texas (Sierra Medical Center) approved by the Board of Regents on October 20, 1978.

PURPOSE

This agreement will provide facilities for use by nursing students at U. T. El Paso.

HEALTH CARE

EDUCATIONAL EXPERIENCE PROGRAM

AFFILIATION AGREEMENT

THIS AGREEMENT made the 5th day of January, 1979, by and between The University of Texas at El Paso ("University"), a component institution of The University of Texas System ("System"), and R. E. Thomason General Hospital ("Facility"), a County Hospital District having its principal office at 4815 Alameda, El Paso, State of Texas.

WITNESSETH:

WHEREAS, Facility now operates health services facilities located at 4815 Alameda, in the City of El Paso, State of Texas, and therein provides health care services for persons in need of such services; and University provides an academic program with respect to health care; and,

WHEREAS, University periodically desires to provide health care related educational experiences for its students, which are not otherwise available to them under the existing program of University, by utilization of appropriate facilities and personnel of Facility; and,

WHEREAS, Facility is committed to a goal of providing the best obtainable supply of personnel educated in the field of health care as being in the best interests of Facility, and believes that achievement of such goal can best be

accomplished by affording health-care students the opportunity to participate in meaningful educational experiences as a part of an academic health care program, through utilization of appropriate facilities and personnel of Facility; and,

WHEREAS, in order to accomplish such objectives, University and Facility intend to establish and implement from time to time, one or more educational experience programs which will involve the students and personnel of University, and the facilities and personnel of Facility;

NOW THEREFORE, in consideration of the premises and of the benefits derived and to be derived therefrom and from the program or programs established and implemented by said parties, University and Facility agree that any program agreed to by and between Facility and University, during the term of this Agreement, for purposes of achieving the above described objectives of said parties (hereinafter called "Educational Experience Program," or "Program"), shall be covered by and subject to the following terms and conditions:

1. The Program shall not become effective until all agreements between the parties with respect to Program have been reduced to writing ("Program Agreement"), executed by the duly authorized representatives of Facility and University, and approved in writing by the President of The University of Texas System.

2. The Program may be cancelled by either party by giving such written notice to the other of its intention to terminate the Program as provided in the Program Agreement; provided, however, that the Program shall automatically terminate upon termination of this Agreement.

3. In the event of conflict between the text of Program Agreement and the text of this Agreement, this Agreement shall govern.

4. After Program Agreement becomes effective, no amendments thereto shall be valid unless in writing and executed by the duly authorized representatives of Facility and University, and approved by the President of The University of Texas System.

5. Except for certain acts to be performed by University pursuant to express provisions of this Agreement, Facility hereby agrees to furnish the premises, personnel, services, and all other things necessary for the Educational Experience Program, as specified in the Program Agreement, and, in connection with such Program, further agrees:

(a) To comply with all Federal, State and Municipal laws, ordinances, rules and regulations applicable to performance by Facility of its obligations

under this Agreement, and all applicable accreditation requirements, and to certify such compliance to University or other entity when requested to do so by University.

(b) To permit the authority responsible for accreditation of University' curriculum to inspect such facilities, services and other things provided by Facility pursuant to this Agreement as are necessary for accreditation evaluation.

(c) To appoint a person to serve for Facility as liaison (Liaison) to the faculty and students engaged in the Program; provided, however, that no person not having the prior written approval of University shall be appointed Liaison; and, in such connection, Facility shall furnish in writing to University (not later than thirty (30) days prior to the date the Liaison appointment is to become effective) the name and professional and academic credentials of the person proposed by Facility to be Liaison, and within ten days after receipt of same, University shall notify Facility of University's approval or disapproval of such person. In the event the Liaison becomes unacceptable to University after appointment, and University so notifies Facility in writing, Facility will appoint another person to serve as Liaison in accordance with the procedure stated in the first sentence of this sub-paragraph (c).

6. University hereby agrees:

(a) To furnish Facility with the names of the students assigned by University to participate in the program.

(b) To assign for participation in the Program only those students (1) who have satisfactorily completed those portions of its curriculum which, according to Program Agreement, are prerequisite to such participation, all as determined by University in its sole discretion, and (2) who have entered into a written agreement with University and Facility that they will not publish any material relating to the Program, or their experience in participating therein, without the prior written approval of University and Facility.

(c) The University shall provide the Facility with the name of the insurance company with which each student and member of the faculty using the facility carries malpractice insurance. The Facility shall notify the University prior to January 15 and September 1, each year of any special requirements for malpractice insurance as a condition of using the Facility as provided by this

agreement.

(d) To designate a member of the University faculty to coordinate with Facility through its Liaison the learning assignment to be assumed by each student participating in the Program, and to furnish to Facility in writing the name of such faculty member.

7. All notices under this Agreement shall be provided to the party to be notified in writing, either by personal delivery or by United States mail. All notices under this Agreement shall be deemed given to a party when received by such party's designated representative.

8. All the agreements between the parties on the subject matter hereof have been reduced to writing herein. No amendments to this Agreement shall be valid unless in writing and signed by the duly authorized representatives of the parties, and approved by the Board of Regents of The University of Texas System.

9. No oral representations of any officer, agent, or employee of Facility or The University of Texas System, or any of its component institutions, (including, but not limited to University), either before or after the effective date of this Agreement, shall affect or modify any obligations of either party hereunder or under any Program Agreement.

10. This Agreement shall be binding on and shall inure to the benefit of the parties and their respective successors and assignees; provided, however, that no assignment by either party shall be effective without prior written approval of the other party. A delay in or failure of performance of either party shall not constitute default hereunder, or give rise to any claim for damages, if and to the extent such delay or failure is caused by occurrences beyond the control of either party.

11. This Agreement shall not become effective unless and until approved by the Board of Regents of The University of Texas System. If so approved, this Agreement shall become effective on the date of such approval, and shall continue in effect for an initial term ending one (1) year after the date and year of execution by Facility and University, and after such initial term, from year to

6. U. T. San Antonio: Proposed Affiliation Agreements with (a) St. Luke's Lutheran Hospital, San Antonio, Texas; (b) Scott & White Memorial Hospital and Scott, Sherwood and Brindley Foundation, Temple, Texas; and (c) Southwest Texas Methodist Hospital, San Antonio, Texas. --

RECOMMENDATION

It is recommended by President Wagener and concurred in by Chancellor Walker that approval be given to affiliation agreements by and between The University of Texas at San Antonio and the following facilities. The agreements were executed by the appropriate officials on the dates indicated below to be effective upon approval by the Board of Regents:

<u>Facility</u>	<u>Agreement Executed</u>
a. St. Luke's Lutheran Hospital San Antonio, Texas	October 5, 1978
b. Scott & White Memorial Hospital and Scott, Sherwood and Brindley Foundation Temple, Texas	November 7, 1978
c. Southwest Texas Methodist Hospital San Antonio, Texas	September 7, 1978

PURPOSE

Each of these agreements will contribute training opportunities for U. T. San Antonio students primarily in the Division of Allied Health and Life Sciences.

7. Dallas Health Science Center: Proposed Affiliation Agreement with Dallas County Hospital District (Parkland Hospital), Dallas, Texas. --

RECOMMENDATION

President Sprague

It is recommended by President Sprague that approval be given to the following affiliation agreement (Pages HAC 20-27) by and between The University of Texas Health Science Center at Dallas and the Board of Managers of the Dallas County Hospital District, Dallas, Texas, to be effective upon approval by the Board of Regents. This agreement, approved by the Special Committee (Committee Chairman Williams and Regents Law and Hay) appointed by Chairman Shivers, will replace the one approved by the Board of Regents at its meeting on May 6, 1967, and will continue the mutually beneficial relationship.

Chancellor Walker

Chancellor Walker concurs with President Sprague's recommendation in view of the importance of this relationship to the quality of care rendered patients of the Dallas County Hospital District and to the educational programs of the Dallas Health Science Center.

PURPOSE

This agreement, which has been approved by the Office of General Counsel, provides the opportunity for clinical teaching and research at patient care facilities of the District and for the faculty of the Health Science Center to provide, direct and supervise all physician medical services to all patients of such facilities.

AGREEMENT

THIS AGREEMENT MADE the ____ day of _____, 197 ____, by and between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM ("Regents"),; for and on behalf of The University of Texas Health Science Center at Dallas ("Center"), a component of The University of Texas System, and the BOARD OF MANAGERS OF THE DALLAS COUNTY HOSPITAL DISTRICT ("District"), owner and operator of the Dallas Hospital District System, WITNESSETH:

WHEREAS, District is a public body created and existing under the laws of the State of Texas to operate a public hospital for Dallas County, Texas, to supply hospital medical care primarily for indigent and needy citizens of Dallas County, Texas, and to aid in improving the public health as well as medical science and medical education, as provided by law; and

WHEREAS, Regents operate Center which includes a school of medicine, graduate school, and school of allied health sciences, for the education of physicians and other health care professionals, and for research and other activities incident to the operation of said schools; and

WHEREAS, it is the desire of District to obtain the advantages of professional medical services and research by the faculties and staffs of the Center's medical school, graduate school, and allied health sciences school, for the benefit of the injured and sick cared for by District; and

WHEREAS, Regents desire the opportunity for clinical teaching and research at District facilities, including Parkland Memorial Hospital ("Parkland"), for students and faculty of Center under conditions of actual responsibility for patient care; and

WHEREAS, through a long period of actual experience it has been clearly demonstrated that a proper quality of care and treatment of patients of District and

a significant benefit to the teaching and research programs of Center have resulted from close affiliation and integration of activities and functioning of District institutions as teaching hospitals; and

WHEREAS, the parties now desire to extend and improve this mutually advantageous affiliation;

NOW, THEREFORE, in consideration of the premises and of the benefits derived and to be derived therefrom, REGENTS and DISTRICT, for purposes of achieving the above described objectives of said parties, agree as follows:

A. RESPONSIBILITIES OF PARTIES

1. District shall provide for the operation and maintenance of a fully accredited non-sectarian hospital system, including PARKLAND, as prescribed by the laws of the State of Texas and shall make said system available to Center pursuant to the terms of this Agreement.

2. For purposes of this Agreement, the responsibilities of the Board of Managers with respect to DISTRICT affairs include:

- a. Approval of the by-laws of the Board of Managers, the by-laws of the Medical Staff of PARKLAND and other DISTRICT health care facilities ("Medical Staff");
- b. Appointment of a hospital administrator to serve as Chief Executive Officer of DISTRICT ("CEO");
- c. Annual appointment of Medical Staff upon recommendation of Medical Staff concurred in by the dean of the Center Medical School and CEO;
- d. Appointment of all categories of House Staff of PARKLAND and other DISTRICT health care facilities ("House Staff") upon recommendation of the chief of the appropriate service, the Medical Advisory Council, and CEO;
- e. Planning for expansion of DISTRICT'S physical facilities and services, provided however that planning shall be done in consultation with Center and Medical Staff;

- f. DISTRICT budgetary and fiscal matters subject to approval of the Commissioners Court of Dallas County, as provided by the laws of the State of Texas;
- g. Defining the DISTRICT'S needs for a sufficient number of qualified physicians to adequately provide, direct and supervise physician medical services to all inpatients and outpatients of Parkland Memorial Hospital and other health care facilities of DISTRICT;
- h. Appointment as chiefs of departments, divisions and services of Medical Staff, the physicians who are chairmen or chiefs of the corresponding departments or divisions of Center medical school, said appointments to be made upon the recommendation of the President of Center or his designees and CEO;
- i. Determining and paying salaries, stipends, and appropriate fringe benefits of appointed House Staff except under special circumstances as approved by the Board of Managers.

3. Regents through Center shall provide for the maintenance and operation of a fully accredited and non-sectarian educational institution, including a medical school, graduate school, and school of allied health sciences as prescribed by the laws of the State of Texas, and shall make said schools available to District pursuant to the terms of this Agreement.

- 4. For purposes of this Agreement, the responsibilities of Regents include:
 - a. Governance and management of Center pursuant to the laws of the State of Texas, including budgetary and fiscal matters;
 - b. Appointment of administrative officers and faculty of Center;
 - c. Supplying a sufficient number of qualified physicians who are members of Center faculty to adequately provide, direct and supervise physician medical services to all inpatients and outpatients of Parkland Memorial Hospital and other District health care facilities, subject to Paragraph 3 of the General Provisions of this Agreement hereinafter set forth. Total physician patient care will be provided, directed, and supervised by faculty of Center to patients of District. District house staff will participate in patient care under the direction of the Medical Staff;
 - d. Enforcement of the bylaws of the Medical Staff through

administration of Center;

e. Encouraging fulltime faculty of Center to utilize DISTRICT facilities for the needs of all private patients, including inpatients, outpatients and emergency room patients to the extent that services and facilities are available;

f. Notification of District CEO of the nature and extent of educational, service and research programs at facilities not owned and operated by DISTRICT. Regents will give priority to DISTRICT facilities for any new or expanded programs to be operated by Center where such facilities are adequate and appropriate for such use.

B. GENERAL PROVISIONS

1. Joint Conference Committee of Parkland Memorial Hospital. The Joint Conference Committee ("JCC") shall function as liaison between the Board of Managers of DISTRICT and the Medical Staff and the composition and operation of said Committee shall be governed by the Medical Staff bylaws as they may be amended from time to time. Under current bylaws (a) said Committee shall consist of three members of the Board of Managers, the president of the Medical Staff, and a member at large of the Medical Staff nominated by the president of the Medical Staff and chairman of the Medical Advisory Council and elected by the Medical Advisory Council, and the chairman of the Medical Advisory Council; (b) in the event that one of these Medical Staff members should be elected to dual positions, the vice president of the Medical Staff shall serve as the third Medical Staff representative; (c) the administrator of DISTRICT and the dean of the Center medical school, or their designees, shall be ex-officio members of the Committee; and (d) the JCC shall meet no less often than quarterly and will meet more often at the direction of the JCC chairman or at the request of any two members.
2. Joint Administrative Affairs Committee. The Joint Administrative Affairs Committee ("JAAC") shall consider fiscal and administrative matters which have not been resolved by the CEO of DISTRICT and president of Center and shall make recommendations regarding such

matters to the Board of Managers of District and Regents. The Committee shall consist of CEO of DISTRICT, the Chairman of the Board of Managers of DISTRICT, one other member of the Board of Managers, President of Center, Vice Chancellor for Health Affairs of The University of Texas System, and one Regent of The University of Texas System.

3. Compensation will be paid by DISTRICT to Center for certain categories of documented professional services which must be rendered in the regular operation of any accredited hospital but which may be of little value or direct benefit to the educational or research activities of Center. Annually, the President of Center and CEO of DISTRICT will agree in advance on a list of such services and the personnel rendering such services, provided however, that in the event that an agreement cannot be reached between said officers, those unresolved issues will be referred to the Joint Administrative Affairs Committee for consideration and resolution or referral to the respective governing bodies. In no event shall the aggregate cost of such services exceed the amount at which DISTRICT could contract with other entities for the same services of comparable quality; provided, further, in determining the aggregate amount of such compensation, consideration shall be given to services provided by the DISTRICT at the request of Center for the exclusive benefit of the educational mission of Center.
4. Decisions regarding undergraduate teaching and medical research programs which are to be carried out in DISTRICT facilities or which affect DISTRICT, including the assignment of students in DISTRICT hospitals, will be made by the President of Center or his designee and the CEO of DISTRICT.
5. DISTRICT and Center shall create a position to be known as "Director of Medical Affairs at Parkland Memorial Hospital/Associate Dean for Clinical Affairs - Parkland Memorial Hospital at the Center Medical School." ("Director of Medical Affairs"). The Director of Medical Affairs shall be an experience, licensed physician, whose salary shall be funded jointly by DISTRICT and Center in amounts to be determined annually by CEO and President of Center. In his capacity of Director of Medical Affairs, he shall be responsible to Chief Executive Officer of PMH, and as Associate Dean for Clinical Affairs - Parkland Hospital, he shall be responsible to the Dean of SWMS.

6. Consultations among DISTRICT CEO, the President of Center and/or the deans of the Center schools, shall be held on all matters where the operations of one party affect the operations of the other party.

7. Disclosure of fees and costs. Financial data involving joint programs performed within DISTRICT facilities will be made available on request by either the CEO or President of Center. Requests by such officers of each institution for data they believe necessary in connection with joint programs and/or shared salaries will be in writing, stating the purpose for which the information is needed and the planned utilization. Each officer furnishing such data will be afforded the opportunity to explain the contents of the data in order to avoid any misinterpretations of the contents.

8. Nothing in this agreement shall affect or prohibit subsequent agreements between the parties for joint employment and pro-rata apportionment of salaries and other related costs and expenditures.

9. Parties recognize and shall adhere to overlapping responsibilities in the discharge of institutional duties of faculty and Medical Staff members created by the dual responsibility of faculty membership at Center and appointment to the DISTRICT Medical Staff.

10. The CEO, the Dean of the Center medical school, and the Director of Medical Affairs shall be appointed ex-officio members of the Medical Advisory Council, as currently constituted in the Medical Staff by-laws.

11. The CEO shall be appointed ex-officio member of the Faculty Council of Center medical school.

12. Center grants or research projects involving participation by DISTRICT must have prior written approval by CEO indicating DISTRICT'S ability to participate in such grants or research projects.

13. All notices under this Agreement shall be provided to the party to be notified in writing, either by personal delivery or by United States mail. All notices under this Agreement shall be deemed given to a party when received by such party's designated representative.

14. All the agreements between the parties on the subject matter hereof have been reduced to writing herein. No amendments to this Agreement shall be valid unless in writing and signed by the duly authorized representatives of both parties, and approved by Regents and the Board of Managers of DISTRICT.

15. No oral representations of any officer, agent, or employee of DISTRICT or The University of Texas System, or any of its components institutions, either before or after the effective date of this Agreement, shall affect or modify any obligations of either party hereunder.

16. This Agreement shall be binding on and shall inure to the benefit of the parties and their respective successors and assignees; provided, however, that no assignment by either party shall be effective without prior written approval of the other party. A delay in or failure of performance of either party shall not constitute default hereunder, or give rise to any claim for damages, if and to the extent such delay or failure is caused by occurrences beyond the control of either party.

17. This Agreement shall become effective upon approval and execution by Regents and the Board of Managers. If so approved and executed this Agreement shall continue in effect for an initial term ending five (5) years after the date and year first above written, and after such initial term, from year to year unless one party shall have given one (1) year's prior written notice to the other party of intention to terminate this Agreement. If such notice is given, this Agreement shall terminate one (1) year after such notice is given.

Executed by University and District on the day and year first above written, in duplicate copies, each of which shall be deemed an original.

ATTEST:

Secretary, Board of Regents of
The University of Texas System

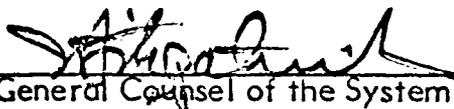
UNIVERSITY

BY Chairman, Board of Regents
of The University of Texas System

President, The University of Texas
Health Science Center at Dallas

CONTENT APPROVED

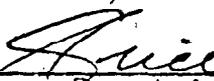
FORM APPROVED:


General Counsel of the System

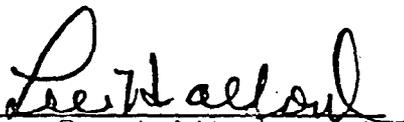
Chancellor of the System

Vice Chancellor for Health Affairs

ATTEST:

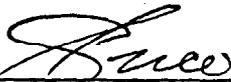

Secretary, Board of Managers of
the Dallas County Hospital District

BOARD OF MANAGERS, DALLAS
COUNTY HOSPITAL DISTRICT


Chairman, Board of Managers of
the Dallas County Hospital District

FORM APPROVED:


Legal Advisor for District


Chief Executive Officer, Dallas
County Hospital District

8. Galveston Medical Branch: Proposed Affiliation Agreements with (a) Gulf Coast Mental Health-Mental Retardation Center, Galveston, Texas; (b) Woman's Hospital of Texas, Incorporated, Houston, Texas; (c) Texas Children's Hospital, Houston, Texas; (d) Home Health-Home Care, Incorporated, Galveston, Texas; (e) Texas City Independent School District, Texas City, Texas; (f) LaMarque Independent School District, LaMarque, Texas; and (g) Moody House, Inc., Galveston, Texas. --

RECOMMENDATION

It is recommended by President Levin and concurred in by Chancellor Walker that approval be given to affiliation agreements by and between The University of Texas Medical Branch at Galveston and the following facilities. These agreements have been executed by the appropriate officials and are to be effective upon approval by the Board of Regents:

Facility

- a. Gulf Coast Mental Health-Mental Retardation Center
Galveston, Texas
- b. Woman's Hospital of Texas,
Incorporated
Houston, Texas
- c. Texas Children's Hospital
Houston, Texas
- d. Home Health-Home Care, Incorporated
Galveston, Texas
- e. Texas City Independent School District
Texas City, Texas
- f. LaMarque Independent School District
LaMarque, Texas

Each of these agreements will provide additional educational opportunities for all students at the Galveston Medical Branch.

- g. Moody House, Inc.
Galveston, Texas

The Moody House, Inc., operates the Turner Geriatric Center and the Moody House in Galveston, Texas. This agreement will provide additional experiences for nursing students.

9. Houston Health Science Center: Proposed Affiliation Agreement with Jewish Family Services, Houston, Texas. --

RECOMMENDATION

It is recommended by President Bulger and concurred in by Chancellor Walker that approval be given to the affiliation agreement by and between The University of Texas Health Science Center at Houston and Jewish Family Services, Houston, Texas. The agreement was executed on December 8, 1978 by the appropriate officials to be effective upon approval by the Board of Regents.

PURPOSE

This agreement will provide additional opportunities for clinical experiences for students at the Health Science Center.

10. Houston Health Science Center: Proposed Affiliation Agreement with the City of Austin, Brackenridge Hospital, Austin, Texas. --

RECOMMENDATION

President Bulger

It is recommended by President Bulger that approval be given to the following affiliation agreement (Pages HAC 30-36) by and between The University of Texas Health Science Center at Houston and the City of Austin, for and on behalf of Brackenridge Hospital, Austin, Texas. The agreement was executed by the appropriate officials on January 2, 1979, to be effective upon approval by the Board of Regents.

Chancellor Walker

Chancellor Walker concurs with President Bulger's recommendation, recognizing the importance of the educational opportunities to be made available and of benefit to the citizens of Austin.

PURPOSE

This agreement, which provides for the Houston Health Science Center to operate the obstetrics/gynecology service at Brackenridge Hospital, authorizes the development of a contract to pay for such services and will provide an excellent opportunity for expanded learning experiences for residents and medical students of the Houston Health Science Center. It provides for a mutually beneficial effort.

MEDICAL EDUCATION AND HEALTH CARE
AFFILIATION AGREEMENT

THIS AGREEMENT made the 2nd day of January, 1979, by and between The University of Texas Health Science Center at Houston ("University"), a component institution of The University of Texas System ("System"), and Brackenridge Hospital ("Facility"), a City owned and operated acute health care facility having its principal office at 15th and East Avenue.

WITNESSETH:

WHEREAS, Facility now operates hospital facilities located at 15th and East Avenue, in the City of Austin, State of Texas, and therein provides health care services for persons in need of such services; and University provides a medical education program with respect to health care; and,

WHEREAS, University periodically desires to provide health care related educational experiences for its interns, residents, fellows and medical students, which are not otherwise available to them under the existing program of University, by utilization of appropriate facilities and personnel of Facility; and,

WHEREAS, Facility is committed to a goal of making available the best obtainable supply of personnel educated in the field of health care to those who utilize its health care services and facilities, as being in the best interest of Facility, and believes that achievement of such goal can best be accomplished by affording University's interns, residents, fellows and medical students the opportunity to participate in meaningful educational experiences as a part of a medical education and health care program, through utilization of appropriate facilities and personnel of facility, and appropriate personnel of University; and,

WHEREAS, in order to accomplish such objectives, University and Facility intend to establish and implement from time to time one or more medical education and health care experience programs which will involve the interns, residents, fellows and medical students and personnel of University, and the facilities and personnel of Facility;

NOW, THEREFORE, in consideration of the premises and of the benefits derived and to be derived therefrom, and from the program or programs established and implemented by said parties, University and Facility agree that any program agreed to by and between Facility and University, during the term of this Agreement, for purposes of achieving the above described objectives of said parties (hereinafter called "Medical Education Experience Program," or "Program"), shall be covered by and subject to the following terms and conditions:

1. The Program shall not become effective until all agreements between University and Facility with respect to Program have been reduced to writing ("Program Agreement"), executed by the duly authorized representatives of Facility and University, and approved in writing by the President of System, and, if payment of monies or conditions of employment or appointment are a part of such Program Agreement, approved by the Board of Regents of System.
2. The Program may be cancelled by either party by giving such written notice to the other of its intention to terminate the Program as provided in the Program Agreement; provided, however, that the Program shall automatically terminate upon termination of the Agreement.
3. In the event of conflict between the text of Program Agreement and the text of this Agreement, this Agreement shall govern.
4. After Program Agreement becomes effective, no amendments thereto shall be valid unless in writing and executed by the duly authorized representatives of Facility and University, and approved by the President

of System, and, if payment of monies or conditions of employment or appointment are part of such Program Agreement, approved by the Board of Regents of System.

5. Appointment to the Medical Staff of Facility and admissions of patients to Facility shall be subject to, and in accordance with, the Medical Staff By-Laws and written regulations and procedures of Facility. The right to administer, direct, supervise, and control activities of Facility and its personnel is hereby expressly retained by Facility.
6. Appointment of members of the Medical Staff of Facility to the faculty of the University shall be subject to, and in accordance with, the Rules and Regulations of the Board of Regents of System.
7. Except for certain acts to be performed by University pursuant to express provisions of this Agreement, Facility hereby agrees to furnish the premises, personnel, services, and all other things necessary for the Program, as specified in the Program Agreement, and, in conjunction with such Program, further agrees:
 - (a) To comply with all Federal, State and Municipal laws, ordinances, rules and regulations applicable to performance by Facility of its obligations under this Agreement, and all applicable accreditation requirements, and to certify such compliance to University or other entity when requested to do so by University.
 - (b) To permit the authority responsible for accreditation of University's curriculum to inspect such facilities, services and other things provided by Facility pursuant to this Agreement as are necessary for accreditation evaluation.

(c) To appoint a person to serve for Facility as Liaison to the faculty and students engaged in the Program; provided, however, that no person not having the prior written approval of University shall be appointed Liaison; and in such connection, Facility shall furnish in writing to University (not later than thirty (30) days prior to the date the Liaison appointment is to become effective) the name and professional and academic credentials of the person proposed by Facility to be Liaison, and within ten days after receipt of same, University shall notify Facility of University's approval or disapproval of such person. In the event the Liaison becomes unacceptable to University after appointment, and University so notifies Facility in writing, Facility will appoint another person to serve as Liaison in accordance with the procedure stated in the first sentence of this sub-paragraph (c).

(d) Subject to the provisions of paragraph 5, to appoint any full-time member, or members, of the faculty of University to the active Medical Staff of Facility upon suitable application made to Facility by such faculty member and to afford any such person, or persons, so appointed full admission-of-patient privileges as limited by System policy.

(e) That patient fees attributable to the physician services of University faculty on the Medical Staff of Facility shall be handled and treated in all respects solely in accordance with policies and procedures of University as approved by the Board of Regents of System. All patient revenues collected shall be used to offset the operating expenditures of the OB/GYN Program at Brackenridge Hospital.

(f) To permit interns, residents, fellows and medical students assigned by University to enter in and upon the premises of Facility for purposes of the Program, and to participate in providing health care services to patients insofar as appropriate and permissible under law and as provided in Program Agreement.

8. University hereby agrees:
- (a) To furnish Facility with the names of the interns, residents, fellows and medical students assigned by University to participate in the Program.
 - (b) To assign for participation in the Program only those interns, residents, fellows and medical students (1) who have satisfactorily completed those portions of its curriculum which, according to Program Agreement, are prerequisite to such participations, and (2) who have entered into a written agreement with University and Facility that they will not publish any material relating to the Program, or their experiences in participating therein, without the prior written approval of University and Facility.
 - (c) To designate a member of the University faculty to coordinate with Facility through its Liaison the learning assignment to be assumed by each intern, resident, fellow and medical student participating in the Program, and to furnish to Facility in writing the name of such faculty member.
9. If and when deemed to be desirable (but subject to prior written agreement of the parties hereto) Facility will provide research facilities for University faculty members on the active Medical Staff of Facility and who are physically based full-time in and at Facility.
10. All notices under this Agreement shall be provided to the party to be notified in writing, either by personal delivery or by United States mail. All notices under this Agreement shall be deemed given to a party when received by such party's designated representative.
11. All the agreements between the parties on the subject matter hereof have been reduced to writing herein. No amendments to this Agreement shall be valid unless in writing and signed by the duly authorized representatives of the parties, and approved by the Board of Regents of System.

12. No oral representations of any officer, agent, or employee of Facility or System, or any of its component institutions, (including, but not limited to University), either before or after the effective date of this Agreement, shall affect or modify any obligations of either party hereunder or under any Program Agreement.
13. This Agreement shall be binding on and shall inure to the benefit of the parties and their respective successors and assignees; provided, however, that no assignment by either party shall be effective without prior written approval of the other party. A delay in or failure of performance of either party shall not constitute default hereunder, or give rise to any claim for damages, if and to the extent such delay or failure is caused by occurrences beyond the control of either party.
14. This Agreement shall not become effective unless and until approved by the Board of Regents of The University of Texas System. If so approved, this Agreement shall become effective on the date of such approval, and shall continue in effect for an initial term ending one (1) year after the date and year of execution by Facility and University, and after such initial term, from year to year unless one party shall have given one hundred eighty (180) days prior written notice to the other party of intention to terminate this Agreement. If such notice is given, this Agreement shall terminate: (a) at the end of the term of this Agreement during which the last day of such one hundred eighty (180) days notice period falls; or (b) when all interns, residents and medical students enrolled in the Program at the end of the term of this Agreement have completed their respective courses of study under the Program; whichever event last occurs.

Executed by University and Facility on the day and year first above written, in duplicate copies, each of which shall be deemed an original.

UNIVERSITY

By: Roger J. Bulger
President Roger J. Bulger, M.D.

The University of Texas

Health Science Center at Houston

CONTENT APPROVED:

Edward N. Brantley
Chancellor of the System

Vic. Edward N. Brantley
Chancellor for Health Affairs
(System)

FORM APPROVED:

Samuel Cardwell
General Counsel of System

FACILITY

By: James P. Pitt
City Manager

ATTEST:

Grace Monroe
(Title) City Clerk

CERTIFICATE OF APPROVAL

I hereby certify that the foregoing Agreement was approved by the Board of Regents of The University of Texas System on the ___ day of _____, 1978.

Secretary, Board of Regents
The University of Texas System

Chairman, Board of Regents
The University of Texas System

11. Houston Health Science Center (Houston Dental Branch): Proposed Affiliation Agreement for Community Dentistry Program with Harris County Hospital District, Houston, Texas.--

RECOMMENDATION

It is recommended by President Bulger and concurred in by Chancellor Walker that approval be given to the following affiliation agreement (Pages HAC 38-46) for the community dentistry program by and between The University of Texas Health Science Center at Houston, for and on behalf of the Houston Dental Branch, and the Harris County Hospital District, Houston, Texas, to be effective upon approval by the Board of Regents. This is an expanded agreement of the previous one that expired in August 1978, and reimbursement of cost for patient care will be provided by the Harris County Hospital District under a contract.

PURPOSE

This agreement, which provides for dental care by the Houston Dental Branch, will give educational opportunities to the dental students.

A G R E E M E N T

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS AGREEMENT, is executed on _____, 1978,
between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and
on behalf of THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON.
THE UNIVERSITY OF TEXAS DENTAL BRANCH AT HOUSTON, sometimes, referred to
as "Dental Branch" in this agreement, and the HARRIS COUNTY HOSPITAL
DISTRICT, a political subdivision organized under the laws of the State
of Texas, sometimes referred to as the "District" in this agreement,

W I T N E S S E T H:

WHEREAS, the District is the owner and operator of two hospitals,
Ben Taub General Hospital and Jefferson Davis Hospital (herein called the
"Hospitals"), situated in Harris County, Texas, providing medical and
hospital care to the indigent ill of Harris County, Texas; and

WHEREAS, it is mutually recognized that the District and the Dental
Branch have certain objectives in common, namely (a) the advancement of
medical service through high quality professional care of patients, (b)
the education and training of medical personnel, (c) the advancement of
medical knowledge through research, and (d) the promotion of personal and
community health; and that each can accomplish these objectives in a
larger measure and more effectively through affiliated operations; and

WHEREAS, it is mutually recognized that the primary function of
the District is the provision of the best possible health care for the
citizens of Harris County; and

WHEREAS, it is the desire of both parties and it is for the
benefit of the citizens of Harris County that the Hospitals maintain
excellent programs of dental education both for graduate students and for
undergraduate dental students in order that both parties can accomplish
their objectives in a larger measure.

NOW, THEREFORE, for and in consideration of the foregoing, and in
further consideration of the mutual benefits, the parties to this agreement
agree as follows:

(1) SEPARATE JURISDICTION

Dental Branch will continue, as in the past, to operate a dental school of the highest quality and shall retain all jurisdictional powers incident to its separate ownership and operation, including the power to determine the general and fiscal policies of the dental school and to appoint its administrative, faculty and other personnel under the terms of the subsequent paragraphs of this agreement.

The District shall retain for its Hospitals all jurisdictional powers incident to separate ownership and operation, including the powers to determine general and fiscal policies and to appoint its administrative officers and other personnel under the terms of the subsequent paragraphs of this agreement.

The Board of Managers of the District retains final jurisdiction and authority over the administration and supervision of the Hospitals and facilities, including all services occurring within any or all of the facilities of the District.

(2) ACCREDITATION

University shall be required to maintain accreditation with the appropriate local, state or national accreditation organization or organizations as may be necessary and proper, and shall keep District informed of all actions taken with regard to such accreditation standings. If University should for any reason lose either or all of its local, state or national accreditation or accreditations, this agreement will immediately become null and void, and all personnel and students of University taking part in programs shall be removed immediately by University from District's facilities.

District shall be required to maintain accreditation with the appropriate local, state or national accreditation organization or organizations as may be necessary or proper, and shall keep University informed of all actions taken with respect to such accreditation standings. If District should for any reason lose either or all of its local, state or national accreditation, this agreement will immediately become null

and void, and all personnel and facilities involved in programs shall be immediately removed by District from University's participation.

(3) TEACHING PROGRAMS

The District will bear all costs as specified in the annual reimbursement agreements as provided for in paragraph (5) for maintaining a staff of dental interns and resident doctors, herein called the "House Staff"; it will also provide facilities to support the programs with classrooms, laboratories and office space for the supervisory personnel of the House Staff.

The decisions regarding the extent of and the number of students in undergraduate teaching in the Hospitals, the House Staff programs, faculty supervision and the research programs will be made by Dental Branch except that no decisions which affect the budget of the District shall be made unless the District's agreement thereto is first obtained.

(4) DENTAL PERSONNEL, SUPPLIES, SERVICES AND PROGRAMS

The Dental Branch hereby agrees to provide the District, pursuant to this Affiliation Agreement, qualified dental personnel to maintain the existing Oral Surgery Program and to include a general dental service program with Dental Branch's Community Dentistry Department. The Dental Branch agrees to provide sufficient qualified dental students and dental service personnel supervision and supplies as specified in the General Dental Service Reimbursement Agreement, and the District and Dental Branch agree to continue the current reimbursement agreement for the dental staffing of the District's oral surgery programs being operated by the Dental Branch. The Dental Branch shall make provisions for establishing a general dental service program, including community dentistry, which is to be located at a remote facility and which is for the purpose of providing dental services for District's eligible patients who do not possess a third party means of payment. This remote facility is to be staffed by Dental Branch's Community Dentistry Department when opened by the District, provided the space and facilities for such service shall be available and adequate, as determined by Dental Branch. The Dental

Branch is to have the responsibility for providing all personnel supplies necessary to establish and operate a dental service program in such remote facility. Dental Branch shall also be responsible for the direction, supervision and control of all dental personnel including but not limited to, dental students located at the remote facility. District shall pay no compensation directly to any House Staff, students, supervisory or other personnel furnished pursuant to this agreement. All payments of any kind or character shall be made directly to the University based upon the Annual Reimbursement Agreement provided in paragraph (5). Under no circumstances shall any member of the House Staff, students, supervisory, or other personnel furnished by the University pursuant to this agreement be considered an employee or agent of the District for any purpose.

(5) REIMBURSEMENT TO DENTAL BRANCH

During the term of this Affiliation Agreement the District shall in no event be obligated to reimburse the Dental Branch an amount which exceeds the actual cost incurred by the Dental Branch. The Dental Branch as part of the consideration for such reimbursement shall supervise all training and research activities conducted under the auspices of the Dental Branch within the District's facilities. The District shall have the right to bill, in its own name, charges for professional services rendered to District patients to the extent that same may be ethical and lawful, and the Dental Staff appointed by the Dental Branch shall cooperate with the District in processing insurance, Medicare, Medicaid, and other applications and forms in order that the District may fully recover all sums of money due and owing to it for services rendered; and the District shall provide the Dental Branch upon reasonable request therefor received from time to time, with a full accounting of any and all payments received from such sources.

The Dental Branch shall provide the District no later than thirty (30) days prior to March 31 of each calendar year with a detailed list of all anticipated costs for the operation of each dental program in the District's facilities from April 1 of such calendar year to March 31 of

the next calendar year. The District shall after consideration of the annual cost estimates submitted by the Dental Branch advise the said Dental Branch of the total amount that the District determines will be available for inclusion within its annual budget. After final approval of said Budget by the Harris County Commissioners Court, the District shall provide the Dental Branch with an annual Reimbursement Agreement setting forth the actual cost limitation approved for that year's operation of the specific dental programs. The amount specified in each annual Reimbursement Agreement shall constitute the maximum reimbursable amount recoverable by the Dental Branch for that year's operations under the included dental programs, as same are specifically identified in such reimbursement provisions and agreements. The annual Reimbursement Agreement shall control the Hospital District's reimbursement liability to the Dental Branch under this Affiliation Agreement.

(6) APPOINTMENTS TO THE AFFILIATED DENTAL PROGRAMS

Appointments to the Affiliated Dental programs of the District whether located within its hospitals, or such facilities that are operated by the District and staffed by the Dental Branch, shall be made annually based upon the recommendation of the Dental Branch and subject to the approval by the Board of Managers of the District.

(7) MEDICAL STAFF AND DEPARTMENT APPOINTMENTS

The District shall appoint the Dean of the Dental Branch or such person's designee to be Chief of the Oral Surgery Service. The same appointment shall be made for the Community Dentistry Department or such other dental programs as may be established pursuant to this Affiliation Agreement. In addition, the District agrees to appoint the Dean of the Dental Branch or such person's designee as a member of its Hospital Medical Staff, said appointment being agreed to upon recommendation of the Medical Board of its Hospitals. Should the Dental Branch request, the District agrees to appoint such Dean or such person's designee to the chief of such other dental service or department of the Hospital Medical staff where such appointment would not conflict with existing medical

staff agreements.

(8) GRANTS, RESEARCH OR DEMONSTRATION PROGRAMS

Dental Branch shall submit annually to the District a list of the programs or projects being conducted by Dental Branch in the District's Hospitals or remote facilities. Dental Branch recognizes that it is the policy of the District that the District shall not be committed to participating in any grants, research or demonstration programs, or similar type activities without having first had the plans for any such program submitted to and approved by the District. In accordance with this policy, if Dental Branch desires to initiate any such program which involves the District or any of its facilities or personnel Dental Branch shall first submit the plan and completed application therefor to the District for approval. If the District does not approve same, Dental Branch shall not proceed with any such program involving the District.

(9) TERM

This agreement shall be effective as of September 1, 1978, and shall continue in full force and effect until August 31, 1983, unless sooner terminated by the mutual consent of the parties, or by either party hereto giving to the other party written notice of termination which shall not be effective until at least 90 days after the receipt of such notice by the other party, however, no such termination shall be effective with regard to students of the University who are enrolled in the programs provided at the District's facilities until such students have completed their respective courses, any such notice of termination shall specify the date that this agreement shall terminate.

(10) PROVISION FOR OTHER AGREEMENTS

It is recognized that either party may enter into other agreements and affiliations so long as same are not inconsistent with the terms and provisions hereof.

(11) AMENDMENTS

This agreement may be amended only by a written instrument duly authorized for execution by the governing Boards of the respective parties

(12) BINDING ON SUCCESSORS

This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, and shall supersede all previous agreements.

(13) REMOVAL AUTHORITY

The Board of Managers of the District shall have the right to determine and advise the Dental Branch that the presence of any faculty member, house staff member, students or other personnel assigned to the District's facilities by the University shall no longer be permitted to remain on District's premises, pursuant to this Affiliation Agreement, and the Dental Branch shall comply with such advisory by removal of such person from the District's facilities. Dental Branch may in its discretion conduct a review of such person's or persons' participation. University will however, advise such person of the withdrawal of any rights to remain on District's premises.

(14) HOSPITAL DISTRICT MEDICAL AND ELIGIBILITY RECORDS

The Dental Branch hereby agrees to require all dental service personnel provided at the District's facilities to adhere to District policies established pursuant to Article 4494n V.T.C.S., concerning patient eligibility and to allow and, where necessary, to assist District personnel to obtain execution of proper consent forms to be provided by the District. The Dental Branch further agrees to require all personnel which it may provide pursuant to this agreement to adhere to all District policies and procedures governing the preparation, maintenance and control of all medical and dental records determined necessary by the District either for its use and/or to comply with all Federal, State and local laws, regulatory agencies, and accrediting authorities. No agreement of the Dental Branch made pursuant to this paragraph shall prevent it from maintaining such consent forms or records in addition to the District consent form or records where such are determined necessary by the Dental Branch. The Dental Branch shall not, under any circumstances be responsible for such records regarding referral to the Dental Branch or to the District

of patients who are the responsibility of persons who are not personnel of either the Dental Branch of the District or both.

(15) NOTICES

Unless otherwise specifically provided in this agreement, any notice, communication, request, reply or advice (herein severally and collectively for convenience called "notice") herein provided or permitted to be given, made, or accepted by either party to the other must be in writing and shall be given or served to the party to be notified, either by depositing the same in the United States mail, postage prepaid and registered or certified, duly addressed to such party with return receipt requested, or by delivering the same to any designated officer or representative of such party to be notified, or by prepaid telegram when appropriate, addressed to such representative to be notified. Notice deposited in the mail in the manner heretofore described shall be deemed effective, as to the party to be notified, if by personal delivery, when received by such party's designated representative, as provided hereinafter, or if by mailing, seven (7) days after same is so deposited in the United States mail for mailing to such party's designated representative at the business address of such person. Notice given in any other manner shall be effective only if and when received by the party to be notified, with the addresses of the parties to receive notice, until changed as provided hereinafter, to be as follows:

1. For University: President
 The University of Texas
 Health Science Center at Houston

2. For Dental Branch: Dean
 The University of Texas
 Dental Branch at Houston

3. For District: Harris County Hospital District
 Post Office Box 66769
 Houston, Texas 77006

The parties have the right to change their respective addresses, and, in the event either party changes such address, written notice shall be given the other party within fifteen (15) days after such change.

IN WITNESS WHEREOF, this agreement is executed in duplicate originals each of equal force on this 15th day of November, 1978, on behalf of the Harris County Hospital District, by the Chairman of the Board of Managers and attested by its Secretary duly authorized by Motion of the Board, and on this _____ day of _____, 1978, on behalf of the Dental Branch, by the Chairman of the Board of Regents of the University of Texas System, pursuant to the order of the Board of Regents, so authorizing.

HARRIS COUNTY HOSPITAL DISTRICT

By: [Signature]
CHAIRMAN

ATTEST:

[Signature]
SECRETARY

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

By: ~~ALLAN SHIVERS, CHAIRMAN~~
~~CHAIRMAN~~
Board of Regents of
The University of Texas System

ATTEST:

~~BETTY ANNE~~ ~~SECRETARY~~, SECRETARY
Board of Regents of
APPROVED AS TO CONTENT:
The University of Texas System

[Signature]
Chancellor of The University of
Texas System

UNIVERSITY:

[Signature]
Vice Chancellor for Health
Affairs

By [Signature]
President

APPROVED AS TO FORM:

[Signature]
General Counsel of the System

12. San Antonio Health Science Center: Proposed Affiliation Agreement with the Board of Directors of Ophthalmic Research Foundation of San Antonio, Inc., San Antonio, Texas.--

RECOMMENDATION

It is recommended by President Harrison and concurred in by Chancellor Walker that approval be given to the affiliation agreement (Pages HAC 48-51) by and between The University of Texas Health Science Center at San Antonio and the Board of Directors of Ophthalmic Research Foundation of San Antonio, Inc., for and on behalf of the San Antonio Eye Institute, to be effective on the date approved by the Board of Regents.

PURPOSE

This agreement will establish a mechanism for the development of cooperative programs between the San Antonio Health Science Center and the San Antonio Eye Institute. The affiliation will be of benefit to the academic programs of the Health Science Center.

AFFILIATION AGREEMENT

THE STATE OF TEXAS

COUNTY OF BEXAR

This AGREEMENT is made on the _____ day of _____, 1978 by and between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, ("Board of Regents"), for and on behalf of The University of Texas Health Science Center at San Antonio ("Health Science Center"), a component institution of The University of Texas System, and the BOARD OF DIRECTORS OF OPHTHALMIC RESEARCH FOUNDATION OF SAN ANTONIO, INC. ("Board of Directors"), a non-profit corporation organized and existing under the laws of the State of Texas, having its principal offices in San Antonio, Texas, for and on behalf of the San Antonio Eye Institute ("Eye Institute").

WITNESSETH:

WHEREAS, the objective of the Eye Institute is to promote quality ophthalmic research and patient care; and

WHEREAS, the faculty of the Health Science Center is engaged in quality education, research and care of patients with ophthalmic problems and also engaged in student, resident and graduate education in ophthalmology; and,

WHEREAS, both parties agree that it will be advantageous to enter into this agreement of affiliation and cooperation,

NOW, THEREFORE, the Health Science Center and the Eye Institute hereby agree as follows:

1. The purpose of this document is to establish a framework for developing cooperative programs between the Health Science Center and the Eye Institute.

2. The Board of Regents delegates to the President of the Health Science Center and through him to the Chairman of the Department of Ophthalmology the responsibility of establishing and maintaining a working relationship with the Eye Institute. The Board of Directors

delegates to the Administrator and the Clinical Director of the Eye Institute the responsibility of establishing and maintaining a working relationship with the Health Science Center.

Because of the necessity of a close working relationship between the Health Science Center and the Eye Institute it is agreed that the Board of Directors will appoint an individual to the position of Clinical Director only upon the recommendation of the President of the Health Science Center. It is agreed that one person may serve simultaneously in both the positions of Clinical Director and Chairman of the Department of Ophthalmology. In that case, the President of the Health Science Center agrees to consult with the Board of Directors prior to nominating a person to the Board of Regents for the position of Chairman of the Department.

3. The responsibility of the Chairman of the Department and the Clinical Director shall include:

- (1) developing and maintaining active educational programs for residents, interns and students of the Health Science Center
- (2) developing and maintaining a patient care program of the highest quality
- (3) developing and maintaining an active program of ophthalmic research
- (4) recommending to the appropriate officials of each institution in accordance with established policies and procedures budgetary and financial agreements to carry out the purpose of this agreement.

4. Both parties agree that academic status is an added inducement to attract well-qualified scientists for research and patient care positions at the Eye Institute. If appropriate, such academic appointment will be made on an individual basis in accordance with the policies of the Board of Regents. Appointments to the Eye Institute's staff are, however, not contingent upon a concurrent academic appointment.

5. Each party shall be responsible for all expenses in the maintenance and operation of its own programs including personnel costs. The President of the Health Science Center, or his delegate, and the Administrator of the Eye Institute, or his delegate, with the advice of

the Chairman of Ophthalmology and the Clinical Director, shall make appropriate agreements for the sharing of personnel and other expenses involved in cooperative programs.

6. Students and Residents of the Health Science Center who are approved by the Chairman of Ophthalmology shall be assigned to the Eye Institute for training.

7. Physicians with academic appointments employed full time by the Health Science Center and based at the Eye Institute shall be subject to the rules and regulations of the Medical Research and Development Plan of the Health Science Center.

8. The Eye Institute agrees to comply with all Federal, State and Municipal laws, ordinances, rules and regulations applicable to performance by the Eye Institute of its obligations under this agreement, and to certify such compliance to Health Science Center or other entity when requested to do so by Health Science Center.

9. The Eye Institute agrees to permit the authority responsible for accreditation of programs of the Health Science Center to inspect such facilities, services and other things provided by the Eye Institute pursuant to this Agreement as are necessary for the process of accreditation.

10. All notices under this agreement shall be provided to the party to be notified in writing, either by personal delivery or by United States mail. All notices under this Agreement shall be deemed given to a party when received by either the President of the Health Science Center or the Administrator of the Eye Institute, as is appropriate.

11. All the Agreements between the parties on the subject matter hereof have been reduced to writing herein. No amendments to this Agreement shall be valid unless in writing and signed by the duly authorized representatives of the parties.

12. No oral representations of any officer; agent, or employee of the Board of Directors or the Eye Institute or The University of Texas System, or any of its component institutions (including, but not

limited to, the Health Science Center) either before or after the effective date of this Agreement, shall affect or modify any obligations of either party hereunder.

This Agreement shall be binding on and shall inure to the benefit of the parties and their respective successors and assignees; provided, however, that no assignment by either party shall be effective without prior written approval of the other party. A delay in or failure of performance of either party shall not constitute default hereunder, or give rise to any claim for damages, if and to the extent such delay or failure is caused by occurrences beyond the control of either party.

13. This Agreement shall become effective on the date and year first above written, and shall continue in effect for an initial term ending one (1) year after such date and year, and after such initial term, from year to year unless one party shall have given one hundred eighty (180) days' prior written notice to the other party of intention to terminate this Agreement.

Executed on the day and year first above written, in duplicate copies, each of which shall be deemed an original.

ATTEST:

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

By _____

ATTEST:

R. L. Maffett

BOARD OF DIRECTORS OF OPHTHALMIC RESEARCH FOUNDATION, INC.

By Mrs. R. L. Maffett
Chairman

Approved as to Form:

M. Lynn Byrnes
General Counsel of the System

Approved as to Content:

Chancellor
Chancellor, The University of Texas System

Edmund B. ...
Vice Chancellor for Health Affairs
The University of Texas System

13. San Antonio Health Science Center (San Antonio Dental School):
Request to Seek Permission from Coordinating Board to Change
Name of Department of Oral Surgery to the Department of Oral
and Maxillofacial Surgery (Catalog Change).--

PRESIDENT HARRISON

Recommendation

"This letter is a request for your approval to change the name of the Department of Oral Surgery in the Dental School here to the Department of Oral and Maxillofacial Surgery.

"The proposal is for name change only and involves no change in the organization or composition of the existing department and will not change the budget. The request was suggested by the Chairman, Dr. Hugh Tilson, with the concurrence of the faculty members in his department. It has been approved by the Faculty Council of the Dental School and has the recommendation of the Dean. I concur in the request for approval. Should you approve, we would appreciate your making the appropriate recommendation to the Board of Regents.

"The Coordinating Board will also need to be notified so that their inventory of departments can be altered accordingly."

Justification

"The parent organization of the specialty of oral surgery has changed its name to the American Association of Oral and Maxillofacial Surgeons and the specialty board changed their name to the American Board of Oral and Maxillofacial Surgery. On that account, it is likely that most other American institutions will change the title of their departments.

"The Chairman of our Department of Surgery in the Medical School has indicated his support and would alter the relevant designation in his department to the Division of Oral and Maxillofacial Surgery. Accordingly, a certificate issued to residents completing their training would be awarded in the name of Oral and Maxillofacial Surgery."

CHANCELLOR WALKER

Chancellor Walker concurs with this recommendation since the parent organizations of this specialty have approved such a change.

Secretary's Note: If this recommendation is approved, the minute order will reflect that after the name change is approved by the Coordinating Board, the next appropriate catalog published will be amended to reflect this action.

14. San Antonio Health Science Center (Graduate School of Biomedical Sciences): Request to Seek Permission from Coordinating Board to Change Master of Arts Degree to the Master of Science Degree in Biomedical Science Graduate Programs (Catalog Change). --

RECOMMENDATION

President Harrison

"Dear Dr. Walker:

"This letter is a request for your approval to change the currently used designation of the M.A. degree in the biomedical science graduate programs to the M.S. degree. The Graduate Executive Committee has unanimously approved this recommendation and the request was forwarded to me by the Dean, Graduate School of Biomedical Sciences."

The specific programs to which this designation should be applied are:

Anatomy
Biochemistry
Microbiology
Pharmacology
Physiology

Chancellor Walker

Chancellor Walker concurs with President Harrison's recommendation. This proposal is in keeping with current practices in graduate education in the Biomedical Sciences.

BACKGROUND INFORMATION AND JUSTIFICATION

"At the time our programs were submitted for approval by the Coordinating Board, we designated the M.A. degree because it conformed to policy that existed within several schools of the System. However, in December, 1976, the Council of Graduate Schools in the United States issued a policy statement regarding the Master's Degree which makes a distinction between the M.A. and M.S. degree:

"Programs leading to these two degrees are very similar in their objectives and their nature, traditionally, the M.A. is awarded in all fields but especially in the arts, letters, and humanities, while the M.S. is generally awarded in the sciences, engineering and agriculture."

"With this definition, the Graduate Executive Committee feels the M.S. designation more clearly reflects the type of training originally approved and currently provided by our biological science programs. I concur in the request for approval. Should you approve, we would appreciate your making the appropriate recommendation to the Board of Regents.

"I would also like to assure you that the educational programs as originally approved by the Coordinating Board will not be changed as a result of this proposal. In particular, there will be no change in budget or personnel. Please transmit this assurance to the Coordinating Board at the appropriate time."

Secretary's Note: If this recommendation is approved, the minute order will reflect that after the change is approved by the Coordinating Board, the next appropriate catalog published will be amended to reflect this change.

15. University Cancer Center: Proposed Affiliation Agreement with the Clayton Foundation for Research, Houston, Texas. --

RECOMMENDATION

It is recommended by President LeMaistre and concurred in by Chancellor Walker that approval be given to the following affiliation agreement (Pages HAC 54-56) by and between The University of Texas M. D. Anderson Hospital and Tumor Institute and the Clayton Foundation for Research, Houston, Texas, to be effective upon approval by the Board of Regents. This agreement shall continue in effect until and unless terminated by either party upon giving the other party six months' written notice of intention to terminate.

PURPOSE

This agreement will provide for the continuous active conduct of medical research by the Foundation in conjunction with the Cancer Center.

RESEARCH AFFILIATION AGREEMENT

This AGREEMENT executed on the _____ day of _____, 1979, by and between The University of Texas M. D. Anderson Hospital and Tumor Institute (a component institution of The University of Texas System), hereinafter called "Hospital", and the Clayton Foundation for Research, hereinafter called "Foundation";

W I T N E S S E T H:

WHEREAS, Hospital is a nonprofit hospital as described in Section 170 (b) (1) (A) (iii) of the Internal Revenue Code of 1954, exempt from federal income tax; and

WHEREAS, Foundation is organized for the principal purpose of engaging in the active conduct of medical research, and desires to engage directly in the continuous, active conduct of medical research in conjunction with Hospital in such a manner as to be classified as a medical research organization as described in Section 170 (b) (1) (A) (iii) of the Internal Revenue Code of 1954;

NOW, THEREFORE, Foundation and Hospital hereby agree as follows;

1. Purposes: The purpose of this Agreement is to provide for the continuous active conduct of medical research by Foundation in conjunction with Hospital.

2. Location: The medical research to be conducted hereunder shall be conducted in locations at the facilities of Hospital, as such locations may be agreed upon by Hospital and Foundation and in other appropriate locations as may be required, so as to reasonably facilitate such medical research.

3. Supervision of Medical Research: The continuous active conduct of medical research in conjunction with Hospital shall be under the supervision of a Director of Research who will be selected jointly by Foundation and Hospital. The research will be conducted by Foundation through the Director of Research who will be assisted by personnel selected by such person, and all of such personnel (including the Director of Research) shall be the employees solely of Foundation while they are engaged in work or other activities arising out of or incident to the medical research conducted pursuant to this Agreement. The salary of the Director of Research and other personnel, and all other costs of conducting the medical research, will be paid by the Foundation.

4. Conduct of Medical Research: The medical research in conjunction with Hospital shall be conducted by the employees of Foundation. Hospital and Foundation shall freely exchange information, ideas and research results of joint projects. All activities conducted at Hospital pursuant to this Agreement shall conform to the policies of Hospital, and the Director of Research shall be responsible for obtaining appropriate approval for such activities. Hospital shall permit its personnel to assist and collaborate in medical research with the personnel of Foundation, and Foundation shall permit its personnel to assist and collaborate in medical research with the personnel of Hospital.

5. Period of Agreement: This Agreement shall continue in effect until and unless terminated by either party upon giving the other party six months' written notice of intention to terminate. Amendment of this Agreement shall be in writing only, signed and approved by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement effective on the day and year first written above, subject to approval of the Board of Regents of The University of Texas System.

CONTENT APPROVED

CLAYTON FOUNDATION FOR RESEARCH

BY: _____
Vice Chancellor for Health Affairs

Chancellor of the System

FORM APPROVED



Attorney for the System

UNIVERSITY OF TEXAS SYSTEM
CANCER CENTER

BY: _____
President

Approved by the Board of Regents
of The University of Texas System
on the _____ day of _____
_____, 1979.

ATTEST

Secretary, Board of Regents
of The University of Texas
System

Chairman, Board of Regents of
The University of Texas System

Land & Investment Committee

LAND AND INVESTMENT COMMITTEE

Date: February 8-9, 1979
Time: Following the Meeting of the Health Affairs Committee
Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

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I. PERMANENT UNIVERSITY FUND

A. INVESTMENT MATTERS

Report on Clearance of Monies to Permanent University Fund for November and December 1978 and Report on Oil and Gas Development --
 The Vice Chancellor for Lands Management and General Counsel reports the following with respect to the Permanent University Fund for the months ending November 30, 1978 and December 31, 1978, and Oil and Gas Development as of December 31, 1978:

<u>Permanent University Fund</u>	<u>November 1978</u>	<u>December 1978</u>	<u>Cumulative This Fiscal Year</u>	<u>Cumulative Preceding Fiscal Year</u>
Royalty				
Oil	\$ 3,617,353.91	\$3,936,800.43	\$14,016,576.16	\$12,330,645.36
Gas	1,956,840.81	1,985,231.75	8,950,050.03	11,671,904.10
Water	6,571.55	4,928.82	54,008.92	83,096.86
Salt Brine	3,402.08	1,898.53	10,934.56	15,045.51
Sulphur	32,919.64		167,995.80	210,050.35
Rental				
Oil and Gas Leases	373,788.89	30,430.03	1,147,437.83	531,797.74
Other		4,680.00	4,880.00	856.46
Miscellaneous	39,064.70	1,862.55	431,900.40	159,270.20
	<u>\$ 6,029,941.58</u>	<u>\$5,965,832.11</u>	<u>\$24,783,783.70</u>	<u>\$25,002,666.58</u>
Bonuses, Oil and Gas Lease Sales	<u>-0-</u>	<u>-0-</u>	<u>9,719,000.00</u>	<u>17,869,500.00</u>
Total, Permanent University Fund	<u>\$ 6,029,941.58</u>	<u>\$5,965,832.11</u>	<u>\$34,502,783.70</u>	<u>\$42,872,166.58</u>

Oil and Gas Development - December 31, 1978
 Acreage Under Lease - 1,105,170

Number of Producing Acres - 381,993

Number of Producing Leases - 1,675

B. LAND MATTERS

Easements and Surface Leases Nos. 4779-4822, Material Source Permits Nos. 567-569, Amendment to Easement No. 4566, Water Contracts Nos. 171-172 and Brine Production Leases Nos. 12-13.--It is recommended by the Vice Chancellor for Lands Management that the following applications for easements and surface leases, material source permits, amendment, water contracts and brine production leases be approved. All have been approved as to content by the appropriate officials. Payment for each has been received in advance unless otherwise indicated, and each document is on the University's standard form and is at the standard rate adopted February 1, 1977:

1. Easements and Surface Leases Nos. 4779-4822

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No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4779	Texas Electric Service Company (renewal of 2825)	Surface Lease (Electric Substation)	Crane	35	1 acre	1/1/79- 12/31/88	\$ 1,500.00 (full)
4780	L. R. Hamilton (renewal of 2835)	Surface Lease (Residence)	Crane	31	3.67 acres	1/1/79- 12/31/79*	150.00 (annual)
4781	William May & Joyce May	Surface Lease (Residence)	Andrews	13	Less than 1 acre	10/1/78- 9/30/79*	150.00 (annual)
4782	Amoco Production Company (renewal of 2918)	Pipe Line	Andrews	13	11,898.83 rds. various size	12/6/78- 12/5/88	32,033.21
4783	Amoco Production Company (renewal of 2811)	Pipe Line	Andrews	13	133.39 rds. 2-3/8 inch, 329.70 rds. 3-1/2 inch	1/1/79- 12/31/88	1,157.73
4784	Shell Oil Company (renewal of 2926)	Pipe Line	Andrews	1	217.94 rds. 6-5/8 inch	4/1/79- 3/31/89	544.85
4785	S. D. Company (renewal of 2827)	Pipe Line	Reagan	11	36.36 rds. 2 inch	1/1/79- 12/31/88	150.00 (min.)

*Renewable from year to year, but not to exceed a total of ten years.

Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4786	West Texas Utilities Company (renewal of 2844)	Power Line	Crane, Crockett	7, 30, 31	15,302.70 rds. single pole	1/1/79- 12/31/88	\$15,302.70
4787	Northern Natural Gas Company (renewal of 2812)	Pipe Line	Pecos	22, 23	2,786.67 rds. 16 inch	2/1/79- 1/31/89	9,753.35
4788	El Paso Natural Gas Company (renewal of 2776)	Pipe Line	Hudspeth	G, H, J, K, L	20,167.95 rds. 16 inch, 431.412 rds. 4 inch	1/1/79- 12/31/88	71,666.36
4789	Community Public Service Company (renewal of 2906)	Power Line	Pecos	165, J. C. Campbell Survey	21.7 rds. single pole	4/1/79- 3/31/89	150.00 (min.)
4790	Community Public Service Company (renewal of 2846)	Power Line	Pecos	27, 165 J. C. Campbell Survey	65.45 rds. single pole	2/1/79- 1/31/89	150.00 (min.)
4791	Texas-New Mexico Pipe Line Company (renewal of 2866)	Pipe Line	Andrews	13	943.38 rds. 4-1/2 inch	4/1/79- 3/31/89	2,358.45
4792	Amoco Production Company (renewal of 2917)	Pipe Line	Andrews	13	2,976.45 rds. various size	12/6/78- 12/5/88	8,238.13
4793	El Paso Natural Gas Company (renewal of 2736)	Pipe Line	Andrews	1	251.006 rds. 6-5/8 inch	2/1/79- 1/31/89	627.52
4794	El Paso Natural Gas Company (renewal of 2735)	Pipe Line	Andrews	9	293.133 rds. 6-5/8 inch	2/1/79- 1/31/89	732.83
4795	El Paso Natural Gas Company (renewal of 2788)	Pipe Line	Andrews	1	5.776 rds. 4-1/2 inch, 67.424 rds. 6-5/8 inch	2/1/79- 1/31/89	183.00

Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4796	El Paso Natural Gas Company (renewal of 2726)	Pipe Line	Andrews	1	272.727 rds. 6-5/8 inch	2/1/79- 1/31/89	\$ 681.82
4797	El Paso Natural Gas Company (renewal of 2774)	Pipe Line	Andrews	9	314.36 rds. 8-5/8 inch	2/1/79- 1/31/89	785.90
4798	El Paso Natural Gas Company (renewal of 2737)	Pipe Line	Andrews	9	153.49 rds. 6-5/8 inch	2/1/79- 1/31/89	383.73
4799	El Paso Natural Gas Company (renewal of 2775)	Pipe Line	Andrews	9	651.636 rds. 10-3/4 inch	2/1/79- 1/31/89	1,629.09
4800	Big Lake Gas Corporation (renewal of 2779)	Pipe Line	Reagan	48	4,968 rds. various size	11/1/78- 10/31/88	13,140.00
4801	Phillips Petroleum Company (renewal of 2786)	Pipe Line	Crane	31, 30	2,778.20 rds. 6-5/8 inch	1/1/79- 12/31/88	6,945.50
4802	Dorchester Gas Producing Company (renewal of 2920)	Pipe Line	Reagan	1, 2	254.30 rds. 4-1/2, 3-1/2, 4 inch	3/1/79- 2/28/89	635.75
4803	Atlantic Richfield Company (renewal of 2821)	Power Line	Crane	31	627.26 rds. single pole	11/1/78- 10/31/88	627.26
4804	Atlantic Richfield Company (renewal of 2828)	Pipe Line	Crane	31	896.48 rds. various size	11/1/78- 10/31/88	2,241.20
4805	Texas-New Mexico Pipe Line Company (renewal of 2804)	Pipe Line	Andrews	13, 14	2,487 rds. various size	1/1/79- 12/31/88	6,217.50
4806	Texas-New Mexico Pipe Line Company (renewal of 2803)	Pipe Line	Crockett, Crane	29, 30, 31	8,101.30 rds. 12-3/4 inch	1/1/79- 12/31/88	28,354.55

Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4807	Sun Oil Company (Delaware) (renewal of 2903)	Pipe Line	Reagan	1	322.69 rds. 2 inch, 177.21 rds. 2-1/2 inch	3/1/79- 2/28/89	\$ 1,249.75
4808	Delhi Gas Pipeline Corporation (renewal of 2856)	Pipe Line	Pecos	20	492.80 rds. 4-1/2 inch	2/1/79- 1/31/89	1,232.00
4809	Henry Petroleum Corporation	Surface Lease (Salt Water Disposal)	Andrews	8	1 acre	12/1/78- 11/30/79*	1,500.00 (annual)
4810	American Petrofina Company of Texas (renewal of 2863)	Surface Lease (Pipe yard)	Ector	35	5 acres	2/1/79- 1/31/89	1,750.00 (full)
4811	Phillips Petroleum Company (renewal of 2794)	Pipe Line	Andrews	10	1,009.6 rds. various size	1/1/79- 12/31/88	2,524.00
4812	Amoco Production Company (renewal of 2842)	Pipe Line	Andrews	9	240.02 rds. 6-5/8 inch, 72.06 rds. 4-1/2 inch	2/1/79- 1/31/89	780.20
4813	West Texas Utilities Company (renewal of 2845)	Power Line	Pecos	16, 17, 18	11,647.3 rds. single pole	1/1/79- 12/31/88	11,647.30
4814	Dorchester Gas Producing Company	Pipe Line	Reagan	2, 9	425.19 rds. 4 inch	11/1/78- 10/31/88	1,275.57
4815	J. L. Davis	Pipe Line	Reagan	58	319.7 rds. 2-7/8 inch	12/1/78- 11/30/88	959.10

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*Renewable from year to year, but not to exceed a total of 5 years.

Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4816	Fin-Tex Pipe Line Company	Pipe Line	Crockett	47, 50	969.56 rds. 4-1/2 inch	12/1/78- 11/30/88	\$ 2,908.68
4817	Cabot Corporation	Pipe Line	Ward	16	977.04 rds. 4-1/2 inch	11/1/78- 10/31/88	2,931.12
4818	Transwestern Pipeline Company	Pipe Line	Ward	17	85.03 rds. 6 inch	11/1/78- 10/31/88	255.09
4819	Transwestern Pipeline Company	Pipe Line	Winkler	21	482.00 rds. 4 inch	11/1/78- 10/31/88	1,446.00
4820	Transwestern Pipeline Company	Pipe Line	Winkler	21	67.15 rds. 4 inch	11/1/78- 10/31/88	201.45
4821	Northern Natural Gas Company, Delaware	Pipe Line	Reagan	9, 10	759.58 rds. 4-1/2 inch	11/1/78- 10/31/88	2,278.74
4822	Lone Star Gas Company of Texas, Inc.	Pipe Line	Ward	18	632.11 rds. 2 inch	9/1/78- 8/31/88	1,896.33

2. Material Source Permits Nos. 567 - 569

No.	Grantee	County	Location	Quantity	Consideration
567	Farmer Construction Company	Andrews	Block 13	300 cubic yards caliche	\$ 150.00 (minimum)
568	Burrows Pipe Line Padding Company, Inc.	Pecos	Block 16	602 cubic yards caliche	210.70
569	Reliable Construction Co., Inc.	Andrews	Block 13	1,000 cubic yards caliche	350.00

Land Matters - Continued --

3. Amendment to Easement No. 4566

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4566	El Paso Natural Gas Company	Pipe Line	Hudspeth	B, F, E, D, H, J	6,766.885 rds. 30 inch	6/1/78- 5/31/88	\$ 150.00*

*Assignment Fee. Amendment grants the additional right and privilege to transport crude oil, liquid petroleum products and by products of each of the same and any other substances as required or deemed advisable.

4. Water Contracts Nos. 171-172

No.	Grantee	County	Location	Period	Consideration
171	Lone Star Gas Company of Texas (renewal of 151)	Ward	Block 17	1/25/79-1/24/80*	\$ 100.00** (annual)
172	Permian Brine Sales, Inc.	Ward	Block 17	2/1/79-1/31/80*	100.00* (annual)

*Renewable from year to year, but not to exceed a total of five years.

**Annual rental is \$100.00, to be paid in advance. Royalty is 12¢ per 1,000 gallons of water produced, with a minimum royalty of \$200.00 per year.

5. Brine Production Leases Nos. 12-13

No.	Grantee	Type of Permit	County	Location	Period	Consideration
12	The S. D. Company	Brine Production Lease	Reagan	Block 11	7/1/78-6/30/79*	\$ 100.00**

*Renewable from year to year, but not to exceed a total of five years.

**Annual rental is \$100.00, to be paid in advance. Royalty is a minimum of two cents per barrel of brine produced and sold, or 12½ per cent of the sale price, whichever is greater.

Land Matters - Continued --

No.	Grantee	Type of Permit	County	Location	Period	Consideration
13	Permian Brine Sales, Inc.	Brine Production Lease	Ward	Block 17	2/1/79-1/31/80*	\$ 100.00**

*Renewable from year to year, but not to exceed a total of five years.

**Annual rental is \$100.00, to be paid in advance. Royalty is a minimum of two cents per barrel of brine produced and sold, or 12½ per cent of the sale price, whichever is greater.

II. TRUST AND SPECIAL FUNDS

A. GIFTS, BEQUESTS AND ESTATES

1. U. T. Arlington - Recommendation for Establishment of The Roy Dulak Professorship at The University of Texas at Arlington for the Graduate School of Social Work

Recommendation

President Nedderman and the Administration recommend the establishment of The Roy Dulak Professorship at The University of Texas at Arlington for the Graduate School of Social Work. To qualify for appointment to this professorship, candidates will have to be recognized national leaders in some aspect of the planning, organization, management or delivery of human services. Funding for this endowment in the amount of \$100,000 has been received from various donors and reported over the past several months on the institutional docket.

Background Information

In 1975, friends of the Graduate School of Social Work embarked on a fund-raising project for establishment of a professorship at U.T. Arlington in honor of Mr. Roy Dulak. Mr. Dulak had an inspiring career of more than forty years of service, most of which was spent as Assistant Director and Director, Community Council of Greater Dallas, from 1948-1976.

2. U. T. Austin - Recommendation for Change in Name of the Geophysical Fund in the Department of Geological Sciences to the O. Scott Petty Geophysical Fund.

Recommendation

President Rogers and Chancellor Walker recommend the change in name of the Geophysical Fund in the Department of Geological Sciences to the O. Scott Petty Geophysical Fund in honor of Mr. O. Scott Petty, a long time benefactor of the department and the University. A gift of \$20,000 for this fund has recently been made by Mrs. O. Scott Petty which brings the current balance of this fund to \$35,000.

Background

This endowed account was originally established and approved by the Board of Regents at the October 20, 1978, meeting in support of the Wallace E. Pratt Professorship in Geophysics. Income from this account will continue to be used at the discretion of the appointee to the Wallace E. Pratt Professorship in Geophysics in support of the geophysics program of the Department of Geological Sciences.

Mr. O. Scott Petty, a long time benefactor of the department of Geological Sciences and the University, has served on the Geology Foundation Advisory Council for many years and is currently an Honorary Life Member of the Council. Mr. Petty is world renowned in the field of geophysics, having pioneered geophysical exploration and established the Petty-Ray Geophysical Company.

3. U. T. Austin - Recommendation for the Establishment of the Mexican-American Business Student Endowed Scholarship.

Recommendation

President Rogers and the Administration recommend the establishment of the Mexican-American Business Student Endowed Scholarship. Funds in the amount of \$8,606.86 on hand from various donors will be combined with a \$2,000 pledge from Mr. James C. Storm of Corpus Christi to place the initial funding for this scholarship at \$10,606.86. Income will be used to award scholarships to students of Mexican-American descent who have attained the level of junior or senior in the College of Business Administration and are working toward a Bachelor of Business Administration Degree.

Background Information

The scholarship fund was initiated in 1976 by a \$300 contribution from Mexican-American business students and a \$500 grant from the Student Senate plus matching funds from the College of Business Administration Foundation. Additional contributions from various donors and the Business Administration Foundation have been received to bring the total to \$10,606.86 with special recognition going to Mr. James C. Storm, a drilling operator of Corpus Christi, for his contribution of \$5,000 and Mrs. Maggie De La Rosa of Houston for her fund raising efforts in the Mexican-American community.

4. U. T. Austin - Recommendation for Acceptance of Bequest under Will of Melvin J. Rieger

Recommendation

President Rogers and the Administration recommend the acceptance of a bequest by Melvin J. Rieger of his residuary estate estimated to be \$150,000 to be used to provide scholarships for students with a major in physics at The University of Texas at Austin. A final report will be prepared and submitted at a later date when administration of the estate is completed.

Background Information

Mr. Melvin J. Rieger of Houston, Texas, died on July 26, 1978. He was a 1938 graduate of U. T. Austin with a B.A. in Physics and a retiree from Texaco after 30 years of service.

5. U. T. Austin - Recommendation for the Acceptance of Bequest under Will of Henry M. Rockwell

Recommendation

President Rogers and the Administration recommend the acceptance of the bequest under the terms of Henry M. Rockwell's Will naming The University of Texas at Austin as a remainder beneficiary of a \$1,000,000 charitable remainder annuity trust. Mr. Rockwell's Will created the annuity trust with funding of \$1,000,000 and appointed Texas Commerce Bank National Association of Houston as trustee. Terms of the annuity trust provide that Helen N. Sterling is to receive \$60,000 per year during her lifetime so long as she shall

live. Upon the death of Helen N. Sterling, The University of Texas at Austin is to receive all of the then remaining trust estate of the trust without specific instructions as to usage.

Background Information

Mr. Henry M. Rockwell, a very successful member of the Rockwell Brothers Lumber Co. of Houston, Texas, died on July 22, 1978. Mr. Rockwell and the Rockwell Foundation have been very generous supporters of U. T. Austin activities dating back to 1958 when \$25,000 was given to establish a scholarship fund.

6. U. T. El Paso - Recommendation for Acceptance of Gift and Establishment of the Horwitz Endowment Fund

Recommendation

President Templeton and the Administration recommend the acceptance of a gift of \$10,000 from Mr. Abe Horwitz of El Paso, Texas, and the establishment of the Horwitz Endowment Fund. The net income derived from the endowment fund is to be used for scholarships and grants-in-aid based on need for disadvantaged students at The University of Texas at El Paso with emphasis on Hispanic-American heritage.

Background Information

Mr. Horwitz of El Paso was formerly very active in the shoe business for many years. He desires to establish the fund as an expression of affection and gratitude for the Hispanic-American people of the greater Southwest area whose hard work and loyal service to his family's business enterprises for over half a century enabled him to conduct a successful business.

7. University Cancer Center (M. D. Anderson) - Recommendation for Acceptance of 10% of the Remainder Interest in the Sam F. Davis Annuity Trust 1978

President LeMaistre and the Administration recommend the acceptance of an undivided 10% interest of an annuity trust created by Mr. Sam F. Davis of Denver, Colorado, titled Sam F. Davis Annuity Trust 1978. The Guaranty Bank and Trust Company of Denver, Colorado, was appointed as Trustee and the trust was funded with \$105,000 par value municipal bonds with provision of life estate until the death of Mr. and Mrs. Davis. The funds do not carry any restriction as to use.

8. University Cancer Center (M. D. Anderson) - Recommendation for Acceptance of Bequest under the Will of Tonie M. Schmitt for General Purposes

Recommendation

President LeMaistre and the Administration recommend acceptance of a bequest by Tonie M. Schmitt of Beaumont, Texas, in the amount of \$75,000 to be used for general purposes. Mr. Schmitt died at his home in Beaumont in May, 1978.

Background Information

Mr. Schmitt, a retired auto parts dealer, made this bequest in recognition and appreciation of the kindness bestowed upon his wife and some close friends by Dr. Bob Moreton and others of M. D. Anderson during the time they were under treatment at M. D. Anderson.

9. University Cancer Center (M. D. Anderson) - Final Report on Bequest of Rex W. Taylor

The Board of Regents on September 16, 1977, accepted the bequest by Rex W. Taylor of his residuary estate to be used by The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston, Texas, for the general purposes of said institution. The University now has received all of the bequest from the executor amounting to a total of \$240,029.92 which has been forwarded to the University Cancer Center along with accumulated income on hand of \$12,037.50 for a total of \$252,067.42.

10. University Cancer Center (M. D. Anderson) - Recommendation for Acceptance of Gift of Stock from Mr. R. B. Trull for Use in Leukemia Research

Recommendation

Dr. LeMaistre and the Administration recommend acceptance of 708 shares of common stock of Houston Oil and Minerals Corporation valued at \$11,991.75 from Mr. R. B. Trull of Palacios, Texas, for use in leukemia research at M. D. Anderson.

Background Information

Mr. Trull has been a regular donor to various component institutions of The University of Texas System, and this is one of several gifts made at this time. He has a Bachelor of Science Degree in Petroleum Engineering from U. T. Austin and is a member of Chancellor's Council, President's Associates and other University related organizations.

11. University Cancer Center (M. D. Anderson) - Recommendation for Acceptance of Additional Gift to be Added to the Elizabeth K. Zoch Unitrust

Recommendation

President LeMaistre and the Administration recommend the acceptance of an additional cash gift of \$25,000 to be added to the Elizabeth K. Zoch Unitrust bringing the funding to a total of \$40,000. (See Page BofR - 7.)

Background Information

The Elizabeth K. Zoch Unitrust was established and the initial funding of \$15,000 accepted by Chancellor Walker on behalf of the Board of Regents as a member of the Special Gifts Committee during December, 1978.

B. REAL ESTATE MATTERS

1. U. T. El Paso: Josephine Clardy Fox Estate - Proposed Lease of Land and Improvements at 5001-5003 Alameda, El Paso, Texas. --

Recommendation

System Administration recommends that Mr. C. H. Campbell be granted a two year lease, effective March 1, 1979, on the land and improvements located at 5001-5003 Alameda, El Paso, Texas, at a rental of \$250.00 per month. The lease will provide for termination by either party upon sixty days' notice, as it is anticipated that a more advantageous lease can be made with a permanent tenant prior to expiration of the two year term.

Background Information

Subject property was leased in 1954 by Mrs. Fox to Standard Oil Co. of Texas as a service station site. That lease expired on December 31, 1978. Standard (now Chevron) did not wish to renew, and has conveyed the improvements to the University for no consideration. The rental under the original lease was one cent per gallon sold per month, and has averaged less than \$100.00 per month in recent years. Mr. Campbell, who has operated the station on a temporary basis since January 1, 1979, will continue to use the property as a service station.

2. Galveston Medical Branch (Galveston Medical School): Estate of Paul R. Stalnaker, M.D. - Recommendation for Oil and Gas Lease Covering Land in the Stephen F. Austin League, Wharton County. --

Recommendation

System Administration recommends that Okala Petroleum Exploration Company be granted a three-year oil and gas lease on the University's undivided 16% interest in 227.4 acres situated in the Stephen F. Austin League No. 2, Abstract No. 3, Wharton County, Texas. The lease will provide for a bonus of \$25.00 per acre, a 1/5th royalty and \$5.00 per acre annual delay rentals.

Background Information

The subject undivided 16% interest was left by Dr. Stalnaker to his wife, Florence West Stalnaker, for life, and passed to the Board of Regents for the Galveston Medical Branch upon the death of Mrs. Stalnaker in 1974. The other mineral owners have already leased their interests to Okala for the same bonus and delay rentals, but for a 1/6th royalty.

III. OTHER MATTERS

PUF and Trust and Special Funds: Report of Securities Transactions for the Months of October and November 1978.--
In accordance with present procedure, the report of securities transactions for the Permanent University Fund and Trust and Special Funds for the months of October and November 1978 was mailed on January 9, 1979, by Secretary Thedford to the members of the Board of Regents. If any questions regarding this report have been submitted, the Secretary will so report at the meeting of the Land and Investment Committee.

I. Permanent University Fund

A. Investment Matters

On Page 3 is a report on Clearances of Monies to the Permanent University Fund for November and December, 1978, accumulated year to date figures and a summary report on oil and gas development. Clearances to the Permanent University Fund for the first four months of this fiscal year total \$34,502,784 compared to \$42,872,166 for the comparable period a year ago, down 19.5%. The major portion of this decrease is due to a decline in bonuses received from lease sales which total \$9,719,000 for the first four months of this fiscal year compared to \$17,869,000 for the same period last year, a decline of \$8,150,000 or 45.6%. Oil royalties totaled \$14,017,000 vs \$12,331,000, up 13.7%; gas royalties \$8,950,000 vs \$11,672,000, down 23.3%. As of December 31, 1978, 1,105,170 acres of University Lands were under oil and gas leases with 381,993 producing acres.

B. Land Matters

On pages 4 thru 10 is a list of easements, surface leases, material source permits, amendment to a surface lease, water contracts and brine production leases. All leases are on the University's standard form and at standard rates.

II. Trust and Special Funds

A. Gifts, Bequests and Estates

Item 1, page 11, is a recommendation from President Neddeman and the Administration for the establishment of the Roy Dulak Professorship at The University of Texas at Arlington for the Graduate School of Social Work. Funding of this Professorship in the amount of \$100,000 has been received from various donors and reported over the past several months in the institutional docket.

I move the establishment of this Professorship and without objection it stands approved.

Item 2 is a recommendation by President Rogers concurred in by Chancellor Walker for change in name of the Geophysical Fund in the Department of Geological Sciences to the "O. Scott Petty Geophysical Fund" at U. T. Austin. A recent gift of \$20,000 by Mrs. O. Scott Petty brings the balance of this fund to \$35,000. Income from this account will be used for the support of the Wallace E. Pratt Professorship in Geophysics.

I move approval of this change and without objection it stands approved.

Item 3, page 12, is a recommendation by President Rogers and the Administration for the establishment of the Mexican-American Business Student Endowed Scholarship Fund at U. T. Austin. This fund was initiated in 1976 by a \$300 contribution from Mexican-American business students and a \$500 grant from the Student Senate plus matching funds from the College of Business Administration Foundation. A recent gift from Mr. James C. Storm of Corpus Christi brings the total of the fund to \$10,606.86.

I move the establishment of this Scholarship Fund and without objection it stands approved.

Item 4 is a recommendation by President Rogers and the Administration for acceptance of a bequest under the Will of Melvin Rieger of his residuary estate estimated at \$150,000 for The University of Texas at Austin to be used to provide scholarships for students with a major in physics.

I move acceptance of this bequest and without objection it stands approved.

Item 5 is a recommendation by President Rogers and the Administration for the acceptance of a bequest under the Will of Henry M. Rockwell as a remainder beneficiary of a \$1,000,000 charitable remainder annuity trust. Under terms of the trust Helen N. Sterling is to receive \$60,000 per year during her lifetime and upon her death the remainder of the trust estate is to go to The University of Texas at Austin.

I move acceptance of this generous bequest and without objection it stands approved.

Item 6, page 13, is a recommendation by President Templeton and the Administration for acceptance of a gift of \$10,000 from Mr. Abe Horwitz of El Paso, Texas, and the establishment of the Horwitz Endowment Fund for scholarships and grants-in-aid for disadvantaged students at U. T. El Paso with emphasis for those of Hispanic-American heritage.

I move acceptance of this gift with our thanks to Mr. Horwitz and the establishment of the endowment fund. Without objection this stands approved.

Item 7 is a recommendation by President LeMaistre and the Administration for acceptance of 10% undivided Remainder Interest in the Sam F. Davis Annuity Trust for the benefit of the University Cancer Center. The trust was created by Mr. Sam F. Davis of Denver, Colorado, and was funded with \$105,000 par value of municipal bonds with the Guaranty Bank and Trust Co. of Denver, Colorado, named Trustee.

I move acceptance of a 10% remainder interest in this trust and if there are no objections it will stand approved.

Item 8 is a recommendation by President LeMaistre and the Administration for acceptance of a bequest under the Will of Tonie M. Schmitt in the amount of \$75,000 for use by the University Cancer Center.

I move acceptance of this bequest and without objection, it stands approved.

Item 9, page 14, is a final report on the bequest of Rex W. Taylor. The bequest under the Will of Mr. Rex Taylor of his residuary estate for general purpose use by M. D. Anderson was accepted by the Board of Regents on September 16, 1977. The University has received a total of \$240,029.92 which along with accumulated income of \$12,037.50 has been forwarded to the University Cancer Center.

Item 10 is a recommendation by President LeMaistre and the Administration for acceptance of a gift of stock from Mr. R. B. Trull of Palacios, Texas, valued at \$11,991.75 for use in Leukemia Research at the University Cancer Center.

I move acceptance of this gift from Mr. R. B. Trull with an expression of our thanks to him for another of his many fine gifts made to the University. Without objection this stands approved.

Item 11 is a recommendation from President LeMaistre and the Administration for acceptance of an additional gift from Mrs. Elizabeth K. Zoch in the amount of \$25,000 to be added to the Elizabeth K. Zoch Unitrust. A gift of \$15,000 and establishment of the Elizabeth K. Zoch Unitrust was accepted by Chancellor Walker on behalf of the Board of Regents as a member of the Special Gifts Committee on December 29, 1978.

I move the acceptance of this additional gift with an expression of our thanks to Mrs. Zoch and if there are no objections this stands approved.

B. Real Estate Matters

Item 1, page 15, is a recommendation by the Administration for a two-year lease at \$250 a month to Mr. C. H. Campbell on land and improvements located at 5001-5003 Alameda, El Paso, Texas, a part of the Josephine Clardy Fox Estate, El Paso, Texas. This property has been under lease to Standard Oil Co. (Chevron) since 1954. The Company did not renew their lease and conveyed improvements to the University.

I move approval of this lease and if there are no objections it will stand approved.

Item 2 is a recommendation by the Administration for an oil and gas lease to Okala Petroleum Exploration Company on 227.4 acres of land situated in the Stephen F. Austin League No. 2, Wharton County, Texas. The University acquired a 16% undivided interest in this property for the Galveston Medical School under the Will of Paul R. Stalnaker, M.D. Terms of the lease include 1/5 royalty, \$25.00 per acre bonus and \$5.00 per acre annual delay rental. Other mineral holders leased their interest to Okala Petroleum Exploration Co. at a 1/6 royalty.

I move approval of this lease and if there are no objections it will stand approved.

III. Other Matters

A report on securities transactions for the Permanent University Fund and for Trust and Special Funds for the months of October and November, 1978, were mailed to the Board by Secretary Thedford on January 9, 1979. If any questions regarding this report have been submitted, the Secretary will so report. If there were none, I move the acceptance of this report.

Committee of the Whole

COMMITTEE OF THE WHOLE

Date: February 8-9, 1979

Time: Following the Meeting of the Land and Investment Committee

Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

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I. SPECIAL ITEMS

A. BOARD OF REGENTS

1. Proposed Revision of Regents' Rules and Regulations, Parts One and Two. -- A proposed revision of the Regents' Rules and Regulations, Parts One and Two prepared in the Office of General Counsel in congressional style has been mailed to you under separate cover. In the package with the proposed revision was a letter from Mr. Fitzpatrick stating that "these were the Rules and Regulations in effect immediately prior to the last meeting of the Board of Regents (November 30-December 1, 1978)." I direct your attention to the minute order on Page 94 of the November 30-December 1 Minutes reflecting the portions that were adopted at that meeting. *See separate letter from volume.*
2. Proposed Amendment to Regents' Rules and Regulations, Part One, Chapter II, Section 4.1. --

RECOMMENDATION

The method of establishing an Advisory Committee to recommend candidates to the Board of Regents for selection of the chief administrative officer of a component institution is not appropriate as applied to an institution not having faculty and students (e. g., Health Center at Tyler, Institute of Texan Cultures). Both of these units have become a part of the System since this rule was adopted. Accordingly, Chancellor Walker recommends that Section 4.1 of Chapter II, Part One of the Regents' Rules and Regulations be amended as follows:

- 4.1 The Board selects the chief administrative officer of each component institution.
- 4.11 When it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution having faculty and students, an Advisory Committee with the Chancellor [~~of the System~~] as Chairman, shall be established as follows to recommend candidates to the Board:

Chancellor [~~of the System~~] (Chairman)
Vice Chancellor for Health Affairs or Vice
Chancellor for Academic Affairs (as
determined by the Chancellor)
Three Chief Administrative Officers
(to be appointed by the Chairman
of the Board from three of the component
institutions)

Three Regents

(to be appointed by the Chairman of the Board)

Five Faculty members of the institution involved, at least three of whom shall have the rank of associate professor or higher (method of selection to be determined by the General Faculty of the campus)

One Dean

(for academic institutions to be selected by Dean's Council of the institution involved) (for health science centers to be the Dean of Medicine of the health science center involved)

Two Students from the institution involved (method of selection to be determined by the Student Government of the campus involved)

President of the Ex-Students' Association of the campus involved or his designee (if institution does not have an active alumni organization, then a member of the development board or an interested layman to be appointed by the chief administrative officer of the institution involved.)

- 4.12 When it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution not having faculty and students, an Advisory Committee shall be appointed by the Chancellor, subject to approval of the Chairman of the Board. The Chancellor shall be Chairman of said Committee.
- 4.13 The Advisory Committee shall determine the availability of each candidate selected. To evaluate a candidate, the Advisory Committee shall set up criteria that relate to the needs of the individual component and shall seek advice on the ability of each candidate interviewed including advice from competent sources as to the candidate's administrative and business ability.
- 4.14 Finally, the Advisory Committee shall submit through its Chairman, the Chancellor, its recommendations with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. If none of the names submitted in the report of the Advisory Committee is satisfactory to the Board, then the Board in its discretion may either name a new committee or proceed to select a chief administrative officer under such other procedures as in its discretion it may deem proper and appropriate.

3. Proposed Amendment to Regents' Rules and Regulations, Part One, Chapter III, Sections 1.83, 1.85 and 1.87. --

RECOMMENDATION

Chancellor Walker recommends the following alterations to the Regents' Rules and Regulations, Part One, Chapter III, Sections 1.83, 1.85 and 1.87:

- a. It is recommended that Subparagraphs (g) and (h) as set out below be added to Section 1.83:

1.83 (g) In the health components, persons appointed to full-time positions for the primary purpose of research activities, with only incidental teaching or patient care duties, shall be given one of the following titles:

- (1) Research Professor of _____
(title of specialty)
- (2) Research Associate Professor of _____
(title of specialty)
- (3) Research Assistant Professor of _____
(title of specialty)

An appointment to one of these titles shall be for a period of time not to exceed one academic year. Such appointments shall terminate at the expiration of the stated period of appointment without the notification of non-renewal required by Section 6.8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to one of these titles.

(h) In the health components, persons appointed to full-time positions for the primary purpose of patient care activities, with only incidental teaching or research duties, shall be given one of the following titles:

- (1) Professor of Clinical _____
(title of specialty)
- (2) Associate Professor of Clinical _____
(title of specialty)
- (3) Assistant Professor of Clinical _____
(title of specialty)

An appointment to one of these titles shall be for a period of time not to exceed one academic year. Such appointments shall terminate at the expiration of the stated period of appointment without the notification of non-renewal required by Section 6.8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to one of these titles.

b. It is further recommended that Section 1. 85 be amended as follows:

1.85 Any person holding a position of Research Scientist, Research Associate, Research Assistant, or (in the health units) other appropriate research title, will be under the classified personnel system, unless [he is-specifically-identified-as-faculty-or] special approval has been granted by the chief administrative officer of the institution to designate him as an unclassified employee in such a position.

c. Further, it is recommended that Section 1. 87(c) be amended as follows:

1.87 (c) Research Professor. Positions for which this title was used in the past should carry the title of Research Scientist or Research Associate or other appropriate title except in the health units as outlined in Section 1.83 (g).

These changes have been approved by the Council of Health Institutions and will facilitate the appointment of faculty for primary duties in research and patient care. Appointments to these new positions will be non-tenure bearing and will permit better achievement of the total academic goal of the health components.

4. Proposed Amendment to Regents' Rules and Regulations, Part One, Chapter VI, Section 3. (13). --

RECOMMENDATION

Subject to the Board of Regents approving the revisions in the Regents' Rules and Regulations (Item 1 of this Agenda), System Administration recommends that Section 3. (13), Chapter VI, Part One of the Rules and Regulations be amended to read as follows:

3. (13) The Hearing Officer shall render and send to both parties a written decision which shall contain findings of facts and conclusions as to the guilt or innocence of the accused student and shall assess a penalty or penalties in accordance with the published disciplinary penalties of the institution or in accordance with one of the following prescribed penalties:
- 3. (13)1 Disciplinary probation ~~not to exceed one~~ calendar-year.
 - 3. (13)2 Withholding of transcript or degree ~~for~~ failure to pay authorized fees.
 - 3. (13)3 Bar against readmission ~~for failure to pay~~ prescribed fees.
 - 3. (13)4 Restitution or reimbursement for damage to or misappropriation of University property.
 - 3. (13)5 Suspension of rights and privileges, including participation in athletic or extracurricular activities.
 - 3. (13)6 Failing grade ~~for scholastic dishonesty.~~
 - 3. (13)7 Denial of degree ~~for scholastic dishonesty.~~
 - 3. (13)8 Suspension from the University for a period of time not to exceed one calendar year.
 - 3. (13)9 Expulsion from the University for an indefinite a specific period of time not less than one year.

5. Proposed Amendment to Regents' Rules and Regulations, Part One, Chapter VI, Section 3. (14). --

RECOMMENDATION

Subject to the Board of Regents approving the revisions in the Regents' Rules and Regulations (Item 1 of this Agenda), System Administration recommends that Section 3. (14), Chapter VI, Part One of the Rules and Regulations be amended to read as follows:

3. (14) Within fourteen (14) [~~thirty-five-(35)~~] days after the decision has been mailed to the parties, either or both parties may give notice of appeal to the Chancellor through the chief administrative officer of the institution. The decision or decisions will be reviewed at each level of such appeal upon the basis of the transcript of the hearing. Both parties may, at the discretion of the chief administrative officer or the Chancellor, submit oral or written arguments to support their position. [~~At-the-discretion-of-such-authority,-such-arguments-may-be-oral-or-written,-or-both.~~] In order for the appeal to be considered, all the necessary documentation to be filed by the appealing party, including written arguments, when appropriate, must be filed with the chief administrative officer within twenty-one (21) days after notice of appeal is given.

6. Proposed Amendment to Regents' Rules and Regulations, Part One, Chapter VI, Section 7.26. --

BACKGROUND INFORMATION

At the December 1, 1978 meeting of the Board of Regents, Regent Law expressed the view that Section 7.26, Chapter VI, Part One of the Regents' Rules and Regulations is too restrictive in its present form by prohibiting persons from speaking on campus who may at some time have advocated violation of the law, but who do not presently do so, and proposed that said section be amended to eliminate such restriction.

RECOMMENDATION

In accordance with Regent Law's view, Chancellor Walker recommends that Section 7.26 of Chapter VI of Part One of the Regents' Rules and Regulations be amended as follows:

"No person shall be permitted to speak on any campus of the System who is known presently to advocate or recommend, either orally or in writing, the conscious and deliberate violation of any federal, state, or local law."

B. U. T. SYSTEM

7. Proposed 1979-80 Personnel Pay Plan and Classified Personnel Pay Step Conversion Table. --

RECOMMENDATION

It is recommended by the Administration of each of the component institutions and concurred in by Chancellor Walker, Vice Chancellor Boyd and System Personnel Director Kennedy that the proposed System-wide 1979-80 Personnel Pay Plan be adopted with the understanding that each classification will be decreased by 1.7% in accordance with the following Classified Personnel Pay Step Conversion Table:

THE UNIVERSITY OF TEXAS SYSTEM

CLASSIFIED PERSONNEL PAY STEP CONVERSION TABLE
(Conversion Factor 5.1%)
Rates Effective September 1, 1979

<u>1978-79 Rates</u>		<u>1979-80 Rates</u>		
<u>Monthly</u>	<u>Step No.</u>	<u>Monthly</u>	<u>Annual</u>	<u>Hourly</u>
486	1	511	6132	2.95
503	2	529	6348	3.05
520	3	547	6564	3.16
538	4	565	6780	3.26
556	5	584	7008	3.37
575	6	604	7248	3.48
595	7	625	7500	3.61
615	8	646	7752	3.73
636	9	668	8016	3.85
658	10	692	8304	3.99
680	11	715	8580	4.13
703	12	739	8868	4.26
727	13	764	9168	4.41
752	14	790	9480	4.56
778	15	818	9816	4.72
804	16	845	10140	4.88
831	17	873	10476	5.04
859	18	903	10836	5.21
888	19	933	11196	5.38
918	20	965	11580	5.57
949	21	997	11964	5.75
981	22	1031	12372	5.95
1014	23	1066	12792	6.15

1978-79 Rates1979-80 Rates

<u>Monthly</u>	<u>Step No.</u>	<u>Monthly</u>	<u>Annual</u>	<u>Hourly</u>
1048	24	1101	13212	6.35
1084	25	1139	13668	6.57
1121	26	1178	14136	6.80
1159	27	1218	14616	7.03
1198	28	1259	15108	7.26
1239	29	1302	15624	7.51
1281	30	1346	16152	7.77
1325	31	1393	16716	8.04
1370	32	1440	17280	8.31
1417	33	1489	17868	8.59
1465	34	1540	18480	8.88
1515	35	1592	19104	9.18
1567	36	1647	19764	9.50
1620	37	1703	20436	9.83
1675	38	1760	21120	10.15
1732	39	1820	21840	10.50
1791	40	1882	22584	10.86
1852	41	1946	23352	11.23
1915	42	2013	24156	11.61
1980	43	2081	24972	12.01
2047	44	2151	25812	12.41
2117	45	2225	26700	12.84
2189	46	2301	27612	13.28
2263	47	2378	28536	13.72
2340	48	2459	29508	14.19
2420	49	2543	30516	14.67
2502	50	2630	31560	15.17
2587	51	2719	32628	15.69
2675	52	2811	33732	16.22
2766	53	2907	34884	16.77
2860	54	3006	36072	17.34
2957	55	3108	37296	17.93
3058	56	3214	38568	18.54
3162	57	3323	39876	19.17

1978-79 Rates

1979-80 Rates

<u>Monthly</u>	<u>Step No.</u>	<u>Monthly</u>	<u>Annual</u>	<u>Hourly</u>
3270	58	3437	41244	19.83
3381	59	3553	42636	20.50
3496	60	3674	44088	21.20
3615	61	3799	45588	21.92

This plan is to be effective September 1, 1979 and will be used as a guide in the preparation of the 1979-80 Operating Budget.

BACKGROUND INFORMATION

The proposed 1979-80 Personnel Pay Plan was prepared on the basis of a 6.8% increase; however, since the preparation of of this plan, the Legislative Budget Board has recommended that the increase for next year shall be 5.1%. There was not sufficient time for the plan to be revised and hence the recommendation as presented.

The Personnel Pay Plan is supported by extensive studies which have been conducted by the respective institutional personnel offices. In arriving at the salary ranges, we have taken into account the State Classification Plan and the State Salary Schedule for September 1, 1979, numerous surveys which we have conducted or in which we have participated, pay schedules for other institutions, and prevailing rates in the applicable areas of competition.

It is felt that the recommended changes reflected in the Personnel Pay Plan are necessary for the University to maintain a competitive position, fairly compensate our employees providing equality with State pay rates, and attract qualified applicants in the current market. Each classification has been considered on its own merits and recommendations for adjustments have been made according to the individual requirements of each classification as appropriate.

8. Proposed 1979-80 Budget Policies and Limitations. --

RECOMMENDATION

It is recommended by Chancellor Walker that the following policies and limitations be adopted for the preparation of the 1979-80 Budget:

PROPOSED

1979-80 BUDGET POLICIES AND LIMITATIONS

for General Operating Budgets,
Auxiliary Enterprises, Contract
Areas, Current Restricted Funds,
and Service and Revolving Fund
Activities.

Chief Administrative Officers are to write the "first" draft of their operating budgets conservatively, utilizing the following policy items.

1. Over-all budget totals, including reasonable reserves, must be limited to the funds available for the year from:
 - a. General Revenue Appropriations,
 - b. Estimates of Local Income, and
 - c. Limited use of Institutional Unappropriated Balances.
2. The recommendations for salary increases for both teaching and non-teaching personnel are subject to the current regulations and directives included in the General Appropriations Bill. Article IV, Section 22, of the bill draft reads as follows:

Sec. 22. This section shall apply to those agencies of higher education not covered by Section 1, Article V, of this Act. Funds are provided in the appropriations made to those agencies covered by this section in sufficient amounts to permit annual salary increases of 5.1% in fiscal 1980 and 5.1% in fiscal 1981. Such increases shall be granted to all employees making less than \$12,000 annually as of August, 1979, and may be granted to employees making \$12,000 or more as of August, 1979. It is expressly provided that institutional administrators may grant merit salary increases to employees whose job performance and productivity is consistently above that normally expected or required.
3. Total salary increases in the budget cannot exceed Federal Guidelines for salary increases.
4. Selective merit salary advances may be provided for the faculty and professional staff. In the case of faculty, merit advances or advances in rank are to be on the basis of teaching effectiveness, research, and public service. This policy relating to faculty salary increases applies to all fund sources.
5. New faculty positions are to be based on conservative estimates of enrollment increases. Total faculty staffing should be reviewed in terms of planned increases in work load.
6. Merit salary advances for classified personnel in accordance with the Personnel Pay Plan policies approved by the Board may be given only to individuals who will have been employed by the institution for at least six months as of August 31, 1979.

7. New classified positions are to be requested only where increased work load justifies.
8. Maintenance, Operation, and Equipment items should be based only on such amounts as are needed. Increases are not to exceed amounts currently budgeted except as related to increased work load, to inflation, to new programs, or to newly developing institutions.
9. Travel funds are to be shown as separate line items.
10. All requests for Special Equipment must be supported with detailed descriptions and justifications.
11. For U. T. Austin, the base budget is to be drafted excluding utilization of the Available University Fund.

1979-80 OPERATING BUDGET CALENDAR

February 9, 1979	Board Approval of Policies
May 1, 1979	<u>Four</u> Draft Copies of budgets due to System Administration (including supplemental data)
May 21, 1979	Budget Hearings with System Administration
June 25, 1979	Thirty Copies of Budgets due to System Administration (with adjusted supplemental data as applicable)
July, 1979	Budgets mailed to Board of Regents
July, 1979	Regents' Budget Meeting

C. U. T. AUSTIN

9. L. D., Marie and Edwin Gale Professorship in Judaic Studies: Request to Transfer Accrued Income to Apply on Purchase of Gutenberg Bible. --

RECOMMENDATION

At the request of Mr. Edwin M. Gale, it is recommended that the accrued income from the L. D., Marie and Edwin Gale Professorship in Judaic Studies at The University of Texas at Austin be transferred to an appropriate account to apply on the purchase of the Gutenberg Bible. Such transfers shall continue periodically until a payment of \$25,000 has been made, or until Mr. Gale elects to direct these income funds to the support of the Gale Professorship in Judaic Studies or other purposes.

10. Proposed Waiver of Section 1, Chapter VIII of Part One of the Regents' Rules and Regulations to Rename the Drama Building. --

RECOMMENDATIONS

President Rogers and Chancellor Walker recommend that the Board of Regents waive the requirement in Section 1, Chapter VIII of Part One, of the Rules and Regulations that states "Buildings and other facilities (including laboratories and clinics) of the System and its component institutions shall not be named in honor of any person until such person shall have been dead at least five years..."

President Rogers and Chancellor Walker further recommend that the Drama Building at U.T. Austin be renamed "The F. Loren Winship Drama Building." This recommendation has the unanimous endorsement of the faculty of the Department of Drama and Dean Oscar Brockett of the College of Fine Arts concurs in the recommendation.

BACKGROUND INFORMATION

Dr. F. Loren Winship died July 20, 1978, after having devoted more than 50 years of his life to the theatre and served the Department of Drama from 1941 until his retirement as Professor Emeritus in 1973. Dr. Winship became Chairman of the Drama Department in 1948, and through his wisdom, fortitude, and passion for excellence, assembled a faculty of international reputation and built a Department of superior quality.

Dr. Winship received the highest honors from his colleagues throughout the nation, including the American Theatre Association, Southwest Theatre Conference, Secondary School Theatre Conference, Texas Educational Theatre Association, Theta Alpha Phi, and an honorary LITT.D from Nebraska Wesleyan.

11. Request for Advance Approval of Patent Provisions in Agreement with Control Data Corporation (Regents' Rules and Regulations, Part Two, Chapter V, Section 2.4). --

RECOMMENDATION

President Rogers

It is recommended by the U. T. Austin Patent Committee and President Rogers that approval be given to the patent provisions of a proposed Agreement between U. T. Austin and Control Data Corporation (CDC) entitled "Development of Interactive Extensions to UT Cyber LISP," whereby CDC will receive royalty free non-exclusive license for any patentable ideas resulting from this research. It is important that the Computation Center be involved in such research covered by the proposed Agreement.

System Administration

System Administration concurs in President Rogers' recommendation. A copy of Agreement, if executed, will be reported in a subsequent docket.

BACKGROUND INFORMATION

The Office of General Counsel has reviewed the patent provisions of the proposed Agreement and finds that this provision is consistent with the Regents' Rules and Regulations, Part Two, Chapter V, Section 2.4.

12. Request for Advance Approval of Patent Provisions in Agreement with Exxon Research and Development Laboratories (Regents' Rules and Regulations, Part Two, Chapter V, Section 2.4). --

RECOMMENDATION

President Rogers

It is recommended by the U. T. Austin Patent Committee and President Rogers that approval be given to the patent provisions of a proposed Agreement between U. T. Austin and Exxon Research and Development Laboratories entitled "Process Catalysts," whereby Exxon will receive royalty-free nonexclusive world-wide, irrevocable license and licensing right under any and all of the inventions and improvements made under this Agreement.

System Administration

System Administration concurs in President Rogers' recommendation. A copy of this Agreement, if executed, will be reported in a subsequent docket.

BACKGROUND INFORMATION

The Office of General Counsel has reviewed the patent provisions of the proposed Agreement and finds that this provision is consistent with the Regents' Rules and Regulations, Part Two, Chapter V, Section 2.4.

D. U. T. DALLAS, U. T. PERMIAN BASIN AND U. T. SAN ANTONIO

13. Proposed Appropriations for Classroom Teaching Equipment and Library Equipment and Books. --

RECOMMENDATION

President Jordan, President Cardozier, President Wagener and Chancellor Walker recommend that additional funds as set out below be appropriated from Tuition Revenue Bond proceeds (Account No. 64-1934) to (a) The University of Texas at Dallas and The University of Texas of the Permian Basin for necessary additional teaching equipment and (b) The University of Texas at San Antonio for additional library equipment and books:

<u>Institution</u>	<u>Appropriation</u>
The University of Texas at Dallas	\$ 250,000
The University of Texas of the Permian Basin	125,000
The University of Texas at San Antonio	300,000

These additional funds are necessary to maintain and improve instructional capabilities at these institutions.

E. HOUSTON HEALTH SCIENCE CENTER

14. Houston Medical School: Request to Permit Outside Employment (Regents' Rules and Regulations, Part One, Chapter III, Section 13.11). --

RECOMMENDATION

President Bulger

President Bulger recommends that pursuant to Section 13.11, Chapter III of Part One of the Regents' Rules and Regulations, approval be given for Dr. John E. Overall, Professor, Department of Psychiatry and Behavioral Sciences at the Houston Health Science Center, to serve as a consultant to the Texas Research Institute on Mental Sciences. The total remuneration over the next year will be approximately \$1,000.

Chancellor Walker

Since Dr. Overall can contribute to another state institution whose mission overlaps that of the Houston Health Science Center, Chancellor Walker recommends approval.

BACKGROUND INFORMATION

Dr. Overall is a nationally recognized authority in psychometrics and will consult in the areas of experimental design and data analysis.

This request has been approved by the Chairman of the Department of Psychiatry and Behavioral Sciences and the Dean of the Houston Medical School based on a determination that this activity will be of benefit to the State of Texas and will present no conflict with Dr. Overall's faculty position.

II. DEVELOPMENT MATTERS

A. U. T. SYSTEM

1. Board of Directors, The University of Texas Foundation, Inc.: Membership. -- On December 1, 1978 the Board of Regents approved the reappointment of those individuals indicated by a single asterisk and the initial appointment of those individuals indicated by a double asterisk to membership on the Board of Directors of The University of Texas Foundation, Inc. Their acceptances have been received, and the complete membership is listed below. The maximum authorized membership of this Board is 25; however, the 14 members listed below represent the current Board of Directors:

	<u>Term Expires</u> <u>December 31</u>
Mr. Rex G. Baker, Jr., Sugar Land	1980
Mr. Edward Clark, Austin	Regent Representative
Mr. Marvin K. Collie, Houston	1980
*Mr. Hayden W. Head, Corpus Christi	1981
Mr. Jack S. Josey, Houston	1980
**Mr. Lenoir M. Josey, Houston	1981
Mr. Thos. H. Law, Fort Worth	Regent Representative
Mr. E. G. Morrison, Austin	1980
Mr. Benno C. Schmidt, New York, New York	1979
Mr. Preston Shirley, Galveston	1980
**Mr. J. Burleson Smith, San Antonio	1981
**Mr. Joe Bill Watkins, Houston	1981
Mr. Gail Whitcomb, Houston	1979
Mr. Gene M. Woodfin, Houston	1979

B. U. T. Austin

2. Marine Science Institute Advisory Council: Proposed Nominee Thereeto. --

RECOMMENDATION

System Administration concurs in the recommendation of President Rogers that Mr. Arthur A. Seeligson, Jr., of San Antonio, Texas, whose business interests include oil and gas exploration and production, be approved as a nominee to the Marine Science Institute Advisory Council, The University of Texas at Austin, for an unfilled term to expire in 1980. The addition of Mr. Seeligson will complete the authorized membership of this Advisory Council.

In accordance with usual procedures, no publicity will be given to this nomination until acceptance is received and reported for the record at a subsequent meeting of the Board of Regents.

C. U. T. PERMIAN BASIN

3. Development Board: Membership. --On December 1, 1978, the Board of Regents approved the nomination of those individuals listed below for membership on the U. T. Permian Basin Development Board. Their acceptances have been received and are reported for the record. Each is a new appointment to this Development Board:

	<u>Term Expires</u>
Mr. H. Eugene Abbott, Midland	1981
Mr. William B. Blakemore II, Midland	1980
Mr. Ignacio Cisneros, Odessa	1979
Mr. Herschel O'Kelley, Midland	1981
Mr. Johnny R. Warren, Midland	1980
Mrs. Philip R. Zeeck, Odessa	1981

As in the case of other development boards, the full membership of this Board will be reflected in the Minutes.

D. HOUSTON HEALTH SCIENCE CENTER

4. The Houston Health Science Center Foundation, Inc.: Proposed Amendment to Bylaws. --

RECOMMENDATION

System Administration concurs in the recommendation of President Bulger that the Bylaws of The Houston Health Science Center Foundation, Inc., be amended as set forth below:

Amend Article III to add section:

- 3.8 The terms of director shall be limited to two successive three year terms; however, a director may be reappointed following a one year absence from the Board.

III. SCHEDULED MEETINGS AND EVENTS. --Below is a schedule of meetings and events that have been reported to the Office of the Secretary:

Board of Regents' Meetings

Events

None

March 22-24, 1979 Annual Homecoming
Galveston Medical
Branch

Holidays

March 2, 1979
April 13, 1979 (1/2 day)
May 28, 1979
July 4, 1979

<h1>1979</h1>		
<p>JAN</p> <p>S M T W T F S</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30 31</p>	<p>FEB</p> <p>S M T W T F S</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28</p>	<p>MAR</p> <p>S M T W T F S</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30 31</p>
<p>APR</p> <p>S M T W T F S</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p> <p>29 30</p>	<p>MAY</p> <p>S M T W T F S</p> <p>1 2 3 4 5</p> <p>6 7 8 9 10 11 12</p> <p>13 14 15 16 17 18 19</p> <p>20 21 22 23 24 25 26</p> <p>27 28 29 30 31</p>	<p>JUNE</p> <p>S M T W T F S</p> <p>1 2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 14 15 16</p> <p>17 18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p>
<p>JULY</p> <p>S M T W T F S</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p> <p>29 30 31</p>	<p>AUG</p> <p>S M T W T F S</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28 29 30 31</p>	<p>SEPT</p> <p>S M T W T F S</p> <p>1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 12 13 14 15</p> <p>16 17 18 19 20 21 22</p> <p>23 24 25 26 27 28 29</p> <p>30</p>
<p>OCT</p> <p>S M T W T F S</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30 31</p>	<p>NOV</p> <p>S M T W T F S</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30</p>	<p>DEC</p> <p>S M T W T F S</p> <p>1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 12 13 14 15</p> <p>16 17 18 19 20 21 22</p> <p>23 24 25 26 27 28 29</p> <p>30 31</p>

In view of this being a legislative year and the possibility that the appropriation bill could be delayed beyond the usual time and in order not to cause any delay in the work of the Buildings and Grounds Committee, it might be well to set tentative meetings through the summer. If the Board meets as it has in the past on an average of every six weeks, meetings could be scheduled on March 22-23, May 3-4, June 14-15, and July 26-27.

Committee of the Whole
Executive Session

COMMITTEE OF THE WHOLE - EXECUTIVE SESSION
[Pursuant to Vernon's Texas Civil Statutes,
Article 6252-17, Sections 2(e), (f) and (g)]

Date: February 9, 1979

Time: Following the Open Session of the Committee of the Whole

Place: Regents' Committee Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

TO DISCUSS:

1. Pending and Contemplated Litigation - Section 2(e)
2. Land Acquisition and Negotiated Contracts - Section 2(f)
 - a. U. T. El Paso: Land Adjacent to Campus
 - b. San Antonio Health Science Center: Office Building *Withdrawn*
 - c. University Cancer Center: Smithville Acreage
3. Personnel Matters - Section 2(g)
 - U. T. Austin: Selection of President

COMMITTEE OF THE WHOLE
EXECUTIVE SESSION
February 9, 1979

ADDITIONAL DOCUMENTATION

U. T. Austin: Proposed Amendment to December 13, 1973 Agreement
between the Board of Regents and City of Austin, and Proposed Exchange
of Land between Board of Regents and St. David's Hospital. --

Background

In order to improve the safety and convenience of the students, faculty and staff, it has long been the Board of Regents' plan to eliminate non-University traffic during the University's working hours on interior streets within the principal campus area that is bounded generally by Guadalupe on the West, by 21st and 19th Streets on the South, by Swisher Street and its new southerly extension on the East, and by 26th Street on the North.

Most of that plan has already been effectuated, and the remaining part of the plan was contracted for in a written agreement dated December 13, 1973, between the Board of Regents and the City of Austin.

In general that agreement provided that:

1. The University would at no expense to the City acquire an 80 foot right-of-way (exclusive of the existing 32nd Street and Swisher Street rights-of-way) on a route agreed upon by the University and the City from 19th Street on the South to 38th Street on the North;
2. The University would convey that right-of-way to the City at no cost to the City;
3. On that right-of-way the City would construct at no cost to the University a 60 foot wide vehicular thoroughfare which would constitute a new Red River Street from 19th Street to 38th Street; and
4. The City would vacate the present Red River Street from 19th Street to 26th Street and the present Manor Road from Red River Street to IH 35, and thereby allow the University to exclude non-University traffic from those portions of the present Red River Street and the present Manor Road during University working hours.

(Note: In the early 1950's the City vacated San Jacinto Street from 19th Street to 26th Street, and the Board of Regents can exclude non-University traffic from that portion of San Jacinto Street whenever it chooses to do so.)

In pursuance of the 1973 agreement between the City and the Board of Regents:

1. The Regents have conveyed the necessary right-of-way to the City from 19th Street North to Manor Road, and the City has constructed thereon a 60 foot wide thoroughfare for the new Red River Street.
2. From Manor Road North to 26th Street, the new Red River Street will use the present Swisher Street which is already constructed and in place.

3. From 32nd Street North to 38th Street, the Regents have acquired the agreed upon 80 foot right-of-way and have conveyed that right-of-way to the City, but the City has not yet constructed the new thoroughfare thereon.
4. Therefore, in order to complete its obligations under its 1973 agreement with the City, the University has only to complete its acquisition of the required right-of-way between 26th Street and 32nd Street and convey that right-of-way to the City.
5. Similarly, in order to complete its obligations under the 1973 Agreement, the City has to construct the new thoroughfare from 26th Street to 38th Street, vacate present Red River Street from 19th Street to 26th Street, and vacate present Manor Road from IH 35 to Red River Street.

In the 1973 Agreement, the City committed itself to vacate those portions of Red River Street and Manor Road when the construction of the new thoroughfare from 19th Street to 38th Street was completed. (As stated above, the construction of that new thoroughfare has been completed from 19th Street to 26th Street.)

However, in a subsequent letter to the University, City Manager Davidson agreed that as soon as the City completed the extension of 26th Street under IH 35 and east to Manor Road, the City would vacate present Red River from 19th Street to 26th Street and would move Red River to its new thoroughfare location that is already in place from 19th Street to 26th Street. The construction of 26th Street under IH 35 and east to Manor Road is now completed and that new thoroughfare is open to traffic.

A lawsuit has been filed which questions the University's right to condemn land that is to be conveyed to the City for public street purposes. Even though the University should eventually prevail in that lawsuit, it may well take twenty-four months before a final judgment can be obtained, and in the meantime its power of condemnation in this matter will be in abeyance.

Also, the City has determined that from 32nd Street to 38th Street it may prefer at this time to build a 48 foot thoroughfare rather than a 60 foot thoroughfare.

Finally, in acquiring the land needed for the 80 foot right-of-way, the Board of Regents has had to acquire and will continue to acquire parcels of land that are not needed for the right-of-way and that can be sold or traded by the Board.

For example, St. David's Hospital owns some land that is needed for the required right-of-way and is willing to trade that land for some adjacent and nearby land that the Board of Regents has acquired but does not need for the right-of-way. St. David's has agreed to bear the expense of demolishing the improvement on the land it will receive in the trade and thereby relieve the Board of that demolition expense it would otherwise have.

Recommendations

Chancellor Walker recommends that the Board of Regents:

1. Authorize the amendment of its December 13, 1973, agreement with the City to provide that:
 - a. At its discretion the City may construct all or any portion of the new Red River thoroughfare from 32nd Street to 38th Street to a width no less than 48 feet.
 - b. With respect to any remaining land that the Board of Regents needs to acquire for right-of-way under the December 13, 1973, agreement and which the Board determines should be acquired by condemnation, the City will acquire the land by condemnation, and the Board of Regents will reimburse the City for the amount the City is required to pay for the land in the condemnation proceedings; and
 - c. On or before December 31, 1979, the City will vacate that portion of the present Red River Street lying between 19th Street and 26th Street and that portion of Manor Road lying between Red River Street and the west frontage road of IH 35, exclusive of the right-of-way of the present Swisher Street.
2. Authorize the land that has been or will be acquired by the Board of Regents in this right-of-way acquisition program and that is not needed to satisfy the Board's obligations to the City under the December 13, 1973 Agreement to be exchanged and traded for land that the Board needs to acquire in order to satisfy its obligations to the City; and
3. Authorize the Chairman of the Board to execute and deliver all deeds, contracts, and other instruments necessary to effectuate the foregoing recommendations after the Austin City Council approves the above described amendments to the agreement of December 13, 1973 between the Board and the City and after such documents have been approved by the Chancellor as to content and by the Office of General Counsel as to form.

COMMITTEE OF THE WHOLE - EXECUTIVE SESSION
[Pursuant to Vernon's Texas Civil Statutes,
Article 6252-17, Sections 2(e), (f) and (g)]

Date: February 9, 1979

Time: Following the Open Session of the Committee of the Whole

Place: Regents' Committee Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

TO DISCUSS:

	<u>Page No.</u>
1. Pending and Contemplated Litigation - Section 2(e)	2
2. Land Acquisition and Negotiated Contracts - Section 2(f)	
a. U. T. El Paso: Land Adjacent to Campus	2
b. San Antonio Health Science Center: Office Building	6
c. University Cancer Center: Smithville Acreage	6
3. Personnel Matters - Section 2(g)	
U. T. Austin: Selection of President	7

Documentation

1. Pending and Contemplated Litigation - Section 2(e). --

2. Land Acquisition and Negotiated Contracts - Section 2(f). --
 - a. U. T. El Paso: Proposed Acquisition of Land Adjacent to Campus. --

BACKGROUND INFORMATION

There is a continuing need to purchase property adjacent to the U. T. El Paso campus for future expansion of campus facilities.

RECOMMENDATION

President Templeton and Chancellor Walker recommend that approval be given to obtain the Brenner property adjacent to U. T. El Paso by purchase, or condemnation if necessary, with a report of the action taken to be made to the Board of Regents at a future meeting.



The University of Texas at El Paso

Office of the President

January 12, 1979

U.T. SYSTEM - Chancellor's Office	
REC'D	JAN 15 1979
TO _____	FOR INFO AND RETURN
TO _____	PLEASE ADVISE ME
TO _____	PLEASE HANDLE

X-Copy Mr. Royal

Chancellor E. D. Walker
The University of Texas System
601 Colorado Street
Austin, Texas 78701

Dear Chancellor Walker:

Following our recent discussion regarding purchase of the Brenner property adjacent to U. T. El Paso, we have received informal information which indicates that the final appraisal prepared by M.A.I. Ralph Sellers will probably amount to less than \$2.00 per square foot rather than the originally estimated \$4.00 to \$5.00 per square foot. This results from apparent zoning restrictions which appreciably alter the value of the subject property in comparison to the nearby Ward property acquired last spring at an appraised value of \$4.98 p.s.f.

Needless to say, this will come as a considerable shock to Aaron Brenner who has previously established a value of \$4.95 p.s.f. and I think it is a safe assumption that he will not accept anything less than \$4.00 p.s.f. for his land.

We expect the formal appraisal in about a week. Upon its rejection by Brenner, we plan to offer to split the difference between it and any M.A.I. appraisal he may choose to obtain at his cost. Beyond that point, we might agree to the introduction of a third appraisal from a mutually agreeable source.

A large and distinct possibility remains, however, that Mr. Brenner will reject any offer significantly less than his present asking price. He has made clear on many occasions that he has nothing to lose by waiting as he feels the University must eventually buy the property.

If we are to pursue this matter now, we must consider the possibility of condemnation which Brenner may insist upon. Frankly, after the \$4.60 p.s.f. beating we took in 1973-74 on his property across the street (Schuster) from this piece, that may not appear to be the best course of action, but this time we may know our way around the courthouse a little better.

Wynn's discussions with Don Zacharias indicate this matter would be presented in Executive Session at the next Board meeting. With your approval, we would request authority to negotiate for the property as outlined above. The matter of condemnation remains subject to your judgment and discussion if and when appropriate.

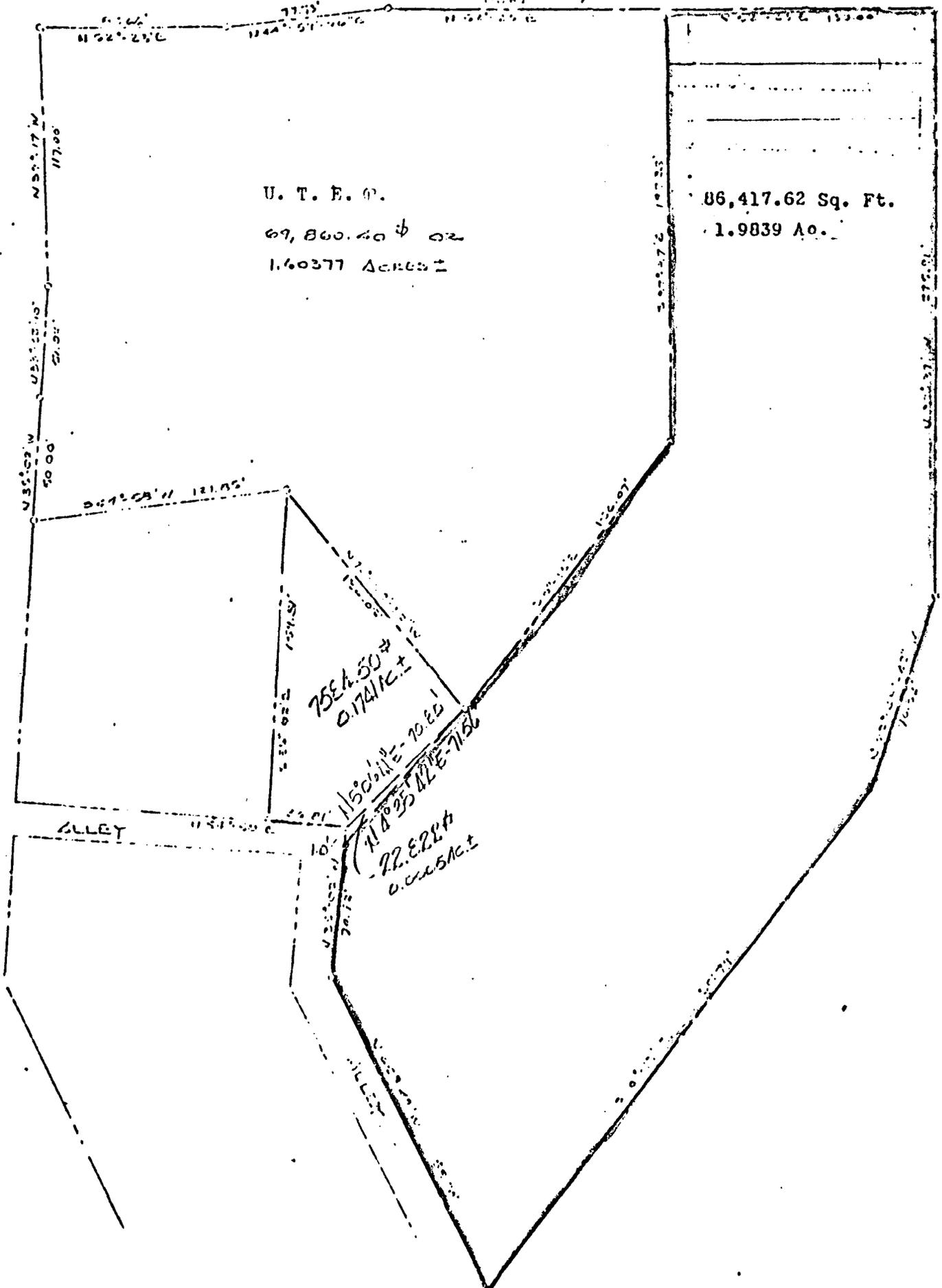
Sincerely,

A. B. Templeton

SCHUSTER

PROSPECT ST.

LAWTON ST.



U. T. E. P.
 69,860.40 sq ft or
 1.60377 Acres

86,417.62 Sq. Ft.
 1.9839 Ac.

7584.50 sq ft
 0.1741 Ac.

11500 sq ft
 0.2625 Ac.
 22,828 sq ft
 0.525 Ac.

ALLEY

The following is a metes and bounds description of a parcel of property located in Block 4, Mundy Subdivision, and fractional Block 11, Alexander Addition, in the City of El Paso, El Paso County, Texas.

Beginning at a point, said point being the southwest property line of Schuster Avenue and Lawton Street.

Thence South 37° 37' East, along the west R.O.W. of Lawton Street, a distance of 275.91 feet to a point;

Thence South 22° 48' 42" East along the west R.O.W of Lawton Street, a distance of 70.32 feet to a point:

Thence South 0° 13' East along the west R.O.W. of Lawton Street, a distance of 301.79 feet to a point; said point being the north R.O.W. of alley at Lawton Street:

Thence North 65° 49' West, along the alley R.O.W., a distance of 158.20 feet to a point;

Thence North 35° 02" West, along the alley R.O.W., a distance of 70.92 feet to a point;

Thence, North 5° 06' 41" East, a distance of 70.80 feet to a point;

Thence North 0° 13' West, a distance of 156.07 feet to a point;

Thence North 37° 37' West, a distance of 197.38 feet to a point; said point being at the south R.O.W. of Schuster Avenue;

Thence North 52° 23' East, along the south R.O.W. of Shuster Avenue, a distance of 130.00 feet to a point; said point being the point of beginning

Said parcel containing 86,417.62 square feet or 1.9839 acres of land more or less.

b. **San Antonio Health Science Center: Office Building**

c. **University Cancer Center: Request for Authorization to Purchase 78.413 Acres of Land in Bastrop County, to Appropriate Funds, and to Sell Land. --**

BACKGROUND INFORMATION

Land adjacent to the Science Park of the System Cancer Center located in Bastrop County is available for purchase. This property includes 78.413 acres of land which has been divided into 15 lots proposed for residential use. A significant increase in faculty and staff at the Science Park is expected during the next year and these lots are to be sold to members of the faculty and staff.

RECOMMENDATIONS

President LeMaistre and Chancellor Walker recommend:

1. The Board authorize purchase of 78.413 acres of land adjacent to the Science Park.
2. **Appropriate necessary funds from Current Restricted Gift Funds to cover the cost of this property. Purchase cost not to exceed \$160,000**
3. Authorize sale of the lots to members of the faculty and staff with all expenditures for purchase of this land being prorated in the price of the individual lots. All sales will be submitted to the Board of Regents for approval.



THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER

M. D. Anderson Hospital and Tumor Institute
Texas Medical Center Houston, Texas 77030

Office of the President

February 2, 1979

Chancellor E. D. Walker
The University of Texas System
601 Colorado Street
Austin, Texas 78701

Dear Chancellor Walker:

As President Emeritus R. Lee Clark discussed with you by telephone on January 29, 1979, there is available 78.413 acres of land, located in Bastrop County adjacent to the Science Park. The survey has divided the land into 15 lots proposed for residential use. The cost is approximately \$149,000.00 including completed survey of individual lots, establishment of water, electric and telephone lines, and a dedicated county road.

We are beginning the further development of the faculty at the Science Park and anticipate a significant increase in faculty and staff within the next year. The location of the 78.413 acres is deemed ideal by those now at the Science Park for residential development. I, therefore, recommend that this land be acquired from Physicians Referral Service funds and that all expenditures for the purchase of this land be prorated in the price of individual lots and that the Physicians Referral Service fund be reimbursed by the faculty and staff members acquiring the lots through purchase. The details of these transactions will be as approved by you and submitted to The University of Texas System Board of Regents.

The land has now been placed on the market for sale, and immediate action will be required to purchase the tract. Residential development by others will soon be underway adjacent to the Science Park, and we will have lost the opportunity to control this development for our faculty and staff. As you know so well, the areas adjacent to the Science Park for residential development are limited, and it is these areas that are felt to be most desirable by our faculty and staff.

Sincerely yours,

Charles A. LeMaistre
Charles A. LeMaistre, M.D.
President

3. Personnel Matters - Section 2(g). --

U. T. Austin: Selection of President. --

Meeting of the Board

(continued)

MEETING OF THE BOARD OF REGENTS
of
THE UNIVERSITY OF TEXAS SYSTEM

Date: February 9, 1979
Time: Following Completion of All Committee Meetings
Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

A. - G. (Pages B of R 1 - 2)

H. RECONVENE

I. REPORTS OF STANDING COMMITTEES

1. System Administration Committee
2. Academic and Developmental Affairs Committee
3. Buildings and Grounds Committee
4. Health Affairs Committee
5. Land and Investment Committee

J. REPORT OF BOARD FOR LEASE OF UNIVERSITY LANDS

K. REPORT OF SPECIAL COMMITTEES

1. Special Committee with Delegated Authority to Accept Gifts Between December 1-31, 1978 (Pages B of R 4-10)
2. Special Committee Relating to Punta Gorda Isles, Inc.

L. REPORT OF THE COMMITTEE OF THE WHOLE - OPEN SESSION

M. REPORT OF EXECUTIVE SESSION OF COMMITTEE OF THE WHOLE AND CONSIDERATION OF THE ITEMS DISCUSSED. --The Chairman will report the items discussed in Executive Session of the Committee of the Whole pursuant to V. T. C. S., Article 6252-17, Sections 2(e), (f) and (g) and ask for action thereon, if any:

1. Pending and Contemplated Litigation - Section 2(e)
2. Land Acquisition and Negotiated Contracts - Section 2(f)
 - a. U. T. El Paso: Land Adjacent to Campus
 - b. San Antonio Health Science Center: Office Building
 - c. University Cancer Center: Smithville Acreage
3. Personnel Matters - Section 2(g)

U. T. Austin: Selection of President

N. ADJOURNMENT

REPORT OF COMMITTEE WITH DELEGATED AUTHORITY TO EACH MEMBER TO ACCEPT GIFTS FROM DECEMBER 1 THROUGH DECEMBER 31, 1978.--

Report

At the Regents' meeting on November 30-December 1, 1978, the following committee was appointed with delegated authority to each member to accept on behalf of the Board of Regents of The University of Texas System gifts tendered through December 31, 1978, with authority to Chairman Shivers to execute any and all documents necessary in the acceptance of gifts: Regent Allan Shivers (Chairman of Committee); Mr. E. D. Walker, Chancellor; Mr. Arthur H. Dilly, Executive Director for Development; and Miss Betty Anne Thedford, Secretary to the Board of Regents.

Gifts of money received between December 1 and December 31 were accepted the date of the check or transmittal letter and are or will be reported in the Chancellor's Docket.

Below is a composite list of the gifts that were accepted by members of the Special Committee on behalf of the Board of Regents of The University of Texas System. This list also indicates the documents executed by the Chairman as authorized:

1. U. T. Austin: Acceptance of Gifts from The Cockrell Foundation, Houston, Texas, for the Ernest and Virginia Cockrell Scholarship Fund in Engineering and the Cockrell Family Professorial Chair Fund in Engineering and Establishment of the Initial Chair "Ernest and Virginia Cockrell Chair in Engineering."--On December 29, 1978, two checks, each in the amount of \$325,000, were accepted from The Cockrell Foundation; one for the Ernest and Virginia Cockrell Scholarship Fund in Engineering and the other for the Cockrell Family Professorial Chair Fund in Engineering. As the initial chair of the Cockrell Family Professorial Chair Fund in Engineering, the Ernest and Virginia Cockrell Chair in Engineering was established. These endowment accounts had been previously established under the terms of an agreement with The Cockrell Foundation.
2. U. T. Austin: Acceptance of Gift from Charles F. and Eunice Haas, Corpus Christi, Texas, of 1,000 Shares of Cullen-Frost Bank Stock and Establishment of Charlie and Eunice Haas Endowed Presidential Scholarship.--On December 29, 1978, a gift of 1,000 shares of Cullen-Frost Bank stock -- valued at \$25,000 -- was accepted from Charles and Eunice Haas of Corpus Christi, Texas, and the Charlie and Eunice Haas Endowed Presidential Scholarship was established. This scholarship was established for the benefit of the students at The University of Texas at Austin. Income is to be used to award scholarships in one of the following areas:
 - a. To a student who has displayed an active interest and commitment to the areas of the athletic program at U. T. Austin
 - b. To a physically handicapped student or
 - c. To a student in the Department of Geological Sciences

Students selected should be of outstanding moral character with more than 45 credit hours at U. T. Austin, with above average grades, that is, have a grade point average of at least 3.5 out of a possible 4.0, and in need of financial assistance to complete their academic career. Income in excess of scholarship awards is to be added to the corpus and invested on an annual basis.

3. U. T. Austin: Acceptance of 1,000 Shares of Teledyne, Inc., Common Stock from George and Ronya Kozmetsky, Austin, Texas, for the Ronya and George Kozmetsky Endowment Fund in the Graduate School of Business. -- 1,000 shares of common stock of Teledyne, Inc., was accepted from George and Ronya Kozmetsky on December 29, 1978, to be added to the Ronya and George Kozmetsky Endowment Fund in the Graduate School of Business at The University of Texas at Austin. It was noted in the acceptance of the gift that the purpose of the Ronya and George Kozmetsky Endowment Fund had not been specified and that Dean and Mrs. Kozmetsky had requested that until they had specified a purpose the income accrued should go to the College of Business Administration Foundation to support faculty research, academic development, and student programs.
4. U. T. Austin: Acceptance of Gift from Miss Pansy Luedecke, Austin, Texas, of 200 Shares of First Texas Financial Corporation Common Stock and Establishment of the Pansy Luedecke Scholarship Fund. -- On December 29, 1978, a gift of 200 shares of First Texas Financial Corporation common stock -- valued at \$10,800 -- was accepted from Miss Pansy Luedecke, Austin, Texas, and the Pansy Luedecke Scholarship Fund was established. Income from this fund will be used to award scholarships to needy students that have resided in Travis County, Texas, for at least five years before entry into the School of Music of the College of Fine Arts of The University of Texas at Austin.
5. U. T. Austin: Acceptance of 2,000 Shares of Precambrian Shield Resources Limited Common Stock for the Geology Foundation from Howard R. Lowe, Billings, Montana, and Establishment of Howard R. Lowe Vertebrate Paleontology Endowment. -- A gift of 2,000 shares of Precambrian Shield Resources Limited common stock -- valued at \$4,590 -- for the Geology Foundation at The University of Texas at Austin was accepted from Mr. Howard R. Lowe, Billings, Montana, on December 29, 1978; and the Howard R. Lowe Vertebrate Paleontology Endowment was established. This endowment fund was established to support student field work in vertebrate paleontology at The University of Texas at Austin, and its administration is to be at the discretion of the Geology Foundation. Mr. Lowe has pledged additional contributions over the next two years to bring the funding up to a minimum of \$10,000.
6. U. T. Austin - Acceptance of Gifts of Houston Oil and Minerals Corporation Common Stock from Mr. R. B. Trull, Palacios, Texas: (a) 590 Shares for the Development Board and (b) 295 Shares for the Engineering Foundation. -- On December 29, 1978, the following gifts of Houston Oil and Minerals Corporation common stock were accepted from Mr. R. B. Trull, Palacios, Texas:
 - a. 590 shares -- valued at \$10,000 -- for the Development Board
 - b. 295 shares -- valued at \$5,000 -- for the Engineering Foundation

7. U. T. Dallas: Acceptance of Gift from The Clark Foundation, Dallas, Texas, for The Anson L. Clark Memorial Fund. -- On December 29, 1978, a gift of \$50,000 from The Clark Foundation of Dallas, Texas, representing the first installment on a pledge of \$300,000 for "The Anson L. Clark Memorial Fund" was accepted. This pledge was accepted by the Board of Regents at its August 4, 1978 meeting.

8. Dallas Health Science Center: Acceptance of 5,915 Shares of Texas Instruments Incorporated Common Stock from Cecil H. and Ida Green, Dallas, Texas, for the Cecil H. and Ida Green Center for Reproductive Biology. -- On December 20, 1978, a gift of 5,915 shares of common stock of Texas Instruments Incorporated to the Board of Regents of The University of Texas System was accepted from Cecil H. and Ida Green of Dallas, Texas, in support of the Cecil H. and Ida Green Center for Reproductive Biology at The University of Texas Health Science Center at Dallas. In accordance with an agreement between the Board of Regents and Cecil H. and Ida Green dated January 12, 1978, this gift comprises two parts:
 - a. The first of three annual payments to increase the aggregate amount from \$600,000 to \$1,000,000 in support of a distinguished chair within the Cecil H. and Ida M. Green Center for Reproductive Biology. The present payment approximates \$150,000 with a pledge of a similar amount for 1979 and a final payment in 1980 or at an earlier date if Mr. and Mrs. Green so elect

 - b. The first of ten approximately equal annual payments in support of a research program at the Green Center for post-doctoral trainees having either Ph.D. or M.D. degrees, or both, in one or more of the basic medical sciences. Thus, the present payment approximates \$340,000

9. Galveston Medical Branch (Galveston Medical School): Acceptance of 90 Shares of Stock of Isle Hotel of Galveston, Inc., from Drs. Gaynelle Robertson Poth and Edgar J. Poth, Galveston, Texas, and Establishment of the Robertson-Poth Charitable Remainder Unitrust Number Two. -- On December 1, 1978, a gift of 90 shares of stock of the Isle Hotel of Galveston, Inc., -- valued at \$275,000 -- was accepted from Drs. Gaynelle Robertson Poth and Edgar J. Poth, Galveston, Texas, and the Robertson-Poth Charitable Remainder Unitrust Number Two was established. Terms of the Unitrust provide that during their lifetimes, Drs. Gaynelle Robertson Poth and Edgar J. Poth are to be paid 10% of the annual fair market value of the principal of the assets of the Unitrust. Upon death of the last survivor, the Unitrust assets are to be distributed to the Robertson Poth Foundation and administered by the trustees as provided within the Foundation agreement.

The 90 shares of stock given to the Board of Regents by Drs. Gaynelle Robertson Poth and Edgar J. Poth, an asset of the Trust, represents one-half of the outstanding stock of the Isle Hotel of

Galveston, Inc. The other one-half of the stock formerly owned by Dr. Raymond L. Gregory and his wife, Lois Gregory, was given by them to a Charitable Remainder Trust for the benefit of their children and grandchildren. A plan for liquidation of the Corporation has been filed with the Internal Revenue Service. For managing the Corporation in the interim period from December 1, 1978 until the Corporation is liquidated, estimated to be in the early part of 1979, the Corporation elected Mr. Malcolm Gregory, Director and President of the Isle Hotel of Galveston, Inc., and Mr. William L. Lobb, Director and Secretary.

10. Galveston Medical Branch (Galveston Medical School): Acceptance of Additional Gift for Robertson-Poth Charitable Remainder Unitrust Number Two. --On December 29, 1978, an additional cash gift of \$20,000 was accepted from Drs. Gaynelle Robertson Poth and Edgar J. Poth to be added to the Robertson-Poth Charitable Remainder Unitrust Number Two. (Item No. 9)
11. Galveston Medical Branch (Galveston Medical School): Acceptance of Gift and Establishment of Blocker-Lewis Plastic Surgery Society Fund. --A check in the amount of \$10,050 from various plastic surgeons was accepted on December 29, 1978, and the Blocker-Lewis Plastic Surgery Society Fund was established at the Galveston Medical Branch with \$10,000. The balance of \$50 is to be used to defray expenses for initiation of the Fund. Income from this fund will be used for the purchase of literature and/or books related to plastic surgery, and these materials will be placed in a special section of the Moody Medical Library at The University of Texas Medical Branch at Galveston.
12. Galveston Medical Branch: Acceptance of Gift from John S. Dunn, Sr., Houston, Texas. --A check in the amount of \$25,000 from Mr. John S. Dunn, Sr., of Houston, Texas, was accepted on December 30, 1978. This payment represents the third installment on a pledge of \$100,000 to be used in the rehabilitation of the Ashbel Smith Building at The University of Texas Medical Branch at Galveston with the balance of \$25,000 due on January 1, 1980.
13. Houston Health Science Center: Acceptance of Gift from The Foundation for Children, Inc., Houston, Texas, and Establishment of the Robert Gross Lectureship in Pediatric Surgery. --On December 29, 1978, a gift of \$22,500 from The Foundation for Children, Inc., of Houston, Texas, was accepted and the Robert Gross Lectureship in Pediatric Surgery was established at The University of Texas Health Science Center at Houston with funding of \$20,000. The Houston Health Science Center is to use the balance of \$2,500 to develop a brochure and medallion commemorating the lectureship.
14. University Cancer Center (M. D. Anderson): Acceptance of Gift from Elizabeth K. Zoch, Corpus Christi, Texas, and Establishment of Elizabeth K. Zoch Unitrust. --On December 29, 1978, a gift of \$15,000 was accepted from Mrs. Elizabeth K. Zoch, Corpus Christi, Texas, and the Elizabeth K. Zoch Unitrust was established. Mrs. Zoch will make annual contributions, in addition to this initial gift, during the lifetime of her aunt, Mrs. Ruth Lewis Kercheville. Terms of the Unitrust provide for 6% of the annual fair market value to be paid to Ruth Lewis Kercheville, age 83, during her lifetime. Upon the death of Mrs. Kercheville, the Unitrust assets are to be liquidated and the proceeds sent to M. D. Anderson for general purposes. Instrument executed by Chairman Shivers.

15. University Cancer Center (M. D. Anderson): Acceptance of Gift of 300 Shares of Common Stock of United Gas Pipe Line Company from Mr. and Mrs. J. Hugh Liedtke. --On December 29, 1978, a gift of 300 shares of common stock of United Gas Pipe Line Company -- valued at \$10,100 -- was accepted from Mr. and Mrs. J. Hugh Liedtke. The proceeds from the sale of this stock will go to M. D. Anderson for current operations.
16. University Cancer Center (M. D. Anderson): Acceptance of Gift from Mr. and Mrs. Dudley C. Sharp, Houston, Texas, of 181 Shares of TRW, Inc., Common Stock. --On December 29, 1978, a gift of 181 shares of TRW, Inc., common stock -- valued at \$6,600 -- was accepted from Mr. and Mrs. Dudley C. Sharp of Houston, Texas. This gift represents the balance due on a \$25,000 pledge for M. D. Anderson's expansion program.
17. U. T. Austin: Acceptance of Gift to the Geology Foundation from Dr. Albert W. Weeks, Wynnewood, Pennsylvania, of 47 Shares of Olinkraft Common Stock and 10 Shares of Moore Corporation Ltd. Common Stock with Two for One Matching Provision by Sun Company and Establishment of the Albert W. and Alice M. Weeks Fund in Geology. --On December 29, 1978, a gift to the Geology Foundation of 47 shares of Olinkraft common stock and 10 shares of Moore Corporation Ltd. common stock with a 2 for 1 matching provision by Sun Company was accepted from Dr. and Mrs. Albert W. Weeks of Wynnewood, Pennsylvania, and the Albert W. and Alice M. Weeks Fund in Geology was established at The University of Texas at Austin. The gift valued at \$3,000 plus matching funds of \$6,000 will bring the total receipts to \$9,000. Dr. and Mrs. Weeks plan annual contributions with the ultimate goal of \$100,000 for this fund and establishment of an endowed professorship at that time.
NO PUBLICITY.
18. U. T. Austin: Gifts to The Chancellor's Council of The University of Texas System Accepted to Apply on Purchase of Gutenberg Bible. --The purchase of the Gutenberg Bible for The University of Texas at Austin was a project of The Chancellor's Council of The University of Texas System. The following gifts to The Chancellor's Council to be applied to the purchase of the Gutenberg Bible were accepted by members of the year-end Gift Committee during the period December 1-31, 1978:
- | | |
|--|--|
| Mr. Hines H. Baker
Houston, Texas | \$2,000, plus \$6,000
as a matching gift
from Exxon Education
Foundation |
| Mr. Paul F. Barnhart
Houston, Texas | 500 shares Teledyne, Inc.
stock (worth approximately
\$50,000) -- in memory of
Harry B. Barnhart, Jr.,
and in honor of Mrs. Nelle
Sterzing Barnhart |

The G. B. Dealey Foundation Dallas, Texas	\$25,000
Mr. John H. Duncan Houston, Texas	\$12,500
Mr. Kraft W. Eidman Houston, Texas	\$191.94 (See Item 19 for additional gift.)
Mr. John B. Holmes Houston, Texas (No letter of transmittal)	\$5,000
Mr. Edward Randall, III Houston, Texas	\$11,000 (Family pledge payment from Mrs. Edward Randall, Jr., Mr. and Mrs. Edward Randall, III, Mr. and Mrs. Risher Randall, and Dr. and Mrs. H. I. Schweppe, Jr.)
Mrs. William D. Seybold Houston, Texas	400 shares of Adobe Oil and Gas Corporation stock (valued at \$7,550); \$6,000 to fulfill pledge (See Item 19 for additional \$1,550 gift.)
Mr. Ralph Spence Tyler, Texas	\$10,000 (Family pledge payment from Mr. and Mrs. Ralph Spence and children -- the Griffeths of Dallas, the Franks of Houston, and Ralph Spence, Jr., of Havre, Montana)

19. U. T. System: Gifts to The Chancellor's Council of The University of Texas System for U. T. Austin, U. T. San Antonio, Houston Health Science Center, and San Antonio Health Science Center.--
The following gifts to The Chancellor's Council to be used for the purposes specified were accepted:

Dr. Roland K. Blumberg Seguin, Texas	\$9,000 to be allocated as follows: a. \$5,000 to the Physics Department, U. T. Austin, for use of Dr. John Wheeler b. \$500 to President's Associates, U. T. Austin c. \$500 to The Chancel- lor's Council d. \$1,000 to the UTSA President's Fund e. \$1,000 to the San Antonio Health Science Center President's Fund f. \$1,000 to the Astronomy Depart- ment, U. T. Austin
---	--

Mr. Kraft W. Eidman
Houston, Texas

100 Shares of Teledyne, Inc.
stock (worth approximately
\$10,100) to be allocated as
follows:

- a. See Item 18.
- b. \$1,500 to U.T. Austin
Law School Foundation
to complete pledge on
Keeton Chair
- c. \$5,000 to Houston Health
Science Center for mem-
bership in the President's
Club
- d. \$3,408.06 to The Chan-
cellor's Council as
undesignated funds

Mrs. William D. Seybold
Houston, Texas

\$1,550 to The Chancellor's
Council unrestricted account
(See Item 18.)

20. Dallas Health Science Center: Acceptance of Gift of 2,560 Shares of Texas Instruments Incorporated Common Stock from Mr. and Mrs. J. E. Jonsson, Dallas, Texas. --On December 29, 1978, a gift of 2,560 shares of Texas Instruments Incorporated common stock -- valued at \$199,700 -- was accepted from Mr. and Mrs. J. E. Jonsson, Dallas, Texas. Proceeds from this gift are to be used in support of research for the Genetic Disease Center under the direction of Drs. Joseph Goldstein and Michael Brown at The University of Texas Health Science Center at Dallas.



BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Material Supporting

Agenda

Meeting Date: February 7 - 9, 1979

Meeting No.: 759

Regents' Rules and Regulations

Name: OFFICIAL COPY (See Page C of W - 3 February 7-9, 1979
MSA, Volume XXVIc)



THE UNIVERSITY OF TEXAS SYSTEM
 201 WEST 7TH STREET AUSTIN, TEXAS 78701
 TELEPHONE (512) 471-7565

*MSA for
 Feb. 1979 meeting -*

James T. Fitzpatrick
 Vice President and General Counsel

December 29, 1978

TO: E. D. Walker
 FROM: James T. Fitzpatrick
 RE: Regents' Rules and Regulations -
 Proposed Revisions

Attached is copy of Regents' Rules and Regulations in effect immediately prior to the last meeting of the Board of Regents (Meeting No. 757), with all amendments thereto proposed at such meeting indicated in congressional style.

In addition to basic congressional style, renumbering and relocation of certain paragraphs have been indicated by explanatory notes following deleted paragraph numbers (e.g., [3-312] Renumbered as 3.131 with changes as indicated).

Also attached is copy of the memorandum dated November 20, 1978, containing comments about the proposed revisions.

I am this afternoon handing Miss Thedford 10 copies of the attachments hereto, and by copy of this letter am requesting that she furnish copies of such attachment to each member of the Board of Regents.

Copies are also being furnished to the copy addressees listed below.

Additional copies are being printed and bound, and will be available for such further distribution as you may desire.

JTF

James T. Fitzpatrick

xc: Miss Thedford, w/enclosures
 Dr. Don Zacharias, w/enclosures
 Dr. Ernest Smerdon, w/enclosures
 Dr. Edward Brandt, Jr., w/enclosures
 Mr. Bob Hardesty, w/enclosures
 Mr. Joe Boyd, w/enclosures

The University of Texas at Arlington
 The University of Texas at Austin
 The University of Texas at Dallas
 The University of Texas at El Paso
 The University of Texas of the Permian Basin
 The University of Texas at San Antonio

The University of Texas Health Science 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 System Cancer Center
 The University of Texas Health Center at Tyler

Memorandum Re:

PROPOSED REVISION OF
THE RULES AND REGULATIONS OF
THE BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

At its meeting on October 19, 1978 (Meeting No. 756) the Board of Regents considered a report of the Academy for Educational Development, Inc. pertaining to the organization of The University of Texas System Administration, and expressly adopted recommendations that (1) the chief executive officer of the System Administration be designated Chancellor, (2) the title of President not be utilized in System Administration, (3) the title of President be used to designate the chief executive officers of System campuses, (4) the role of Chancellor be defined primarily in terms of administrative/political skills needed to advance the welfare of the System as a multi-campus system of higher education, and (5) the role of campus President be defined primarily in terms of administrative/academic skills needed to advance the status of each campus as an effective environment of learning (Minutes, pp. 1, 2).

At the same meeting the Board of Regents directed the Chancellor to revise the Regents' Rules so that System Administration titles and duties would be brought into conformity with the Board's action. Such revised Rules would be presented to the Board at its meeting on December 1, 1978, for approval consideration. (Minutes, p. 2.)

In accordance with the foregoing actions of the Board, and utilizing the Academy's report as a basic guideline, the Chancellor has made revisions in the Regent's Rules and Regulations with respect to title changes and reassignment of duties within System Administration. Other revisions have also been made to eliminate possible ambiguities, delete obsolete provisions, and otherwise generally update the Rules and Regulations.

Copies of the Rules and Regulations, as so revised and proposed by the Chancellor for adoption by the Board, are being distributed to each member of the Board, with copy of this Memorandum.

THE REVISIONS IN GENERAL

Throughout the Rules the title "President" of the System has been changed to "Chancellor", and the title of each Vice President of the System has been changed to "Vice Chancellor" with appropriate modifiers indicating basic responsibilities. Other title changes are noted hereinafter.

Substantive revisions (i.e., those other than the above title and editorial changes, or rearrangement of provisions) and comments pertaining thereto are noted below.

All citations to Chapters, Sections, Subsections and Paragraphs refer to present provisions of the Rules and Regulations, unless otherwise indicated.

PART ONE REVISIONS

Chapter I, Section 7 (Committees), Subsection 7.19

(Duties of the Building and Grounds Committee).

Under existing provisions the Committee must review and make recommendations regarding new construction costs in excess of \$5,000, and remodeling costs of \$50,000. The proposed

revisions increase these limits to \$50,000 and \$80,000, respectively, to reflect delegation of additional authority to component institutions and allow for increase in construction costs due to inflation.

Chapter II, (Administration).

This Chapter describes the basic organizational structure of System Administration, describes the position of chief administrative officer for the component institutions, and defines the authorities and responsibilities of those holding such positions.

The proposed revisions in this Chapter reflect a change in its format, as well as certain changes in organizational structure and administrative responsibilities.

The revision of this Chapter, as proposed, provides for a basic organizational structure under which the Chancellor, as chief executive and administrative officer of the System, would continue to report directly to the Board; and

eliminates the use of the title "President" with respect to System Administration.

Five Vice Chancellors (Academic Affairs, Administration, Business Affairs, Health Affairs, Lands Management and General Counsel), as the other executive officers of the System, will report directly to the Chancellor. In addition, those principal administrative officers of the System immediately in the Office of the Chancellor (Executive Director for Development, Assistant Chancellor for Planning [title changed from "Director for Public Affairs"], Executive Assistant to the Chancellor) will report directly to him, as will the Chief Administrative Officers of each component institution.

Eight principal administrative officers (Budget Director, Comptroller, Director of Facilities Planning and Construction, Director of Police, Director of Special Services, Executive Director for Investments and Trusts, and System Personnel Director) continue to be administrative

officers of the System, and will report directly to the Vice Chancellor for Business Affairs. Under the present organizational structure each of these officers directly reports to either the Chancellor, or the Vice President for Operations (which position is abolished by the proposed revision), except the Director of Police, who now reports to the Vice President for Business Affairs.

The Manager of University Lands - Oil, Gas and Mineral Interests (title change from "Geologist in Charge" West Texas Lands), and the Manager of University Lands - Surface Interests (title change from "Land Agent", West Texas Lands) will become administrative officers of the System, and will report directly to the Vice Chancellor for Lands Management and General Counsel (title change from "Vice President and General Counsel"), rather than to the Executive Director for Investments and Trusts as provided under the current structure.

The Associate General Counsel will continue as an administrative officer of the System, reporting directly to the Vice Chancellor for Lands Management and General Counsel.

The Director of the Institute of Higher Education Management will become an administrative officer of the System and will report directly to the Vice Chancellor for Academic Affairs.

As indicated by the described proposed organizational structure, the duties and responsibilities of the Chancellor as described in the proposed revision, are increased as the result of consolidating the duties and responsibilities of the former positions of Chancellor, and President of the System.

The duties and responsibilities of the Vice Chancellor for Business Affairs have been increased to include managing the operations of the System with respect to facilities planning and construction matters; personnel matters; special services functions; purchasing and

accounting matters; investments and trusts affairs; and those transactions relative to real estate interests owned or controlled by the Board, except Permanent University lands.

The duties and responsibilities of the Vice Chancellor for Lands Management and General Counsel have been increased to include direction and management of personnel, operations, activities and transactions (except accounting and auditing) with respect to the surface of Permanent University Fund Lands, and the oil, gas and mineral exploration and production on such lands.

The duties and responsibilities of the Vice Chancellor for Academic Affairs have been increased by addition of responsibility for directing development of the programs of the new Institute of Higher Education Management.

The duties and responsibilities of the Vice Chancellor for Health Affairs have been increased to include direction of the operation of the Medical-Dental Application Center, and

the activities of the Institute for Health Policy and Planning.

The portfolios of the other executive officers of the System, and those of the chief administrative officers of the component institutions, remain substantially the same as they are under the current System administration structure.

It is believed that the proposed organizational and administrative structure provides (1) a more realistic and effective span of supervision for the Chancellor, permitting improved time management, with resultant increased effectiveness, (2) an improved system of functional and economic planning and control, (3) an improved utilization of personnel resources, and (4) a sharper focus on responsibilities, authorities and accountability. At the same time the concept of freestanding, relatively autonomous, component institutions is preserved.

Overall it is expected that the proposed structure will result in increased efficiencies,

economies and effectiveness, and a substantially improved opportunity for full realization of both academic and administrative missions and goals.

Chapter II (Administration), Section 5 (Appointment of Other Administrative Officers).

The proposed change adds a specific reference to the need for the chief administrative officer of each component institution to receive prior approval from the Chancellor for the dismissal of an administrative officer. Currently prior approval is required only for appointment of administrators.

Chapter III (Personnel), Section 3 (Employment of Aliens on Sponsored Projects).

The proposed change eliminates a specific reference to The University of Texas at Austin made unnecessary by the otherwise broad language of the provision.

Chapter III (Personnel), Section 6 (Tenure, Promotion,
and Termination of Employment), Subsection
6.26.

This provision has been deleted as now being unnecessary. It was originally made a part of the rules, as a grandfather clause, to preserve the non-tenure status of faculty who had served for seven years prior to 1972 without having been granted tenure.

Chapter III (Personnel), Section 16 (Leave of Absence Without Pay), Subsection 16.4.

This provision has been amended so as to eliminate military service or prolonged illness as an express circumstance permitting a third consecutive leave of absence by faculty or staff.

Chapter III (Personnel), Section 19 (Sick Leave)

A new provision has been added, and current 19.2 deleted, to maintain consistency and avoid conflict with the Appropriations Act.

Chapter III (Personnel), Section 31 (Retirement and Modified Service).

This Section has been extensively changed by the proposed revisions, to (1) comply with provisions of the federal Age Discrimination Act which becomes effective January 1, 1979; (2) to place discretion as to granting modified service with appropriate administrative officers, rather than the individual involved, with provision for review of performance and benefit to the System or a component institution; (3) provide for one-year appointments to modified service; (4) provide that the workload of those on modified service be no more than one-half of their immediately past regular workload, with proportionate salary rate; and (5) provide for exceptions to be granted by the Board under certain circumstances.

These changes are in line with the desires of the chief administrative officers of the component institutions. Deletions of provisions

which are no longer necessary to comply with 1964 changes in the Teacher Retirement Law have been made.

Chapter VI (Student Services and Activities), Section 3 (Student Conduct and Discipline), Subsection 3.3.

This subsection is deleted. It was originally included in order to avoid confusion existing by virtue of successive legislative changes in the law relating to narcotics and controlled substances, and is no longer necessary for that purpose.

Chapter VI (Student Services and Activities), Section 3 (Student Conduct and Discipline), (Subsections 3.(11)-3.(17), Sec. 1-5.

These sections have been extensively changed. They provide for a hearing procedure for student disciplinary cases. The proposed changes are intended to clarify the procedures, with emphasis on the role of the impartial hearing examiner, and the role of the Dean of Students,

by eliminating ambiguities, and otherwise ensure Constitutional due process protection to the student involved and the institution.

Chapter VI (Student Services and Activities), Section 6 (Use of University-Owned Facilities).

This section relates to the use of component institutions' buildings, grounds and other facilities. The proposed changes are designed to specifically tie these regulations to the provisions in the Texas Education Code where the Legislature has authorized the Regents to adopt such regulations.

The proposed changes redefine the term "solicitation" and in addition to the other type of activity now specifically provides that solicitation of votes for persons running for public office regulated by state or federal election laws will not be permitted on campus unless such activity is excepted by one of the specific exceptions set forth in the Regents' Rules.

Changes have also been made which clarify the fact that the solicitation regulations apply not only to buildings and grounds but also to the other type structures such as the baseball stadium and the football stadium on campus.

Exceptions relating to the sale of food or drink by vending machine have been changed to make clear that they have been applied only to food being dispensed by the institution or a contractor of the institution. The locations and the means of dispensing have also been clarified.

An additional amendment broadens the definition of the type of organizations which may have use of the physical facilities of the System to include faculty or staff organizations, as well as student organizations.

Chapter VI (Student Services and Activities) Section
7 (Speech and Assembly).

This section has been revised to provide for designation of "free speech areas" on each

component institution campus where First Amendment activities can be carried on without soliciting prior administrative approval.

Chapter VII (The System Private-Fund Development and Foundations), Section 1 (The System Private Fund Development).

The proposed changes in this section delete all provisions relating to the System Development Advisory Council, since the Council has never been operative and in effect is defunct. References to the Council appearing elsewhere in this Chapter have also been eliminated.

Chapter VII (The System Private-Fund Development and Foundations), Section 3 (Foundations).

This section currently lists "The University of Texas System Foundation, Inc." among the internal foundations. This is a misnomer, and the section has been revised to show the proper name of such foundation, which is "The University of Texas Foundation, Inc."

Chapter VII (Miscellaneous), Section 4 (Institutions and Entities Composing the System).

This section has been updated to reflect previously authorized actions, listings of institutions and colleges. References to The University of Texas at Austin's College of Humanities, College of Social and Behavioral Sciences, and Division of General and Comparative Studies, have been deleted; and the College of Liberal Arts substituted therefor.

The University of Texas at Dallas Callier Center for Communication Disorders is a new listing, as well as The University of Texas Institute of Texan Cultures at San Antonio.

The name of the Cancer Center's Science Park has been changed from "The University of Texas Environmental Science Park at Smithville" to "The University of Texas Science Park at Smithville."

Chapter VII (Miscellaneous), Section 6 (Endowment of Academic Positions).

This section has been amended to permit successive appointments of the same individual to the same endowed academic position to be made without prior Regental approval, but subject to ratification.

PART TWO REVISIONS

Explanatory Statement - Part Two

This statement has been modified to properly reflect the fact that Part Two contains provisions pertaining to matters other than those which are fiscal in nature.

Chapter II (Accounting, Auditing, Reporting and Budgetary Control) Section 4 (Reporting), Subsection 4.3.

This section has been revised to show procedures currently being used by the System Comptroller to provide compliance with Article IV, Section 24 of the Texas Constitution.

Chapter V (Personnel), Section 2 (General Personnel),
Subsection 2.4 (Patent Policy) Paragraph 2.4545.

This provision has been amended and made a
Section in order to clearly express that it
applies to all agreements altering the basic
patent policy of the System, rather than a
limited number of such agreements.

Chapter VIII (Physical Plant Improvements), Section
1 (New Building Construction Exceeding the
Amount of \$5,000 Per Project), Section 2 (New
Building Construction Involving Less Than
\$5,000 Per Project), Section 3 (Minor Repairs
and Remodeling and Improvements other than
Buildings), and Section 4 (Major Repairs and
Remodeling and Improvements other than Build-
ings).

The limits on new building construction and
major remodeling projects in this chapter have
been increased to reflect the delegation of
additional authority to component institutions
and to allow for the increase in construction

costs due to inflation. Approval from the Board of Regents for new construction has been changed from costs "exceeding \$5,000" to costs "exceeding \$50,000." Approval from the Board of Regents for remodeling projects has been changed from projects over \$50,000 to projects over \$80,000.

Chapter VIII (Physical Plant Improvements), Section 5 (Professional Services).

The professional services fee which component institutions are authorized to make with approval of the Chancellor has been increased from \$3,000 to \$7,500 to reflect rising costs.

Chapter IX (Matters Relating to The Office of Investments, Trusts and Lands), Section 1 (Authorizations Re Sales, Assignments, Conveyances, Receipt of Property and Proxies), Subsection 1.3 (Authority to Execute Instruments Relating to Land and Mineral Interests), Section 2 (Investment Policy for PUF), Section 5 (Staff Investment Committee).

The title of this Chapter has been changed so as to conform to the renaming of the "Office of Investments, Trusts and Lands" to the "Office of Investments and Trusts."

All references to "investment officer" and "trust officer" have been deleted from Sections 1, 2 and 5. This change will limit the number of people having final authority to make decisions in investment transactions.

This change limits executive authority relating to land and mineral interests transactions to the Chairman of the Board, Vice Chairman, Chancellor, the Vice Chancellor for Business Affairs, and the Vice Chancellor for Lands Management.

Chapter X (Auxiliary Enterprises), Section 10 [Athletic Council (The University of Texas at Austin)].

This section, as revised, is now titled "Intercollegiate Athletics Council for Men."

For at least the past forty years, the Board of Regents' actions regarding the composition

of the Men's Intercollegiate Athletics Council at U. T. Austin have not been included in the Regents' Rules and Regulations, but have consisted of a series of minute orders adopted by the Board, which result in there being no one place where the controlling rules are readily available for examination. In order to have the rules governing the composition of the Council in a form and place in which they are readily available for inspection and in order for the selection of regental appointees to be spelled out and regularly reviewed by the Regents, this Section has been amended.

November 20, 1978

Proposed Revision

RULES AND REGULATIONS

OF THE

BOARD OF REGENTS

OF

THE UNIVERSITY OF TEXAS SYSTEM

FOR THE GOVERNMENT OF

THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

CHAPTER I

BOARD OF REGENTS

- Sec. 1. Authority. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10, of the Texas Constitution, has delegated the power and authority to administer The University of Texas System to the Board of Regents in broad terms. (See Sections 65.11 et. seq. Texas Education Code.) Texas cases construing these statutes have held that the Board of Regents has wide discretion in exercising its power and authority and that the rules adopted by the Board of Regents have the same force as statutes. Foley v. Benedict, 122 Tex. 193, 55 S.W. 2d 805 (1932); Rainey v. Malone, 141 S.W. 2d 713 (Tex.Civ.App., 1940, no writ history; Morris v. Nowotny, 323 S.W. 2d 301 (Tex.Civ.App., 1959, writ refused, n.r.e.; cer. den., 361 U.S. 889, 80 S.Ct. 164, 4 L.Ed. 2d 124). The System's lands and buildings are state property subject to the control of the Board of Regents as the state's agent. Splawn v. Woodard, 287 S.W. 677 (Tex.Civ.App., 1926, no writ history); Walsh v. University of Texas, 169 S.W. 2d 993 (Tex.Civ.App., 1942, writ refused).
- Sec. 2. Composition.--The Board of Regents (hereinafter sometimes referred to as "Board") is composed of nine members appointed by the Governor, with the advice and consent of the Senate, for staggered terms of six years each, the terms of three members expiring on January 10th of odd-numbered years.
- Sec. 3. Chairman of the Board.
- 3.1 Election of Chairman.--The Chairman of the Board shall be elected by the Board from its number, shall serve at the pleasure of the Board, and shall report and be responsible to the Board. In case of the death, resignation, disability, removal, or disqualification of the Chairman, the Board shall elect a successor Chairman as soon as practicable. In no event shall a Board member serve as Chairman for more than 24 consecutive months without submitting his or her resignation as Chairman, but such member shall be eligible for re-election as Chairman.

- 3.2 Duties of the Chairman.--The duties and responsibilities of the Chairman shall include the following:
- 3.21 The Chairman shall preside over the meetings of the Board.
 - 3.22 The Chairman shall be authorized to call special meetings of the Board, as herein provided.
 - 3.23 The Chairman shall appoint the standing and special committees of the Board, as herein provided.
 - 3.24 The Chairman shall be an ex officio member of all committees of the Board.
 - 3.25 The Chairman shall sign, with the Secretary attesting, any bonds, contracts or other documents or instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board to some other officer, official or agent of the System.

Sec. 4. Vice-Chairman of the Board.--The Vice-Chairman of the Board shall be elected by the Board from its number when the Chairman is elected and shall serve at the pleasure of the Board. In case of the absence, death, resignation, disability, removal, or disqualification of the Chairman, the Vice-Chairman shall perform the duties of the Chairman until the Chairman shall resume his or her office or a successor Chairman shall have been elected as herein provided. Upon the death, resignation, disability, or removal of the Vice-Chairman, the Board shall elect a successor Vice-Chairman as soon as practicable.

Sec. 5. Secretary to the Board.

- 5.1 Appointment.--At the meeting at which the Chairman and Vice-Chairman of the Board are elected, the Board shall elect a Secretary who is not a member of the Board and who shall receive such compensation as may be fixed by the Board. The Secretary shall report and be responsible to the Board. The Secretary shall serve subject to the pleasure of the Board and may be removed by the Board at any time. Upon the death, resignation, disability, removal, or disqualification of the Secretary, the Board shall elect a successor Secretary as soon as practicable.
- 5.2 Duties and Functions.--The duties and functions of the Secretary shall include the following:
- 5.21 Meetings.--The Secretary shall make preparations for all meetings of the Board.

- 5.22 The Agenda.--Under the direction of the Chairman of the Board, the Secretary shall prepare and distribute the Agenda and the Material Supporting the Agenda for all meetings of the Board and its committees.
- 5.23 Open Meetings Act.--Under the direction of the Chairman of the Board, the Secretary shall post notices of all meetings, and the subject matter thereof, as may be required under law.
- 5.24 Minutes.--The Secretary shall record, prepare, and index the official Minutes of the Board and shall distribute copies thereof, including the annual budgets, to members of the Board and to other persons on the approved list. The official copy of the Minutes shall be kept in the Office of the Secretary, and certified excerpts from these Minutes shall be prepared by the Secretary.
- 5.25 Documents.--The Secretary shall keep on file in the Office of the Secretary to the Board all official documents, correspondence, and proceedings of the Board.
- 5.26 Seal.--The custody of the official seal of the System shall be with the Secretary. The Secretary shall affix such official seal to, and attest, all documents executed in the name of the Board and requiring attestation.
- 5.27 Rules and Regulations.--The Secretary shall be charged with the responsibility of keeping current the Official Copies of the Regents' Rules and Regulations, and furnishing to members of the Board and the administrative officers on the approved list any changes or additions as soon as possible after the meeting at which they are finally adopted.
- 5.28 Reports.--The Secretary shall prepare and distribute such reports and communications as are directed by the Board.
- 5.29 Other Duties.--In addition, the Secretary shall perform such functions and have such other duties and responsibilities as may be assigned to the Secretary of the Board or as are usual and customary to the position of Secretary and which assist the members of the Board in the discharge of their official duties.

Sec. 6. Meetings of the Board.

- 6.1 Regular Meetings.--Regular meetings of the Board shall be held at such times and places as the Board shall designate. Unless otherwise determined in advance by the Board, all regular meetings shall be held in Austin.

- 6.2 Special Meetings.--Special meetings of the Board shall be held upon the call of the Chairman, or upon the written request of three members of the Board. The Chairman shall cause written notification of the time, place, and purposes of any special meeting to be mailed to each member of the Board by the Secretary at least three days before the time of the meeting.
- 6.3 Official Business.--No business other than that placed on the Agenda and noticed as required by law shall be officially transacted at a meeting of the Board or its committees.

Sec. 7. Committees.

- 7.1 Standing Committees.--The following committees shall be standing committees of the Board to consider policies for the government of all major areas: (a) Committee of the Whole; (b) System Administration Committee; (c) Academic and Developmental Affairs Committee; (d) Health Affairs Committee; (e) Buildings and Grounds Committee; (f) Land and Investment Committee.
- 7.11 Appointment and Term of Standing Committees and Authority of Chairman Thereof.--All members of the Board shall be members of each of the standing committees. The Chairman of each standing committee (other than the Committee of the Whole) shall be appointed by the Chairman of the Board shortly after his or her election, by and with the consent of the Board, and shall remain as Chairman of the standing committee (unless a vacancy shall be caused by death, resignation, or refusal of some member of a committee to act) until the succeeding Board Chairman shall have reconstituted the committees. The Chairman of any of the six standing committees may appoint subcommittees on either at standing or ad hoc basis to give special consideration to special problems.
- 7.12 Method of Filling Vacancies in the Chairmanship of Standing Committees.--In case a vacancy shall occur in the chairmanship of any of the standing committees, the Chairman of the Board shall appoint another member of the Board to serve as Chairman of the standing committee, by and with the consent of the Board, and, if confirmed, the appointment shall stand until the time for appointment of Chairmen of the standing committees as provided in Subdivision 7.11 of this Chapter.

- 7.13 Time of Meeting of Committees of the Board.-- The committees of the Board customarily shall meet on the first day of any scheduled Board meeting and at such other times as the majority of the members of each committee shall determine.
- 7.14 Authority of Standing Committees.--The authority of standing committees of the Board shall be subject to action of the whole Board and, except in cases where it is necessary for the System Administration Committee to act for the Board during the interim periods between Board meetings, the committees' actions shall be referred to the Board before they shall become effective.
- 7.15 Committee of the Whole.--The Chairman of the Board shall serve as Chairman of the Committee of the Whole. The Committee of the Whole shall receive and consider items referred to it by the Chairman of the Board and by other committees of the Board.
- 7.16 Composition and Duties of the System Administration Committee.--The System Administration Committee shall have authority to act for the Board on all matters that require action between meetings of the Board, but at each meeting of the Board, the System Administration Committee shall report in writing (for ratification) all actions taken by it since the last meeting of the Board.
- .. The System Administration Committee shall in addition thereto:
- 7.161 Consider and make recommendations on all budgetary matters relating to System Administration, including the budgets for all properties occupied by System Administration personnel.
- 7.162 Consider and make recommendations on all matters relating to the administrative organization of the System and its component parts.
- 7.163 Consider and make recommendations with respect to the role, operation, and budget of any special function or offices controlled by System Administration.
- 7.17 Duties of the Academic and Developmental Affairs Committee.--The Academic and Developmental Affairs Committee shall:
- 7.171 Consider and make recommendations relating to matters of academic policy and student life in the general academic institutions.

- 7.172 Study and make recommendations relating to developmental matters concerning the general academic institutions.
- 7.173 Consider all matters affecting the growth and usefulness of the libraries of the University.
- 7.18 Duties of the Health Affairs Committee.--The Health Affairs Committee shall consider all matters connected with the health-related institutions and schools except those specifically assigned to other committees of the Board. There shall be a Subcommittee on Hospitals of the Health Affairs Committee to consist of the Chairman of the Health Affairs Committee and two Regents appointed by the Chairman of the Board. ~~The~~ System Vice Chancellor [~~President~~] for Health Affairs shall be an ex officio member of the Subcommittee. The Subcommittee on Hospitals shall have the following duties with respect to each Hospital owned by the System:
- 7.181 Participate in the accreditation process for the Hospital;
- 7.182 Review long-range plans for the Hospital;
- 7.183 Review and make recommendations to the Board concerning the bylaws, rules and regulations of the medical staff of the Hospital, and approval of same;
- 7.184 Review and make recommendations to the Board concerning mechanisms and controls for the achievement and maintenance of high standards of professional practices in and at the Hospital, and approval of same;
- 7.185 Hold regular meetings at least once annually, at the Hospital to review programs and problems; and
- 7.186 Report to the Board the substance of each meeting of the Subcommittee and make any appropriate recommendations.
- 7.19 Duties of the Buildings and Grounds Committee.--The Buildings and Grounds Committee shall have the following duties:
- 7.191 It shall consider and make recommendations relating to the acquisition and use of land and the construction and use of buildings and other matters involving the physical expansion of the System and its component institutions.

7.192 It shall review, and make recommendations regarding, all proposals for new construction in an amount exceeding \$50,000, [~~\$57,000-00~~] all proposals for repairs and remodeling of the physical plan which involve proposed expenditures of \$80,000 [~~\$50,000~~] or more, and proposals for extensive improvements of the grounds of the System and its component institutions.

7.1(10) Duties of the Land and Investment Committee.-- The Land and Investment Committee shall consider and make recommendations on all matters relating to (a) the investment of the Permanent University Fund and all trusts and special funds, (b) management of the state lands constituting the permanent endowment of the University, (c) the acquisition, management, and sale of trust property and special funds, and (d) the issuance of bonds.

7.2 Board for Lease of University Lands.--Two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve on the Board for Lease of University Lands. Neither of such appointees shall be employed either directly or indirectly by any oil or gas company nor shall be an officer or attorney for any oil or gas company.

7.3 Special Committees.--The Chairman of the Board shall appoint such special committees of the Board as the Board may authorize.

Sec. 8. Procedure.

8.1 Rules of Order.--Robert's Rules of Order, when not in conflict with any of the provisions of this chapter, shall be the rules of parliamentary procedure when the Board or any of its committees is in session.

8.2 Order of Business.--Customarily the order of business at a regular meeting of the Board shall be as follows:

8.21 Correction and approval of Minutes of Preceding meeting.

8.22 Special Items:

- (a) Chancellor
- (b) Chief administrative officers of the component institutions
- ~~(b)~~ ~~President-of-the-System~~
- (c) Members of the Board
- ~~(e)~~ ~~Chief-Administrative-officers-of-the component-institutions~~
- ~~(d)~~ ~~Members-of-the-Board~~

8.23 Reports of standing committees.

- 8.24 Reports of special committees.
8.25 Report of the Committee of the Whole.
- 8.3 Open and Closed Meetings.--Meetings of the Board shall be open to the press and the public, unless otherwise determined by the Board, in accordance with law.
- 8.4 Matters to be Referred to Committees.--Insofar as it is practicable and desirable, all subjects and matters requiring Board action shall be referred to the appropriate committee for consideration and recommendation before action is taken thereon by the Board.
- 8.5 Communications to the Board.
- 8.51 Nothing herein shall be construed to prevent members of the Board from informing themselves as to their duties and obligations in such manner as they may deem proper. However, the regular channel of communication from members of the Board to the faculty, staff, and administration is through the Chancellor [~~President-of-the-System~~] and the chief administrative officer of the institution involved, and a copy of any communication sent by a Regent directly to any member of the faculty, staff or administration should be furnished to the Chancellor [~~President-of-the-System~~] and the chief administrative officer of the institution involved. All staff and faculty proposals that are to be acted upon by the Regents shall be presented to the Chancellor [~~President-of-the-System~~] in sufficient time to permit him to consider such proposals, make recommendations thereon, and transmit them to the Secretary to the Board no later than seventeen days prior to the next meeting of the Board, in order that the calendar, agenda, and supporting material may be prepared in time to mail to the members of the Board so they will receive it at least five days prior to the meeting. Except where emergency proposals are involved, all such proposals not submitted to the Secretary within the time prescribed shall not be considered by the Board but shall automatically be deferred until the next meeting of the Board.
- 8.52 Except upon invitation of the Board, the Chairman of the Board or [7] the Chancellor, [~~or-the-President-of-the-System,~~] no person shall appear before the Board or any committee

thereof unless he shall file with the Secretary to the Board a written request for such appearance at least ten days before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request; provided, however, that the chief administrative officer, or his delegate, and/or the president of the students' association, or his delegate, of any component institution, without prior notice or request but subject to such time limitation as may be prescribed by the Chairman or a majority of the Board (or by the chairman or a majority of the committee), may appear before the Board or any committee thereof whenever the matter under consideration by the Board or committee directly affects the component institution represented by such chief administrative officer and/or student president. Whenever time and other circumstances permit, the president of the students' association, or his delegate, of such component institution, shall consult with the chief administrative officer, or his delegate, of such institution regarding said "matter under consideration" prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board pursuant to the ten-day notice provision or without notice pursuant to the provisions of this paragraph shall provide a written statement of the substance of such person's presentation to the Board, and, insofar as possible, such written statement shall be delivered to the Secretary to the Board in sufficient time for copies to be distributed to the Regents prior to the meeting.

- 8.53 All official material to be distributed to the Regents shall be transmitted through the Office of the Secretary to the Board. Copies of all official communications from administrative officers to the Regents shall be sent to the Secretary. Communications from the Chancellor [~~or President of the System~~] shall be exempt from this requirement at the Chancellor's [~~their~~] discretion, but in such cases information copies shall be furnished to the Secretary.
- 8.54 A docket, to be entitled "Docket No. ___ of the Chancellor," [~~President of the System~~] composed of routine matters arising from System Administration and the component

institutions, which are required to be reported to and/or approved by the Board in accordance with established policies of the Board, shall be prepared as directed and approved by the Chancellor [~~President-of-the-System~~]. All docket items from the component institutions must be received in the office of the Chancellor [~~President-of-the-System~~] not less than twenty-one days prior to the next regular scheduled meeting for inclusion on the docket for that meeting. The Docket of the Chancellor [~~President-of-the-System~~] shall be distributed by the Secretary to all members of the Board ten days before the Board convenes, together with a ballot to be returned seven days thereafter. The ballot will read: "Approved, except as to the following items:" with space provided for listing the excepted items. All items not excepted by any Regent will be approved by the Board at its next meeting, without detailed consideration. Any excepted item listed by any Regent will be deferred and will be processed through the System Administration Committee for consideration at the first regular meeting of the Board following action on the item by the System Administration Committee.

- 8.55 Except for communications from the Chancellor [~~President-of-the-System~~] and the Secretary to the Board, all communications to the Board from members of the faculty and staff should be in writing. The regular channel of communication from the faculty, staff, and administration to the Board is through the chief administrative officer of the institution involved and the Chancellor [~~President-of-the-System~~]. A copy of any communication sent directly to a Board member should be furnished to the Chancellor [~~President-of-the-System~~] and to the chief administrative officer of the institution involved. A description of all matters to be considered by the Board at any meeting shall be mailed or delivered to each member of the Board and to the Chancellor [~~President of-the-System~~] at least five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to the Regents

and the Chancellor [~~President-of-the-System~~] at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the need for action thereon, and the recommendations of the Chancellor [~~President-of-the-System~~]. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the Chancellor [~~President of-the-System~~] shall state whether or not they are fully concurred in by any institutional head involved, and if not, the views and recommendations of the institutional head shall be included. Any matter not sent to the members of the Board, documented as herein provided, at least five days in advance of the meeting at which it is to be considered, shall go over to the next meeting for consideration; provided, however that if sufficient emergency exists requiring immediate action and it appears that the delay was unavoidable, this requirement may be waived by a two-thirds vote of the Board.

- 8.6 Report to Press on Actions of Board.--Matters of public interest will be given as promptly as possible after each meeting to the press by the Vice Chancellor [~~President~~] for Administration under the direction of the Chairman of the Board or the Chancellor [~~President-of-the-System~~].
- 8.7 Political and Otherwise Obviously Controversial Matters.--The Board reserves to itself the responsibility for passing upon matters of a political or obviously controversial nature which represent an official position of the System or any institution or department thereof. Statements on such matters shall be made by the Chairman of the Board or the Chancellor [~~President-of-the-System~~]. Without the advance approval of the Board, no Regent, officer, or faculty or staff member shall make or issue any public statement on any political or other subject of an obviously controversial nature which might reasonably be construed as a statement of the official position of the System or any institution or department thereof. It is not the intent of this policy statement to stifle the right of freedom of speech of anyone speaking in a personal capacity

where he makes it clear that he is not speaking for the System or any of its component institutions. Statements on matters of an emergency nature shall be cleared by the Chancellor [~~President-of-the-System~~] with the Chairman of the Board [~~7-and-the-President-of-the-System-will-advise-the-Chancellor-concerning such-matters~~].

Sec. 9. Executive Associate for Economic Affairs

- 9.1 The Executive Associate for Economic Affairs is a staff officer of the System. He is elected by the Board, serves at the pleasure of the Board, reports to and is responsible to the Board, and receives such compensation as may be fixed by the Board.
- 9.2 Duties.--The Executive Associate on a continuing basis conceives and develops long-range plans and studies with respect to the development and management of economic affairs of the component institutions, and upon request, consults and advises with the Board and the Executive Director for Investments and [~~7~~] Trusts [~~and-Bands~~] regarding plans and studies.

CHAPTER II

ADMINISTRATION

Sec. 1 General Provisions.

1.1 The "System Administration" is the administration of The University of Texas System.

1.2 Component Institutions.

The University of Texas System (herein sometimes called the "System") is composed of those institutions assigned by the Constitution or by the Legislature to be governed by the Board of Regents of The University of Texas System.

1.3 Location.

The System Administration shall be based at Austin, to benefit from the proximity of state agencies and to take advantage of economies made possible by sharing use of personnel and facilities with The University of Texas at Austin. System Administration officers shall travel to the other component institutions as their administrative responsibilities require.

Sec. 2 Officers of System Administration.

2.1 Executive Officers. [~~Chancellor-Emeritus.--The authority-to-bestow-the-title-of-Chancellor-Emeritus shall-rest-with-the-Board,-and-an-individual-holding this-title-shall-receive-such-salary-and-emoluments as-are-determined-by-the-Board.--This-title-shall-be held-at-the-pleasure-of-the-Board.--The-Chancellor Emeritus-shall-have-such-duties-and-responsibilities as-may-be-delegated-or-assigned-to-him-by-the-Board and-in-these-matters-he-shall-report-directly-to the-Board.~~]

[2-1] Chancellor-Emeritus. Renumbered as 2.5 with changes as indicated.]

2.11 Chancellor.

[3-1] The Chancellor is the chief executive and administrative officer of the System, and directly reports to and is responsible to the Board. [~~and-shall-report-to-and-be-responsible-to-the-Board-within-the-policies-and-the Rules-and-Regulations-of-the-Board-in-the areas-of-development,-general-policy,-and general-academic-planning-for-the-System-and~~

~~its component institutions. -- The Chancellor, by delegation from the Board, is authorized to exercise the power and authority possessed by the Board in the governance of the institutions composing the System. -- He shall:~~

- ~~3-11 Advise and counsel with the Board in establishing and promulgating basic policies.~~
- ~~3-12 Interpret the academic programs and needs of the System and its component institutions to the general public and other constituencies under policies established by the Board.~~
- ~~3-13 Represent the System in the articulation of educational policy concerns at the community, state, regional, and national levels.~~
- ~~3-14 Serve as Chief executive agent of the Board in establishing policies and procedures for determining and approving developmental needs of the System and in directing efforts to attract private fund support for meeting these needs.~~
- ~~3-15 Have direct access to the chief administrative officers as required in the fulfillment of these responsibilities.]~~

2.12 Vice Chancellors.

The other executive officers of the System are the Vice Chancellor for Academic Affairs, the Vice Chancellor for Administration, the Vice Chancellor for Business Affairs, the Vice Chancellor for Health Affairs, and the Vice Chancellor for Lands Management and General Counsel. Each Vice Chancellor directly reports to and is responsible to the Chancellor.

2.2 Principal Administrative Officers.

2.21 The Executive Director for Development, the Assistant Chancellor for Planning and the Executive Assistant to the Chancellor are administrative officers of the System, and each such officer directly reports to and is responsible to the Chancellor.

2.22 The Manager of University Lands - Oil, Gas and Mineral Interests, the Manager of University Lands - Surface Interests, and the Associate General Counsel are administrative officers of the System; and each such officer directly reports to and is responsible to the Vice Chancellor for Lands Management and General Counsel.

2.23 The Budget Director, the Comptroller, the Director of Accounting, the Director of Facilities Planning and Construction, the

Director of Police, the Director of Special Services, the Executive Director for Investments and Trusts, and the System Personnel Director are administrative officers of the System; and each such officer directly reports to and is responsible to the Vice Chancellor for Business Affairs (except the Director of Accounting who reports as specified in Part One, Chapter II, Sec. 3.442 of these Rules and Regulations).

2.24 The Director of the Institute of Higher Education Management is an administrative officer of the System and directly reports to and is responsible to the Vice Chancellor for Academic Affairs.

[2-2 Principal-Officers-
~~The-Chancellor-is-the-chief-executive-officer-of-the System--The-other-principal-executive-and-administrative-officer-of-the-System-is-the-President-and-Chief-Operating-Officer-(herein-sometimes-called "President-of-the-System").~~]

2.3 Appointment and Tenure of [Administrative] Officers.

[2-4] 2.31 ~~The Chancellor [and-President-of-the-System]~~
[2-41] shall [each] be elected by the affirmative vote of a majority of the Regents in office [7] and [each] shall hold office without fixed term, subject to the pleasure of the Board.

2.32 All other executive and administrative
[2-43] officers of the System shall be appointed by the Board after nomination by the Chancellor [President-of-the-System]. Officers so appointed shall not have tenure by virtue of their respective [administrative] offices. They shall hold office without fixed term, subject to the pleasure of the Chancellor [President-of-the-System]. His actions concerning such officers are in turn subject to review and approval by the Board.

[2-3 Administrative-Officers-
~~The-other-administrative-officers-of-the-System-are the-Executive-Assistant-to-the-Chancellor,-the-Director-for-Development,-the-Vice-President-for-Academic Affairs,-the-Vice-President-for-Administration,-the Vice--President-for-Business-Affairs,-the-Vice-President-and-General-Counsel,-the-Vice-President-for Health-Affairs,-the-Vice-President-for-Operations,-the-Budget-Director,-the-Comptroller,-the-Executive Director-for-Investments,-Trusts-and-Bands,-the-Associate-General-Counsel,-the-Director-of-Facilities, Planning-and-Construction,-the-Director-of-Police,-the-Director-for-Public-Affairs,-the-Director-for Special-Services,-the-System-Personnel-Director,-the-Director-for-Accounting.-]~~

- 2.4 Staff and Line Functions of Officers [Other-than-the
[2-5] Chancellor, the-President-of-the-System, Executive
Assistant-to-the-Chancellor-and-Director-for-Develop-
ment].
- 2.41 Staff Function. Each officer of System
[2-51] Administration, other than the Chancellor,
[the-President-of-the-System, the-Executive
Assistant-to-the-Chancellor, and-the-Director
for-Development,] shall be responsible for
planning and policy formulation in his parti-
cular field as delegated by the officer to
whom he reports and shall serve as adviser
in his area to the officer to whom he reports.
In addition, with the knowledge of the officer
to whom he reports, he shall advise and con-
sult with other members of System Administra-
tion and with the officials of the component
institutions in his particular area of respon-
sibility.
- 2.42 Duties. [Such] Officers of the System
[2-52] Administration shall have such duties as
shall be assigned to them by the Chancellor
[President-of-the-System,] or the officer to
whom they report, and as the personal repre-
sentatives of such officers, they may be
assigned specific executive responsibilities
for carrying out administrative policies.
- [2-4] Renumbered as 2.3 with changes as indicated.
- [2-41] Renumbered as 2.31 with changes as indicated.
- [2-42] The-Executive-Assistant-to-the-Chancellor-and
the-Director-for-Development-shall-each-be
appointed-by-the-Board-after-nomination-by
the-Chancellor.--Each-of-such-officers-shall
hold-office-without-fixed-term, subject-to
the-pleasure-of-the-Chancellor, whose-actions
concerning-such-officers-are-subject-to-review
and-approval-by-the-Board.--Officers-so-ap-
pointed-shall-not-have-tenure-by-virtue-of
their-respective-administrative-offices.]
- [2-43] Renumbered as 2.32 with changes as indicated.
- 2.5 Chancellor Emeritus.
[2-1] The authority to bestow the title of Chancellor
Emeritus shall rest with the Board, and an individual
holding this title shall receive such salary and
emoluments as are determined by the Board. This
title shall be held at the pleasure of the Board.
The Chancellor Emeritus shall have such duties and
responsibilities as may be delegated or assigned
to him by the Board and in these matters he shall
report directly to the Board.
- [2-5] Renumbered as 2.4 with changes as indicated.
- [2-51] Renumbered as 2.41 with changed as indicated.

[2-52] Renumbered as 2.42 with changes as indicated.

Sec. 3. [Administrative] Authority, Duties and Responsibilities of Officers of System Administration.

3.1 Officers in the Office of the Chancellor.

3.11 Chancellor.

[3-1] [3-4] The Chancellor, [~~President-of-the System-is-the-chief-operations-officer-of the-System-and,~~] by delegation from the Board, [~~and-within-the-policies-of-the-Board,~~] is authorized to exercise the powers and authorities of the Board in the governance of the System. The chief administrative officer of each component institution in the System, acting in a line capacity for the operation of such officer's [of-his] institution, reports to and is responsible to the Chancellor [~~President-of-the-System~~]. [3-416] The Chancellor will n[ormally] act through the chief administrative officer regarding the affairs of a [any] component institution [of-the-System]. The Chancellor, however, [he] shall not be precluded from any direct participation and communication with faculty members and groups. [3-41] The major duties [tasks] of the Chancellor [President-of-the System] include:

- 3.111 Advising and counseling with the Board with respect to the policies, purposes, and goals of the System; acting as executive agent of the Board in implementing its policies; [and] representing the System in all other respects as he deems appropriate [proper-and-required] to [properly] carry out such [the] policies, purposes and goals, [of the-System.] and interpreting and articulating the System's academic, administrative and developmental policies, programs, needs and concerns to the general public and to other constituencies at the community, state, regional and national levels.
- 3.112 Directing the management and administration of System Administration and all component institutions of the System.
- 3.113 Presenting to the Board nominations for all officers of System Administration, and for all officers of component institutions as provided in these Rules and Regulations.
- [3-411] .. [3-412] [3-414] [3-413]

- 3.114 [Conduct] P[eriodically reviewing
[3-415] [of] the organization of the System and its component institutions, [~~In-light-of-this-review,-he-shall~~] and reporting to the Board recommendations for changes in organization, assignments and procedures.
- 3.115 Preparing[e] and approving[e] recom-
[3-417] mendations for [the] meetings of
[3-418] the Board (including recommendations for annual operating budgets for the System and its component institutions) and submitting such [approved] recommendations to the Secretary to the Board for consideration by the Chairman [~~of-the-Board~~].
- 3.116 Preparing and approving biennial
legislative submissions to the Legislative Budget Board and to the Governor for the System and its component institutions.
- 3.117 Developing and implementing programs
[3-41(10)] for the most efficient management of
[3-41(11)] personnel resources, [~~-~~] and for [3-41(11)]
[Develop-and-implement-programs-of] long-range planning for academic programs, physical facilities and financial resources.

- [3-1] Renumbered as 3.11 with changes as indicated.
- [3-11] ~~Advise-and-counsel-with-the-Board-in-establishing-and-promulgating-basic-policies-]~~
- [3-12] ~~Interpret-the-academic-programs-and-needs-of-the-System-and-its-component-institutions-to-the-general-public-and-other-constituencies under-policies-established-by-the-Board-]~~
- [3-13] ~~Represent-the-System-in-the-articulation-of-educational-policy-concerns-at-the-community, state, regional, and-national-levels-]~~
- [3-14] ~~Serve-as-chief-executive-agent-of-the-Board in-establishing-policies-and-procedures-for determining-and-approving-developmental-needs of-the-System-and-in-directing-efforts-to attract-private-fund-support-for-meeting-these needs-]~~
- [3-15] ~~Have-direct-access-to-the-chief-administrative officers-as-required-in-the-fulfillment-of these-responsibilities-]~~

3.12 Executive Assistant to the Chancellor.
[3-2] The Executive Assistant to the Chancellor is an administrative officer of the System[7] and is the principal assistant to the Chancellor

in the administration of the responsibilities of the Office of the Chancellor. In this regard, the duties of the position include ~~[7-but-are-not-limited-to]~~:

- 3.121
[3-22] Coordinating~~[en-ef]~~ all matters between the Office of the Chancellor and the Office of the Secretary to the Board.
- 3.122
[3-23] ~~[Ongeing]~~ E~~[e]~~valuating~~[en]~~ and coordinating~~[on-ef]~~ the internal administrative procedures and supporting staff of the Office of the Chancellor.
- 3.123 Advising the Chancellor on policies, purposes, and long-range planning for the System.
- 3.124 Assisting the Chancellor in reviewing the management of component institutions.
- 3.125
[3-24] Managing s~~[S]~~uch other duties and responsibilities as may be directed by the Chancellor.

[3-12] See [3-1] above.

- 3.13
[3-3] Executive Director for Development.
Subject to the delegation by the Chancellor, the major duties of the Executive Director for Development include:
 - 3.131
[3-312] Acting~~[s]~~ under the authority delegated by the Chancellor for private fund development for the System.
 - 3.132
[3-313] Coordinating~~[es]~~ policies and activities involving internal foundations and University-related external foundations.
 - 3.133
[3-314] Coordinating~~[es]~~ and cooperating~~[es]~~ with the chief administrative officers of the component institutions in development programs.
 - 3.134
[3-315] Coordinating~~[es]~~ efforts of component institution officials to create a favorable climate for philanthropic support among various constituencies, including alumni, foundations, business and industry, associations, parents of students, friends and benefactors.
 - 3.135
[3-316] Advising~~[es]~~ component institution administrative officials, deans, and directors on projects involving private gift support, suggesting~~[s]~~ possible granting agencies or benefactors, and assisting~~[s]~~ when needed

3.136 in the preparation of grant
[3-317] proposals and their presentation.
 Administering[s] procedures for the
 preparation of gift records, gift
 processing, gift acknowledgments, and
 gift docket for the Board.

[3-13] See [3-1] above.

3.14 Assistant Chancellor for Planning.
[3-10] [3-(10)1] Subject to delegation by the Chan-
 cancellor [President-of-the-System], the major
 duties of the Assistant Chancellor for Planning
 include [the-Director-for-Public-Affairs-shall]:

3.141 [On-the-direction-of-the-President
[3-(10)11] of-the-System] R[re]presenting the
 System in its relations with state
 and local legislative bodies and
 agencies.

3.142 [Regularly] A[advising[e] the
[3-(10)12] Chancellor [President-of-the-System]
 on relations with state and local
 legislative bodies and agencies.

3.143 Informing appropriate administrative
[3-(10)13] officers of current operations and
 long-range developments on the state
 level, which may affect the System.

3.144 Maintaining and distributing[e]
[3-(10)14] information on state programs to
 assure proper action by the System
 on applications and communications
 to federal and state agencies and
 offices.

3.145 Assisting the Vice Chancellor
[3-(10)15] [President] for Administration in
 monitoring federal activities of
 significance to the System.

3.146 Performing such other duties and
 responsibilities for the efficient
 operation of the System as shall
 be assigned by the Chancellor.

[3-14] See [3-1] above.

3.2 Officers in the Office of Academic Affairs.

[3-5] 3.21 Vice Chancellor [President] for Academic
 [3-51] Affairs.

 Subject to delegation by the Chancellor
 [President-of-the-System], the Vice Chancellor
 [President] for Academic Affairs has the
 general assignment of effective coordination
 of the general academic institutions. Speci-
 fically, his duties include [he]:

- 3.211
[3-511] Submitting[s] to the Chancellor [President-of-the-System] recommendations on the System programs in education, research, and public service, including general plans and operations of general academic institutions.
- 3.212
[3-512] Reviewing[s] and making[es] recommendations on proposals from the general academic institutions requiring action by the Chancellor [President-of-the-System].
- 3.213
[3-513] Working[s] with the general academic institutions to develop general guidelines concerning faculty workload and faculty policies and recommending[s] to the Chancellor [President-of-the-System-concerning] System policies on these matters.
- 3.214
[3-514] Preparing[es] and submitting[s] to the Chancellor [President-of-the-System] long-range and immediate academic plans for the general academic institutions including programs for continuous evaluation of existing academic programs.
- 3.215
[3-515] Pursuant to governing policies, recommending[s] to the Chancellor [President of-the-System] upon the annual operating budget requests submitted by each general academic institution.
- 3.216
[3-516] Recommending[s] to the Chancellor [President-of-the-System] legislative appropriation requests (and policies for the development of such requests) to be submitted by the System on behalf of the general academic institutions.
- 3.217
[3-517] Processing[es] all academic matters for the System general academic institutions with the Coordinating Board, and coordinating[es] other academic matters directed to the Coordinating Board.
- 3.218
[3-518] Coordinating[es] the preparation of the agenda for meetings of the Counsel of Academic Institutions.
- 3.219
Coordinating the development and implementation of the individual mission of the general academic institutions.

3.21(10) In matters involving joint programs
~~[3-519]~~ between System general academic in-
stitutions, coordinating with the Vice
Chancellor ~~[President]~~ for Health
Affairs.

3.21(11) Coordinating activities of the In-
stitute of Higher Education Manage-
ment with all System Components and
other interested institutions of
higher education and directing develop-
ment of its programs to provide
managerial training for persons in
administrative positions in such
institutions.

3.22 Director of the Institute of Higher Education
Management. Subject to delegation by the Vice
Chancellor for Academic Affairs, the Director
of the Institute of Higher Education Management
is responsible for directing the programs and
training activities of said Institute for the
purpose of helping university administrators
improve their effectiveness. Specifically, his
duties include:

3.221 Developing and implementing plans
for periodic Institute short courses
for those in higher education admini-
strative positions.

3.222 Planning and implementing topical
seminars on timely issues of importance
in higher education.

3.223 Communicating with higher education
leaders concerning their concepts of
critical management problems in higher
education and getting their assessment
of how Institute programs may meet
these needs.

3.224 Planning and implementing new Institute
programs in a timely fashion such as
internship for individuals selected
for administrative positions in the
higher education institutions in Texas.

3.225 Preparing requests for the Institute's
budget and proposals for support from
various sources of potential funding
for its programs.

[3-2] Renumbered as 3.12 with changes as indicated.

~~[3-21] Coordination of all matters between the office~~
~~of the Chancellor and the activities and func-~~
~~tions in the Office of the President of the~~
~~System.~~

[3-22] Renumbered as 3.121 with changes as indicated.

- [3-23] Renumbered as 3.122 with changes as indicated.
- [3-24] Renumbered as 3.125 with changes as indicated.
- 3.3 Officers in the Office of Administration.
 - 3.31 Vice Chancellor [President] for Administration.
 - [3-9] [3-91] Subject to delegation by the Chancellor [President-of-the-System], the major duties of the Vice Chancellor for Administration include:
 - [the-Vice-President-for-Administration-is-responsible-for:]
 - 3.311 Representing the System in its relations with federal governmental bodies and units; informing appropriate administrative officers of the developments on the n[N]ational level of significance to the System; recommending System actions and policies responsive to those developments, maintaining and distributing information to, and advising appropriate System Administration and component institution officials, in order to assure proper action by the System with respect to federal governmental programs and activities.
 - 3.312 Communicating the activities of the Board and the System Administration; coordinating news releases and other public information emanating from the component institutions which releases and information involve[s] the Board and System Administration; coordinating and serving as the liaison to System Administration consultants in the area of media relations and public information dissemination; developing a format for the presentation of information about System institutions and activities to the general public; making recommendations to the Chancellor [President-of-the-System] regarding budget requests and staffing requirements for the public information services of the component institutions.
 - 3.313 Making recommendations to the Chancellor [President-of-the-System] in the area of public policy as it affects the relationships of the System with the federal government, the press, and the general public.
 - 3.314 Performing other duties and assignments as delegated by the Chancellor [President-of-the-System].
- [3-3] Renumbered as 3.13 with changes as indicated.

- [3-31] In-carrying-out-his-duties-and-responsibilities-he-]
- [3-311] Serves-as-executive-officer-for-the System-Development-Advisory-Council-]
- [3-312] Renumbered as 3.131 with changes as indicated.
- [3-313] Renumbered as 3.132 with changes as indicated.
- [3-314] Renumbered as 3.133 with changes as indicated.
- [3-315] Renumbered as 3.134 with changes as indicated.
- [3-316] Renumbered as 3.135 with changes as indicated.
- [3-317] Renumbered as 3.136 with changes as indicated.
- [3-32] The-Director-for-Development-reports-to-and-is responsible-to-the-Chancellor-]
- 3.4 Officers in the Office of Vice Chancellor for Business Affairs.
- 3.41 Vice Chancellor for Business Affairs. [The
- [3-(18)] Vice-President-for-Business-Affairs-is-an administrative-officer-of-the-System-]
- [3-(18)] [3-(18)1] Subject to delegation by the Chancellor [President-of-the-System], the Vice Chancellor [President] for Business Affairs has the general assignment of effective coordination of the business activities of the component institutions in the System. Specifically, his duties include [he]:
- 3.411 Submitting[s] recommendations to the
- [3-(18)11] Chancellor [President-of-the-System] on business operations of the components of the System.
- 3.412 Reviewing[s] and making[es] recommenda-
- [3-(18)12] tions on uniform business systems and management.
- 3.413 Submitting[s] recommendations relating
- [3-(18)13] to programs for the most efficient management of personnel and resources.
- 3.414 Submitting[s] recommendations for program
- [3-(18)14] development for training of personnel in non-academic areas.
- 3.415 Reviewing[s] and making[es] recommen-
- [3-(18)15] dations on programs of long-range planning for physical facilities and financial resources.
- 3.416 Reviewing[s] and making[es] recommen-
- [3-(18)16] dations relating to police and security matters within the System.
- 3.417 [Has-responsibility-for] C[e]oordinating
- [3-(18)17] the business affairs of the System with other officers and members of the System Administration staff.
- 3.418 Coordinating[es] the activities of
- [3-(18)18] b[B]usiness a[A]dministrative o[O]perations of the c[C]omponent i[I]nstitutions

- 3.419
[3-811] Managing [~~Supervising-and-directing~~] the operations of the offices of Facilities Planning and Construction, System Personnel and Special Services [~~7-Equal-Opportunity-and-Employee-Relations~~].
- 3.41(10)
[3-812] Supervising and coordinating the acquisition of all real property at the component institutions.
- 3.41(11)
[3-813] Directing the management of [~~Direct responsibility-for~~] the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the Chancellor [~~and-the President-of-the-System~~] and coordinating [~~on-of~~] the building services for the System buildings.
- 3.41(12)
[3-815] Directing [~~responsibility-for~~] the management of the System-wide insurance programs (except the System Plan for Professional Medical Malpractice Self-Insurance), including approval of all policies and coverages, such programs to include:
 Fire and Extended Coverage;
 Liability;
 Health;
 Life;
 Accidental Death and Dismemberment;
 Income Replacement; and
 Retirement.
- 3.42
[3-13] Budget Director. [~~The-Budget-Director-is-an administrative-officer-of-the-System-~~] [3-(13)1] The Budget Director's primary responsibilities are to plan and develop systems and procedures for uniform budget preparation, budget control and financial reporting. [3-(13)2] Subject to delegation by the Vice Chancellor for Business Affairs [~~President-of-the-System~~], the major duties of the Budget Director include [~~the-Budget-Director~~]:
- 3.421
[3-(13)21] Formulating[es] procedures governing the preparation and review of all budgets and developing [~~ment-of~~] effective methods of presenting approved budgets to appropriate agencies.
- 3.422
[4-(13)22] Recommending[s] procedures to be followed, including format, schedules of budget preparation, and effective review of budgets.
- 3.423
[3-(13)23] Preparing[es] budget-writing instructions.

- 3.424 Conducting[s] budget and other
[3-(13)24] related research studies.
- 3.425 Planning[s] systems and procedures
[3-(13)25] for budgetary control and financial reporting.
- 3.426 Controlling[s] and supervising[es]
[3-(13)26] distribution of all budgets [7] and processing[es] and approving[es] (as delegated) interim budget changes.
- 3.427 Preparing[es] periodic budgetary,
[3-(13)27] financial, and special reports, as appropriate.
- 3.428 Serving[es] as liaison with the staff
[3-(13)28] of the Legislative Budget Board, the Governor's Budget Office, and the Coordinating Board, Texas College and University System.
- 3.43 ~~Comptroller. [The-Comptroller-is-an-administrative
[3-(12)] officer-of-the-System.]~~
- 3.431 Subject to delegation by the Vice
[3-(12)1] Chancellor for Business Affairs
~~[President-of-the-System]~~, the Comptroller formulates and recommends procedures to be followed in the business operations of the System for:
- 3.431(1) Accounting, auditing and
[3-(12)11] reporting, and expenditure control.
- 3.431(2) Receipt, disbursement, and
[3-(12)12] custody of funds [moneys].
- 3.431(3) Procurement and purchasing.
[3-(12)13]
- 3.431(4) Management of auxiliary
[3-(12)14] service enterprises.
- 3.431(5) Data processing systems -
[3-(12)15] including prior approval of equipment acquisitions by purchase or lease.
- 3.431(6) Accounting and business
[3-(12)16] system development.
- 3.431(7) Accounting records, forms,
[3-(12)17] procedures, and financial reports, including format for such reports.
- 3.431(8) Terms of depository agree-
[3-(12)18] ments with banks.
- 3.431(9) Lease contracts for building
[3-(12)19] space.
- 3.431(10) Approval of the business as-
[3-(12)1-10] pects and overhead rates in research and other contracts with outside agencies.

3.431(11) Conducting [Supervision-of] post
[3-(12)1(11)] audits[ing] at each
component institution.

3.431(12) Supervising the auditing
of oil and gas production.

3.432
[3-(12)2]

The Comptroller is responsible as
joint custodian with the Director of
Accounting [~~of-The-University-of~~
~~Texas-at-Austin~~] for bearer securities
owned by [the] System funds that are
[not] maintained in bank safe deposit
boxes and are not in the custody of
the State Treasurer [not-on-deposit
in-the-State-Treasury].

3.44
[3-(16)1] Director of Accounting [~~of-The-University-of~~
~~Texas-at-Austin~~]. The Director of Accounting of
The University of Texas at Austin serves also
as director of accounting for System Administration
and is the accounting officer for both The Univer-
sity of Texas at Austin and for System Administration

3.441
[3-(16)1]

Subject to delegation by the Vice
Chancellor for Business Affairs,
his duties include [President-of-the
System-through-the-Vice-President
for-Business-Affairs, he-shall]:

3.441(1) Having[e] responsibility
[3-(16)11] for custody, accounting and
reporting of all funds han-
dled by the Director of Ac-
counting's Office for the
component institutions out-
side of Austin, and for System
Administration, the Permanent
University Fund, the Available
University Fund, and trust and
special funds.

3.441(2) For securities owned by
[3-(16)12] System funds and not in custody
of the State Treasurer, having
custody of registered securi-
ties and joint custodian, with
the Comptroller, of bearer se-
curities maintained in bank
lock boxes. [Have-custodian-
ship-with-the-Comptroller-of
securities-owned-by-the-System
funds-that-are-not-on-deposit
in-the-State-Treasury.]

3.441(3) Maintaining a full and complete
[3-(16)13] set of records that accurately
reflect the balances and
transactions of all financial
and property accounts of the
System (as contrasted with such
accounts of the component in-
stitutions).

- 3.442 With respect to System Administration
~~[3-(11)2]~~ matters, the Director of Accounting
 ~~[of-The-University-of-Texas-at-Austin]~~
 reports to and is responsible to the
 Comptroller ~~[Vice-President-for~~
 Business-Affairs]. With respect to
 other matters, he reports to the appro-
 priate officers of The University of
 Texas at Austin.
- 3.45 Director of Facilities Planning and Construction.
~~[3-(11)]~~ ~~[The-Director-of-Facilities-Planning-and-Const-
 rection-is-an-administrative-officer-of-the-System-]
 [3-(11)]~~ Subject to delegation by the Vice
 Chancellor for Business Affairs, the duties of
 the Director of Facilities Planning and Construc-
 tion include ~~[President-of-the-System-through-the~~
 ~~Vice-President-for-Operations, the-Director:~~
- 3.451 Managing ~~[Has-direct-supervisory-re-~~
~~[3-(11)]~~ ~~sponsibility-over]~~ the administration
 and general supervision of any new
 building construction and initial equip-
 ping thereof costing in excess of
 \$50,000.00 ~~[\$5,000-00]~~; managing any
 inside or outside repairs, remodeling,
 rehabilitation, new construction of
 improvements other than building, or
 campus planning costing \$80,000.00
 ~~[\$50,000-00]~~ or more; managing any
 preliminary planning, feasibility studies,
 or investigations which are estimated
 to ultimately develop into one of the
 above projects at any component insti-
 tutions of the System; ~~[and-over-con-~~
 ~~sultation,]~~ advising and working
 with the consultants, architects and
 engineers employed by the Board subject
 to the terms and conditions of the con-
 tracts with those architects and
 engineers.
- 3.452 Serving~~[es]~~ as ex officio member of
~~[3-(11)]~~ all faculty building committees at the
 component institutions.
- 3.453 Preparing~~[es]~~ and executing~~[es]~~ all
~~[3-(11)]~~ documents relating to the acquisition
 and the use of funds received from the
 federal government and state agencies
 in connection with construction grant
 awards.
- 3.454 Coordinating~~[es]~~ the preparation of
~~[3-(11)]~~ and approving~~[es]~~ of all grant applica-
 tions on approved construction projects
 filed with governmental agencies.

- 3.455 ~~[3-411]±5~~ Coordinating[es] the development of and maintaining[s] of master plans for all component institutions, including but not limited to land utilization, utility [7] and landscape plans.
- 3.456 ~~[3-411]±6~~ Developing[s] standards for maintenance for all physical facilities at component institutions.
- 3.457 ~~[3-411]±7~~ Directing the ~~[Has-direct-responsibility for]~~ negotiation and approval of all utility contracts.
- 3.46 ~~[3-7]~~ Executive Director for Investments and [7] Trusts ~~[and-Lands]. [The-Executive-Director-for-Investments, Trusts-and-Lands-is-an-administrative-officer-of-the-System.]~~
~~[3-71]~~ Subject to delegation by the Vice Chancellor for Business Affairs ~~[President-of-the-System]~~, the Executive Director for Investments and [7] Trusts ~~[and-Lands]~~ implements, when they are approved by the Board, policies and actions with respect to:
- 3.461 ~~[3-711]~~ ~~[The] I[±]nvesting[ment], managing[ement], and administering[ratiem]~~ of all endowment funds belonging to the System and its component institutions, including the Permanent University Fund and all trusts and special funds.
- 3.462 ~~[3-714]~~ ~~[The] I[±]ssuing[anee], managing[ement7] and paying[ment-of]~~ all bonds and other evidences of indebtedness issued by the Board for ~~[the]~~ System and its component institutions.
- 3.463 ~~[3-716]~~ Presenting to the Board through the Chancellor ~~[President-of-the-System]~~ periodic reports of the status and prospect of funds for which he has responsibility and that will be available for expenditure by the System and its component institutions.
- 3.464 Directing the management of all transactions relative to real estate interests owned or controlled by the Board of Regents, except University (Permanent University Fund) Lands.
- 3.465 ~~[3-717]~~ Consulting with the Executive Associate for Economic Affairs with respect to the development of long-range plans for the development and management of the economic resources of the System and its component institutions.

- 3.47 System Personnel Director. [~~The-System-Personnel~~
[3-(15)] ~~Director-is-an-administrative-officer-of-the~~
~~System.~~
[3-(15)1] The System Personnel Director's primary responsibility is to plan, develop, and coordinate System-wide personnel policies and procedures. Subject to the delegation by the Vice Chancellor for Business Affairs [~~President-of-the-System-through~~
~~the-Vice-President-for-Operations~~], the System Personnel Director is responsible for:
- 3.471 Acting[s] as liaison between component
[3-(15)11] institution personnel officers and the System offices regarding all personnel matters relating[ed] to classified personnel, administrative staff, and certain matters relating to teaching and/or academic personnel.
- 3.472 Advising[es] the System Officers and
[3-(15)12] making[es] recommendations concerning development of methods and procedures designed to maximize the effectiveness of System Personnel Programs.
- 3.473 Reviewing[s] and recommending[s] all
[3-(15)13] classified personnel pay plans for each component institution, including the establishment of proper classification[s] and pay scales consistent with needs and System-wide policies and procedures.
- 3.474 Reviewing[s] and recommending[s] the
[3-(15)14] Personnel Office budgets for each component institution.
- 3.475 Directing[s] the administration of the
[3-(15)15] System Personnel Office, including the Workmen's Compensation Insurance section.
- 3.476 Reviewing[s] and recommending[s] to
[3-(15)16] System Officers any rules and regulations or changes thereto that, after proper consultation with officers of component institutions, are considered beneficial or necessary for the proper administration of the System-wide Personnel Program.
- 3.477 Establishing[es] e[E]mployee d[De]velop-
[3-(15)17] ment and t[Tr]aining p[Pr]ograms for all component institutions, including particularly s[Sup]ervisory t[Tr]aining p[Pr]ograms.
- 3.478 Formulating[es] policies and procedures
[3-(15)18] concerning labor relations and employer-employee relationships.
- 3.479 Assisting[s] and establishing p[Pe]rsonnel
[3-(15)19] d[Da]ta s[Sy]stems and proper practices and procedures concerning the personnel records of all employees.

- 3.47(10) Conducting[s] System-wide w[W]age
~~[3-(15)1(10)]~~ and s[S]alary r[R]esearch s[S]tudies
and formulating[es] data for proper
implementation of personnel pay programs.
- 3.47(11) In consultation with the personnel
~~[3-(15)1(11)]~~ offices of the component institutions,
developing[s] and maintaining[s] a
System-wide personnel pay plan with
uniform titles and account numbers.
- 3.47(12) Supervising and coordinating the
affairs of the Office of Equal Employment
Opportunity and Employee Relations.
- 3.48 Director of Police. [~~The Director of Police is~~
~~an administrative officer of the System.~~
~~[3-(17)1]~~ Subject to delegation by the [President
of the System through the] Vice Chancellor
[President] for Business Affairs, the Director of
Police is responsible for:
- 3.481 Approving qualifications for police
~~[3-(17)11]~~ personnel at the component institutions
of the System and approving all applicants
to a basic or in-service training school
or academy.
- 3.482 Approving the organizational structure
~~[3-(17)12]~~ for police departments at the component
institutions of the System.
- 3.483 Establishing and supervising all training
~~[3-(17)13]~~ programs for System police, including
basic and in-service training, as well as
on-the-job training at each component
institution of the System.
- 3.484 Conducting the System training in ac-
~~[3-(17)14]~~ cordance with the standards of the
Texas Commission on Law Enforcement
Officer Standards and Education, in
order to maintain accreditation with this
state agency.
- 3.485 Maintaining liaison with The Director
~~[3-(17)15]~~ of Training, Texas Department of Public
Safety, and the Coordinator of Training,
Federal Bureau of Investigation, and
being aware of new training techniques,
procedures, programs, and equipment.
- 3.486 Establishing a uniform reporting and
~~[3-(17)16]~~ record system for police departments
at the component institutions of the
System and approving any changes thereto.
- 3.487 Conducting periodic inspection of the
~~[3-(17)17]~~ police departments of the component
institutions of the System and evaluating
their performance as police agencies.

- 3.488 Formulating and establishing policies
~~[3-(17)-18]~~ and procedures for police operations on a System-wide basis.
- 3.489 Establishing, maintaining, and supervising
~~[3-(17)-19]~~ on a System-wide basis, a program for police personnel promotion.
- 3.48(10) Reviewing and recommending the pay scale
~~[3-(17)-1-(10)]~~ for police personnel throughout the System.
- 3.48(11) Surveying all component institutions of
~~[3-(17)-1-(11)]~~ the System for security needs of existing buildings, grounds, and lighting, in order to make the appropriate recommendations to insure the prevention of criminal activities and the protection of life and property.
- 3.48(12) Consulting with the Office of Facilities
~~[3-(17)-1-(12)]~~ Planning and Construction on security needs for new construction, including security lighting on the property of the component institutions of the System.
- 3.48(13) Coordinating the use of police throughout
~~[3-(17)-1-(13)]~~ the System in emergency situations.
- 3.48(14) Submitting periodic reports to the Vice
~~[3-(17)-1-(14)]~~ Chancellor [~~President~~] for Business Affairs concerning the operations of the police departments of the [~~component institutions-of-the~~] System.
- [3-4] Renumbered as 3.11 with changes as indicated.
- [3-41] Renumbered as 3.11 with changes as indicated.
- [3-411] Renumbered as 3.111 with changes as indicated.
- [3-412] Renumbered as 3.111 with changes as indicated.
- [3-413] Renumbered as 3.113 with changes as indicated.
- [3-414] Renumbered as 3.111 with changes as indicated.
- [3-415] Renumbered as 3.114 with changes as indicated.
- [3-416] Renumbered as 3.11 with changes as indicated.
- [3-417] Renumbered as 3.115 with changes as indicated.
- [3-418] Renumbered as 3.115 with changes as indicated.
- [3-419] ~~Approve-initiation-and-settlement-of-claims-and-lawsuits-involving-the-System-with-approval-of-the-Board.]~~
- [3-41-(10)] Renumbered as 3.117 with changes as indicated.
- [3-41-(11)] Renumbered as 3.117 with changes as indicated.

- [3-41(12) Through-the-System-Administration-and the-staff-of-the-component-institutions develop-training-programs-for-personnel in-the-non-academic-areas.]
- [3-41(13) Plan-and-implement-programs-for-uniform business-systems-development-and management.]
- [3-41(14) Have-direct-administrative-authority and-responsibility-for-efficient-functioning-of-the-following-officers-and operations:]
- [3-41(14)1 Vice-President-for-Academic Affairs.]
- [3-41(14)2 Vice-President-for-Health Affairs.]
- [3-41(14)3 Executive-Director-for Investments,-Trusts-and-Lands.]
- [3-41(14)4 Vice-President-for-Operations.]
- [3-41(14)5 Vice-President-for-Administration.]
- [3-41(14)6 Director-for-Public-Affairs.]
- [3-41(14)7 Comptroller.]
- [3-41(14)8 Budget-Director.]
- [3-41(14)9 Vice-President-and-General Counsel.]
- [3-41(14)(10) Vice-President-for-Business Affairs.]
- 3.42 [The-President-of-the-System-reports-to-and-is directly-responsible-to-the-Board-of-Regents.]
- [3-43 The-University-Development-Council.
The-University-Development-Council-is-composed-of the-Chancellor-and-the-Chief-Administrative-Officers-of-all-component-institutions-of-the-System. The-Chancellor-shall-serve-as-the-chairman-and-the Council-shall-review-the-development-of-private gifts-and-grants-for-the-System-and-its-component institutions.]
- [3-44] Renumbered as 3.71 with changes as indicated.
- [3-45] Renumbered as 3.72 with changes as indicated.
- [3-46] Renumbered as 3.73 with changes as indicated.
- 3.5 Officers in the Office of Health Affairs.
- 3.51 Vice Chancellor [President] for Health Affairs.
[The-Vice-President-for-Health-Affairs-is-an administrative-officer-of-the-System.]
- [3-61] Subject to delegation by the Chancellor [President-of-the-System], the Vice Chancellor [President] for Health Affairs has the general assignment of effective coordination of those component institutions concerned primarily with health sciences. Specifically, his duties include [he]:

- 3.511
[3-611] Submitting[s] to the Chancellor
[President-of-the-System] recommenda-
tions on System programs on health
science education, research, and
public service, including general plans
and operations for the health institutions
- 3.512
[3-612] Reviewing[s] and making[es] recommenda-
tions on proposals from the health
institutions requiring action by the
Chancellor [President-of-the-System].
- 3.513
[3-613] Preparing[es] and submitting[s] to the
Chancellor [President-of-the-System]
Long-range and immediate plans for health
science education, research and public
service for the health institutions.
- 3.514
[3-614] [Pursuant-to-governing-policies,]
R[ecommending[s] to the Chancellor
[President-of-the-System] upon the
annual operating budget requests sub-
mitted by each health institution.
- 3.515
[3-615] Recommending[s] to the Chancellor
[President-of-the-System] legislative
appropriation requests (and policies
for the development of such requests)
to be submitted by the System on behalf
of the health institutions.
- 3.516
[3-616] Processing[es] all matters for the
System health institutions with the
Coordinating Board, and coordinating[es]
other health education matters directed
to the Coordinating Board.
- 3.517
[3-617] [Coordinates-the] P[reparing[ation-of]
the agenda for the meetings of the
Council of Health Institutions.
- 3.518
[3-618] Coordinating[es] the development and
implementation of interinstitutional
programs to benefit the individual
health institutions in the achievement
of their missions.
- 3.519
[3-619] Interpreting[s] the health institutions'
policies and programs to help professional
groups at the local, state and national
levels, and coordinating[es] efforts
with such health professional groups and
state and federal regulatory agencies to
assist the health institutions in the
achievement of their missions.
- 3.51(10) Providing direction for the efficient
and effective operation of The University
of Texas System Medical-Dental Applicator
Center.

- 3.51(11) Directing the activities of the Institute for Health Policy and Planning and coordinating its activities with both state and federal governmental agencies and health professional groups.
- 3.51(12) Coordinating with the Vice Chancellor for Academic Affairs i[n] matters involving joint programs between System academic institutions and System health institutions [7-coordinates-with-the Vice-President-for-Academic-Affairs].
- [3-5] Renumbered as 3.2 with changes as indicated.
- [3-51] Renumbered as 3.21 with changes as indicated.
- [3-511] Renumbered as 3.211 with changes as indicated.
- [3-512] Renumbered as 3.212 with changes as indicated.
- [3-513] Renumbered as 3.213 with changes as indicated.
- [3-514] Renumbered as 3.214 with changes as indicated.
- [3-515] Renumbered as 3.215 with changes as indicated.
- [3-516] Renumbered as 3.216 with changes as indicated.
- [3-517] Renumbered as 3.217 with changes as indicated.
- [3-518] Renumbered as 3.218 with changes as indicated.
- [3-519] Renumbered as 3.21(10) with changes as indicated.
- [3-52] ~~The Vice-President-for-Academic-Affairs-reports to-and-is-responsible-to-the-President-of-the System.~~
- 3.6 Officers in the Office of Lands Management and the Office of General Counsel.
- 3.61 Vice Chancellor [President-and] for Lands Management and General Counsel. [The-Vice-President-and General-Counsel-for-the-System-is-an-administrative officer-of-the-System.]
- [3-(14)1] Subject to delegation by the Chancellor [President-of-the-System], the Vice Chancellor [President-and] for Lands Management and General Counsel [of-the-System] is [basically] responsible for providing: (a) direction and management of the husbandry, utilization, and sale of University (Permanent University Fund) Lands; (b) all legal services required by the System and its personnel to insure the proper protection and advancement of its interests; [7]and (c) to maintain such management, supervision, and services at a high level of effectiveness. The [regular] major

duties [tasks] of the Vice Chancellor for
Lands Management and General Counsel include
[are]:

- 3.611
[3-14]11] Directing the management and supervision of all legal personnel and affairs of the System [~~Manages and directs all legal affairs and personnel of the System~~].
- 3.612 Directing the personnel, operations, activities and transactions of the System (except accounting and auditing) with respect to the surface of University (Permanent University Fund) Lands.
- 3.613 Directing the personnel, operations, activities and transactions of the System (except accounting and auditing) with respect to oil, gas and mineral exploration and production on the University (Permanent University Fund) Lands.
- 3.614
[3-715] Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 3.615 Directing and managing the operation of the following budgeted activities which are part of the Office of Lands Management: Board for Lease - University Lands, University Lands - Geology and Surveying, Oil Field Supervision and Geophysical exploration, and University Lands - Surface Leasing.
- 3.616
[3-14]12] Providing[es] advice, counsel and legal interpretations to System officials and personnel concerning legal matters affecting System operations.
- 3.617
[3-14]13] Directing[s] the Office of General Counsel (OGC) personnel with respect to work priorities and assignments, standards of performance, and career development, delegating[es] to staff members responsibility for particular legal and OGC administrative tasks; and coordinating[es] and controlling[s] OGC budget and personnel levels.
- 3.618
[3-14]14] Directing[s] and managing[es] (within applicable limits of authority) all litigation and administrative agency hearings; authorizing[es] and approving [es] the institution of legal proceeding evaluating[es], directing[s] and approving[es] action and procedures relative to prosecution or defense of pending litigation and administrative

- proceedings; employing[s] outside counsel; [~~approves-payment-of-outside-counsel-fees;~~] and authorizing[es] and approving[es] settlement or appeal of litigation.
- 3.619
[~~3-(14)-15~~] Advising[es], counseling[s], and disseminating[es] information to affected System units relative to the nature, evaluation, progress, and results of litigation, administrative proceedings, and other legal matters, and making[es] recommendations to System officials and other personnel as to future operations and objectives.
- 3.61(10)
[~~3-(14)-16~~] Approving[es] as to form all contracts and agreements and all amendments to the Regents' Rules and Regulations; and approving[es] as to both form and content all institutional Handbooks of Operating Procedures, whether finally approved or not, and all amendments to such Handbooks.
- 3.61(11)
[~~3-(14)-17~~] Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval.
- 3.61(12)
[~~3-(14)-18~~] Identifying[es] and evaluating[es] administrative and functional problems and directing[s] or recommending[s], as appropriate, course of action for solution.
- 3.61(13)
[~~3-(14)-19~~] Representing[s] the System before legal, educational and governmental groups and associations.
- 3.61(14)
[~~3-(14)-20~~] Acting[s] as administrator of the System Plan for Professional Medical Malpractice Self-Insurance and System Patent Officer.
- 3.61(15)
[~~3-(14)-21~~] Working[s] in cooperation with the Attorney General of the State of Texas, State Agency legal counsel and outside counsel.
- 3.61(16)
[~~3-(14)-22~~] Assuming[es] responsibility for any other legal, administrative or operational matters delegated by the Chancellor [~~President-of-the-System~~].
- 3.62 Manager of University Lands - Oil, Gas and Mineral Interests.
Subject to delegation by the Vice Chancellor for Lands Management and General Counsel, the Manager of University Lands - Oil, Gas and Mineral Interest is responsible for providing field supervision of System operations, activities and transactions

involving oil, gas and mineral development and production on the University Lands. Within limits of authority set by said Vice Chancellor, such Manager's regular duties include:

- 3.621 Making recommendations to the Board for Lease of University Lands, and the Board of Regents, as appropriate, for periodic oil and gas lease sales of University Lands, and for unitization, pooling and other transactions involving oil and gas leasehold and royalty interests and other mineral interests in University Lands, after such recommendations have been approved by the Vice Chancellor for Lands Management.
- 3.622 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
- 3.623 Reviewing periodically the terms and conditions of forms and transactions involving oil and gas interests in University Lands, and making recommendations with respect thereto to the Vice Chancellor for Lands Management.
- 3.624 Reporting regularly to the Vice Chancellor for Lands Management all activities, developments and problems which could significantly affect System interests and University Lands, together with his recommendations with respect thereto.
- 3.625
[3-715] Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 3.626 Coordinating with the Manager of University Lands - Surface Interests in the discharge of their duties and responsibilities.
- 3.63 Manager of University Lands - Surface Interests. Subject to delegation by the Vice Chancellor for Lands Management and General Counsel, the Manager of University Lands - Surface Interests is responsible for providing field supervision of System operations, activities, and transactions pertaining to surface interests, water rights and oil and gas field operations in or on University Lands. Within limits of authority set by said Vice Chancellor, such Manager's regular duties include:

- 3.631 Making recommendations to the Board with respect to all transactions involving surface interests in University Lands, including research projects, right of way easements, agricultural, grazing and other surface use leases, and geophysical permits, after such recommendations have been approved by the Vice Chancellor for Lands Management.
- 3.632 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
- 3.633 Reviewing periodically the terms and conditions of forms and transactions involving surface interests in University Lands, and making recommendations with respect thereto to the Vice Chancellor for Lands Management.
- 3.634 Reporting regularly to the Vice Chancellor for Lands Management all activities, developments and problems which could significantly affect System interests in University Lands, together with his recommendations with respect thereto.
- 3.635 Working closely with federal and state agencies in connection with research and development projects and activities, involving utilization and husbandry of University Lands, of mutual interest to the System and such agencies.
- 3.636 Coordinating with the Manager of University Lands - Oil, Gas and Mineral Interests in the discharge of their respective duties and responsibilities, and acts as oil and gas fields supervisor.
- 3.64 Associate General Counsel. [~~The Associate General Counsel is an administrative officer of the System.~~]
~~[3-(19)]~~ [3-(19)] Subject to delegation by, and within limits of authority set by, the Vice Chancellor [President] for Lands Management and General Counsel, the Associate General Counsel provides direct management and supervision of personnel and activities of the Office of General Counsel (OGC), and is responsible for the following duties:
- 3.641 Managing and supervising the activities of the OGC with respect to the System Patent Office, the System Plan for Professional Medical Malpractice Self-Insurance and legal services for the System, including counsel and advice,

litigation and litigation management, preparation and approval of documents, administrative hearings and their management, and preparation and analysis of legislation.

3.642 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating work of all OGC personnel reporting to him.

3.643 Identifying and evaluating administrative and functional problems and recommending to the General Counsel a course of action for their solution.

3.644 Reporting regularly to the General Counsel all legal and other OGC activities and developments of significance to OGC or System interests, together with his recommendations thereto if any.

3.645 Substituting for the General Counsel as assigned, assuming responsibility for any other legal or administrative matter delegated by the General Counsel with respect to the responsibilities and activities of the OGC.

3.646 Providing legal counsel and advice to System officers, and their staffs, with respect to legal matters arising from System operations.

3.647 Representing the System in court and before administrative boards and tribunals.

3.648 Preparing[ation], analyzing[sis], and giving legal approval to [of] agreements, contracts and various legal documents and instruments; amendments to Regents' Rules and Regulations; and approval as to both form and content of all institutional Handbooks of Operating Procedures, and all amendments thereto.

3.649 Reviewing, analyzing and providing legal counsel on pending and enacted legislation and governmental regulations, and drafting proposed legislation and regulations.

[3-6] Renumbered as 3.51 with changes as indicated.
[3-6±] Renumbered as 3.51 with changes as indicated.
[3-6±±] Renumbered as 3.511 with changes as indicated.
[3-6±2] Renumbered as 3.512 with changes as indicated.

- [3-613] Renumbered as 3.513 with changes as indicated.
- [3-614] Renumbered as 3.514 with changes as indicated.
- [3-615] Renumbered as 3.515 with changes as indicated.
- [3-616] Renumbered as 3.516 with changes as indicated.
- [3-617] Renumbered as 3.517 with changes as indicated.
- [3-618] Renumbered as 3.518 with changes as indicated.
- [3-619] Renumbered as 3.519 with changes as indicated.
- [3-61(10)] Renumbered as 3.51(12) with changes as indicated.
- [3-62] ~~The Vice-President for Health Affairs reports to and is responsible to the President of the System.~~

3.7 Councils of System Administration.

3.71 The Council of Academic Institutions.

- [3-44] The Council of Academic Institutions is composed of the Chancellor [~~President of the System~~], the Vice Chancellor [~~President~~] for Academic Affairs, and the chief administrative officers of the general academic institutions of the System. The Chancellor [~~President~~] shall serve as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented. The Vice Chancellor [~~President~~] for Academic Affairs shall be the permanent vice-chairman.

3.72 The Council of Health Institutions.

- [3-45] The Council of Health Institutions is composed of the Chancellor [~~President of the System~~], the Vice Chancellor [~~President~~] for Health Affairs, and the chief administrative officers of the component institutions of the System concerned directly with health affairs. The Chancellor [~~President of the System~~] acts as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented. The Vice Chancellor [~~President~~] for Health Affairs shall be the permanent vice-chairman.

3.73 The Business Management Council.

- [3-46] The Business Management Council advises the Chancellor [~~President of the System~~] in the areas of budgeting, business management, data processing, physical plant operations, planning, construction,

and accounting systems development. The Council is composed of the chief business officers of the component institutions and the Vice Chancellor [President] for Business Affairs (the Chairman), who prepares the agenda.

- [3-8] Vice-President-for-Operations-
The-Vice-President-for-Operations-is-an-administrative
officer-of-the-System-]
- [3-81] Subject-to-delegation-by-the-President-of-the
System,-the-Vice-President-for-Operations-is
responsible-for-]
- [3-811] Renumbered as 3.419 with changes as indicated.
- [3-812] Renumbered as 3.41(10) with changes as indicated.
- [3-813] Renumbered as 3.41(11) with changes as indicated.
- [3-814] Representing-the-President-of-the
System-at-all-meeting-of-
Committee-of-Governing-Boards-
Council-of-College-Presidents-
Coordinating-Board-
TASSEBO-
Texas-Association-of-Classroom
Teachers---and-such-other-or-
ganizations-as-the-President-of
the-System-may-designate-
- [3-815] Renumbered as 3.41(12) with changes as indicated.
- [3-816] Special-assignments,-as-delegated-or
assigned-by-the-President-of-the
System-
- [3-82] The-Vice-President-for-Operations-reports-to
and-is-responsible-to-the-President-of-the
System-]
- [3-9] Renumbered as 3.31 with changes as indicated.
- [3-91] Renumbered as 3.31 with changes as indicated.
- [3-911] Renumbered as 3.311 with changes as indicated.
- [3-912] Renumbered as 3.312 with changes as indicated.
- [3-913] Renumbered as 3.313 with changes as indicated.
- [3-914] Renumbered as 3.314 with changes as indicated.
- [3-92] The-Vice-President-for-Administration-reports-to
and-is-responsible-to-the-President-of-the-System-]
- [3-(10)] Renumbered as 3.14 with changes as indicated.
- [3-(10)1] Renumbered as 3.14 with changes as indicated.
- [3-(10)11] Renumbered as 3.141 with changes as indicated.
- [3-(10)12] Renumbered as 3.142 with changes as indicated.
- [3-(10)13] Renumbered as 3.143 with changes as indicated.

- [3-(10)14] Renumbered as 3.144 with changes as indicated.
- [3-(10)15] Renumbered as 3.145 with changes as indicated.
- [3-(10)2 ~~The-Director-of-Public-Affairs-reports-to-and is-responsible-to-the-President-of-the-System-~~]
- [3-(11)] Renumbered as 3.45 with changes as indicated.
- [3-(11)1] Renumbered as 3.45 with changes as indicated.
- [3-(11)11] Renumbered as 3.451 with changes as indicated.
- [3-(11)12] Renumbered as 3.452 with changes as indicated.
- [3-(11)13] Renumbered as 3.453 with changes as indicated.
- [3-(11)14] Renumbered as 3.454 with changes as indicated.
- [3-(11)15] Renumbered as 3.455 with changes as indicated.
- [3-(11)16] Renumbered as 3.456 with changes as indicated.
- [3-(11)17] Renumbered as 3.457 with changes as indicated.
- [3-(11)2 ~~The-Director-of-Facilities-Planning-and-Construction-reports-to-and-is-responsible-to-the Vice-President-for-Operations-~~]
- [3-(12)] Renumbered as 3.43 with changes as indicated.
- [3-(12)1] Renumbered as 3.431 with changes as indicated.
- [3-(12)11] Renumbered as 3.431(1) with changes as indicated.
- [3-(12)12] Renumbered as 3.431(2) with changes as indicated.
- [3-(12)13] Renumbered as 3.431(3) with changes as indicated.
- [3-(12)14] Renumbered as 3.431(4) with changes as indicated.
- [3-(12)15] Renumbered as 3.431(5) with changes as indicated.
- [3-(12)16] Renumbered as 3.431(6) with changes as indicated.
- [3-(12)17] Renumbered as 3.431(7) with changes as indicated.
- [3-(12)18] Renumbered as 3.431(8) with changes as indicated.
- [3-(12)19] Renumbered as 3.431(9) with changes as indicated.
- [3-(12)1(10)] Renumbered as 3.431(10) with changes as indicated.
- [3-(12)1(11)] Renumbered as 3.431(11) with changes as indicated.
- [3-(12)2] Renumbered as 3.432 with changes as indicated.
- [3-(12)3 ~~The-Comptroller-reports-to-and-is-responsible to-the-President-of-the-System-~~]

- [3-(13)] Renumbered as 3.42 with changes as indicated.
- [3-(13)1] Renumbered as 3.42 with changes as indicated.
- [3-(13)2] Renumbered as 3.42 with changes as indicated.
- [3-(13)21] Renumbered as 3.421 with changes as indicated.
- [3-(13)22] Renumbered as 3.422 with changes as indicated.
- [3-(13)23] Renumbered as 3.423 with changes as indicated.
- [3-(13)24] Renumbered as 3.424 with changes as indicated.
- [3-(13)25] Renumbered as 3.425 with changes as indicated.
- [3-(13)26] Renumbered as 3.426 with changes as indicated.
- [3-(13)27] Renumbered as 3.427 with changes as indicated.
- [3-(13)28] Renumbered as 3.428 with changes as indicated.
- [3-(13)3 ~~The-Budget-Direector-reports-to-and-is-responsi-
ble-to-the-President-of-the-System.~~]
- [3-(14)] Renumbered as 3.61 with changes as indicated.
- [3-(14)1] Renumbered as 3.61 with changes as indicated.
- [3-(14)11] Renumbered as 3.611 with changes as indicated.
- [3-(14)12] Renumbered as 3.616 with changes as indicated.
- [3-(14)13] Renumbered as 3.617 with changes as indicated.
- [3-(14)14] Renumbered as 3.618 with changes as indicated.
- [3-(14)15] Renumbered as 3.619 with changes as indicated.
- [3-(14)16] Renumbered as 3.61(10).
- [3-(14)17] Renumbered as 3.61(11).
- [3-(14)18] Renumbered as 3.61(12) with changes as indicated.
- [3-(14)19] Renumbered as 3.61(13) with changes as indicated.
- [3-(14)1(10)] Renumbered as 3.61(14) with changes as indicated.
- [3-(14)1(11)] Renumbered as 3.61(15) with changes as indicated.
- [3-(14)1(12)] Renumbered as 3.61(16) with changes as indicated.
- [3-(14)2 ~~The-Vice-President-and-General-Counsel-of-the
System-reports-to-and-is-responsible-to-the
President-of-the-System.~~]
- [3-(15)] Renumbered as 3.47 with changes as indicated.
- [3-(15)1] Renumbered as 3.47 with changes as indicated.
- [3-(15)11] Renumbered as 3.471 with changes as indicated.
- [3-(15)12] Renumbered as 3.472 with changes as indicated.
- [3-(15)13] Renumbered as 3.473 with changes as indicated.

- [3-(15)14] Renumbered as 3.474 with changes as indicated.
- [3-(15)15] Renumbered as 3.475 with changes as indicated.
- [3-(15)16] Renumbered as 3.476 with changes as indicated.
- [3-(15)17] Renumbered as 3.477 with changes as indicated.
- [3-(15)18] Renumbered as 3.478 with changes as indicated.
- [3-(15)19] Renumbered as 3.479 with changes as indicated.
- [3-(15)1(10)] Renumbered as 3.47(10).
- [3-(15)1(11)] Renumbered as 3.47(11).
- [3-(15)2 ~~The-System-Personnel-Director-reports-to-and-is responsible-to-the-Vice-President-for-Operations.~~]
- [3-(16)] Renumbered as 3.44 with changes as indicated.
- [3-(16)1] Renumbered as 3.441 with changes as indicated.
- [3-(16)11] Renumbered as 3.441(1) with changes as indicated.
- [3-(16)12] Renumbered as 3.441(2) with changes as indicated.
- [3-(16)13] Renumbered as 3.441(3) with changes as indicated.
- [3-(16)2] Renumbered as 3.442.
- [3-(17)] Renumbered as 3.48 with changes as indicated.
- [3-(17)1] Renumbered as 3.48 with changes as indicated.
- [3-(17)11] Renumbered as 3.481 with changes as indicated.
- [3-(17)12] Renumbered as 3.482 with changes as indicated.
- [3-(17)13] Renumbered as 3.483.
- [3-(17)14] Renumbered as 3.484 with changes as indicated.
- [3-(17)15] Renumbered as 3.485 with changes as indicated.
- [3-(17)16] Renumbered as 3.486 with changes as indicated.
- [3-(17)17] Renumbered as 3.487 with changes as indicated.
- [3-(17)18] Renumbered as 3.488 with changes as indicated.
- [3-(17)19] Renumbered as 3.489 with changes as indicated.
- [3-(17)1(10)] Renumbered as 3.48(10).
- [3-(17)1(11)] Renumbered as 3.48(11) with changes as indicated.
- [3-(17)1(12)] Renumbered as 3.48(12) with changes as indicated.
- [3-(17)1(13)] Renumbered as 3.48(13) with changes as indicated.
- [3-(17)1(14)] Renumbered as 3.48(14) with changes as indicated.

- ~~[3-(17)2 The-Director-of-Police-reports-to-and-is responsible-to-the-Vice-President-for-Business Affairs.]~~
- [3-(18)] Renumbered as 3.41 with changes as indicated.
- ~~[3-(18)1] Renumbered as 3.41 with changes as indicated.~~
- ~~[3-(18)11] Renumbered as 3.411 with changes as indicated.~~
- ~~[3-(18)12] Renumbered as 3.412 with changes as indicated.~~
- ~~[3-(18)13] Renumbered as 3.413 with changes as indicated.~~
- ~~[3-(18)14] Renumbered as 3.414 with changes as indicated.~~
- ~~[3-(18)15] Renumbered as 3.415 with changes as indicated.~~
- ~~[3-(18)16] Renumbered as 3.416 with changes as indicated.~~
- ~~[3-(18)17] Renumbered as 3.417 with changes as indicated.~~
- ~~[3-(18)18] Renumbered as 3.418 with changes as indicated.~~
- ~~[3-(18)2 The-Vice-President-for-Business-Affairs-reports-to-and-is--responsible-to-the-President of-the-System.]~~
- [3-(19)] Renumbered as 3.64 with changes as indicated.
- ~~[3-(19)1] Renumbered as 3.64 with changes as indicated.~~
- ~~[3-(19)11 Providing-legal-counsel-and-advise to-System-officers,--and-their-staffs, with-respect-to-legal-matters-arising from-System-operations.]~~
- ~~... [3-(19)12 Representing-the-System-in-court-and before-administrative-boards-and-tri-bunals.]~~
- ~~[3-(19)13] Renumbered as 3.648 with changes as indicated.~~
- ~~[3-(19)14] Renumbered as 3.649 with changes as indicated.~~
- ~~[3-(19)15 Giving-functional-and-administrative direction-and-guidance-to-assigned attorneys-and-staff.]~~
- ~~[3-(19)16 Substitutes-for-the-General-Counsel, as-assigned,--and-otherwise-assists-the General-Counsel-with-respect-to-the responsibilities-and-activities-of-the Office-of-General-Counsel.]~~
- ~~[3-(19)2 The-Associate-General-Counsel-reports-to-and-is responsible-to-the-Vice-President-and-General Counsel-for-the-System.]~~

Sec. 4. Chief Administrative Officers of Component Institutions.

4.1 The Board selects the chief administrative officer of each component institution.

~~[At-all-times,--the-Chancellor-of-the-System-and-the President-of-the-System-shall-be-looking-for-promising~~

~~candidates-to-whom-they-may-refer-the-Advisory-Committee-when-it-is-established-]~~

When it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution, an Advisory Committee, with the Chancellor of the System as Chairman, shall be established as follows to recommend candidates to the Board:

- Chancellor of the System (Chairman)
~~[President-of-the-System]~~
- Vice Chancellor ~~[President]~~ for Health Affairs
or Vice Chancellor ~~[President]~~ for Academic Affairs (as determined by the Chancellor ~~[President-of-the-System]~~)
- Three Chief Administrative Officers
(to be appointed by the Chairman of the Board from three of the component institutions)
- Three Regents
(to be appointed by the Chairman of the Board)
- Five Faculty members of the institution involved, at least three of whom shall have the rank of associate professor or higher (method of selection to be determined by the General Faculty of the campus)
- One Dean
(for academic institutions to be selected by Dean's Council of the institution involved) (for health science centers to be the Dean of Medicine of the health science center involved)
- Two Students from the institution involved
(method of selection to be determined by the Student Government of the campus involved)
- President of the Ex-Students' Association of the campus involved or his designee (if institution does not have an active alumni organization, then a member of the development board or an interested layman to be appointed by the chief administrative officer ~~[President-or-Acting-President]~~ of the institution involved).

The Advisory Committee shall determine the availability of each candidate selected. To evaluate a candidate, the Advisory Committee shall set up criteria that relate to the needs of the individual component and shall seek advice on the ability of each candidate interviewed in-

cluding advice from competent sources as to the candidate's administrative and business ability.

Finally, the Advisory Committee shall submit through its Chairman, the Chancellor [~~of-the-System~~], its recommendations with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. If none of the names submitted in the report of the Advisory Committee is satisfactory to the Board, then the Board in its discretion may either name a new committee or proceed to select a chief administrative officer under such other procedures as in its discretion it may deem proper and appropriate.

4.2 Each chief administrative officer reports to and is responsible to the Chancellor [~~President-of-the-System~~], and serves without fixed term, subject to the pleasure of the Chancellor [~~President-of-the-System~~] and approval by the Board.

4.3 Within the policies and regulations of the Board, and under the supervision and direction of the Chancellor [~~President-of-the-System~~], the chief administrative officer has general authority and responsibility for the administration of that institution.

4.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:

4.311 Develop and administer plans and policies for the program, organization, and operation of the institution.

4.312 Interpret the System policy to the staff, and interpret the institution's program and needs to the Chancellor [~~President-of-the-System~~] and to the public.

4.313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients

4.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.

4.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.

4.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.

- 4.317 Serve as presiding officer at official meetings of faculty and staff of the institution, and as ex officio member of each college or school faculty (if any) within the institution.
- 4.318 Appoint all faculty, staff, and student committees.
- 4.319 Cause to be prepared and submitted to the Chancellor [~~President-of-the-System~~] the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the Chancellor [~~President-of-the-System~~], they shall thereafter constitute the Handbook of Operating Procedures for that institution. Provided, however, that whether or not finally approved by the Chancellor [~~President-of-the-System~~], any rule or regulation in any such institutional Handbook of Operating Procedures that is in conflict with any rule or regulation in the Regents' Rules and Regulations, is null and void and has no effect, and whenever any such conflict is detected, the Chancellor [~~President-of-the-System~~] and the chief administrative officer of the component institution shall immediately make such amendments to the institutional Handbook of Operating Procedures as may be necessary to eliminate such conflict.
- 4.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 4.31(11) Assume active leadership in developing private fund support for the institution in accordance with policies and procedures established in the Regents' Rules and Regulations.
- [4.32 ~~In-the-areas-of-private-fund-development,-the-chief-administrative-officer-has-direct-access-to-the-Chancellor-]~~

Sec. 5. Appointment of Other Administrative Officers.

- 5.1 The Board delegates to the Chancellor [~~President-of-the-System~~] and the Chancellor [~~President-of-the-System~~] delegates to the chief administrative officer of each component institution the responsibility for the appointment and dismissal of all other administrative officers of each component institution, including vice

presidents, deans, directors and their equivalents. However, prior approval of the Chancellor [~~President of-the-System~~] shall be necessary for each such permanent or acting appointment and for each such dismissal whether from a permanent or acting appointment. All such other administrative officers serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution and the aforesaid approval of the Chancellor [~~President-of-the-System~~].

- 5.2 The Board delegates to the Chancellor [~~President-of-the-System~~] and the Chancellor [~~President-of-the-System~~] delegates to the chief administrative officer of each component institution the responsibility for the permanent or acting appointment of department chairmen, department heads, and their equivalents. Such department chairmen, department heads and their equivalents serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution.
- 5.3 The Board endorses the principle of reasonable faculty and student consultation in the selection of administrative officers of the component institutions, and the primary operating units, and expects the chief administrative officer, as he deems appropriate, to consult in the selection process with the representatives of the faculty and student body. However, the chief administrative officer of the component institution is responsible for executing the duties of his office and consequently shall not be bound by nominations to [key] administrative positions in his institution [~~office~~] by campus selection committees, and the Handbook of Operating Procedures of each component institution shall so state [~~in-making-his-nominations-to-the-President-of-the-System--Such-advice-and-consultation-as-he-may-see-or-be-given-shall-not-be-binding-upon-his-nominations-for-appointments-to-positions-in-the-echelon-immediately-below-his-position~~].

CHAPTER III

PERSONNEL

Sec. 1. Appointments.

- 1.1 The Board, upon the recommendation of the Chancellor, [~~President-of-the-System~~] shall elect or appoint, as the case may be, all of the officers, faculty members, and other employees of the System and of the component institutions and agencies of the System, fixing, subject to State and Federal laws, the duties, rights, and privileges of each employee or each class or group of employees; provided, however, that the Board may delegate to the Chancellor [~~President-of-the-System~~], or through him, to the chief administrative officers of the component institutions, authority to appoint employees in certain designated classes or categories.
- 1.2 All appointments shall be made on the basis of merit.
- 1.3 The chief administrative officers of the component institutions shall investigate thoroughly the character, integrity, scholastic attainment, and other qualifications [ete-7] of prospective members of their faculties and staffs before nominating them to the Chancellor [~~President-of-the-System~~] and the Board, or before exercising any delegated authority for making appointments.
- 1.4 The chief administrative officers of the component institutions shall not nominate or appoint, nor will the Board approve the appointment of, any person whose conduct or views are not exemplary; and the Board may inquire, or authorize inquiry, into family history, health, and personal and moral character of such person.
- 1.5 As provided in the Constitution of the State of Texas, Article I, Section 4, and by statute, no religious qualification shall be required for appointment to any office or position connected with the System or any component institution thereof.
- 1.6 There shall be full compliance with statutory and rider provisions requiring notification to employees of specific provisions or languages.

1.7 Each component institution may require X-rays of the chest for applicants to be employed in regular positions. Employees whose duties will require the handling of food or the care of patients must pass a physical examination indicating fitness for the position for which application is made. The examination may be made at the health service of the component institution at which the applicant will be employed, if such service exists. Reports of physical examinations shall be filed as determined by the institutional head.

1.8 Academic Titles.

In order to achieve consistency in the use of academic titles among the component institutions of the System, the following subsections describe the use of titles to apply in all institutions from the date of adoption of this section.

1.81 Except for the title Regents Professor, [F]the only titles to be used henceforth in which faculty members may hold tenure are as follows:
(a) Professor
(b) Associate Professor
(c) Assistant Professor

1.82 Persons holding a named chair or professorship or a position designated by academic discipline may acquire tenure by virtue of one of the three positions listed above, but not through the named chair or professorship or position designated by academic discipline. At M. D. Anderson, the institution head under special circumstances may use the term Faculty Associate in lieu of Instructor.

1.83 Other academic titles which may be used but in which tenure cannot be held are as follows:
(a) Instructor. This title denotes a probationary appointment as a member of an institutional faculty. During the period of probationary appointment to this rank the scholarly competence, teaching performance, and professional promise of the candidate will be evaluated.
(b) Lecturer. This title is used for persons whose salary rates are comparable to those with tenure positions but who for various reasons should not be given formal tenure appointments.

- (c) Assistant Instructor or Teaching Associate. These titles may be used interchangeably for (1) certain graduate students teaching on a part-time or full-time basis who are in the last phase of their doctoral programs and who are unconditionally enrolled in graduate study, or (2) persons who, because of the nature of their duties, such as in a laboratory or in a hospital, do not qualify for one of the usual academic titles and do not hold the academic training or professional distinction usually required for attaining tenure positions.
- (d) Teaching Assistant. This title usually applies to graduate students who are teachers and who are employed on a part-time basis. The only other teaching titles for graduate students are Teaching Associate and Assistant Instructor.
- (e) Faculty Associate. This title may be applied to a person assigned to a research or nonteaching center, institute, or other unit or interdisciplinary program of a component institution.
- (f) Specialist. This title may be used for professional individuals who will serve as practitioners in specific areas of instruction, training or supervision. Upon approval of the institutional head and the Chancellor [~~President-of-the-System~~], the title may carry appropriate descriptive prefixes so as to indicate the specific area of proficiency, e.g. Practice Teaching Specialist, Physical Activity Specialist, Social Work Field Training Specialist.

1.84

Prefixes to academic and staff positions in which tenure cannot be acquired:

- (a) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. These titles are used only for temporary appointments of persons either visiting from other institutions where they hold similar ranks or who are brought to the University on a trial basis. Such appointments are limited to two years.

- (b) Adjunct Professor, Adjunct Associate Professor, and Adjunct Assistant Professor. One of these titles may be used when a qualified person from business, industry, government, private practice, or another institution of higher education may be teaching a course or participating in the teaching of a course at one of the component institutions. Except in special circumstances, this prefix should be used to designate part-time service on the faculty. In the health components, this prefix should be used only for those persons not involved in patient care who otherwise satisfy the above criteria. Appointments to the faculty with an adjunct title may be with or without pay and shall be for a stated period of time not to exceed one academic year. Such appointments shall terminate upon expiration of the stated period of appointment without the notification of nonrenewal required by Section 6.8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution it may offer reappointment to an adjunct faculty member.
- (c) Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor and Clinical Instructor. These titles may be used by the components to designate regular part-time service on the faculty while involved in a health professions clinical experience program. Appointments to the faculty with a clinical title may be with or without pay and shall be for a period of time not to exceed one academic year. Such appointments shall terminate upon expiration of the stated period of appointment without the notification of nonrenewal required by Section 6.8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution it may offer reappointment to a clinical faculty member.

(d) Professor Emeritus and Associate Professor Emeritus. One of these titles may be given to a retired faculty member or in anticipation of the retirement of a faculty member, effective upon his retirement. The conferring of one of these titles is not automatic upon retirement and is conferred in accordance with procedures developed at the institution and upon approval by the chief administrative officer [President] of the component institution.

1.85 Any person holding a position of Research Scientist, Research Associate, Research Assistant or (in the health units) other appropriate research title will be under the classified personnel system, unless he is specifically identified as faculty or special approval has been granted by the chief administrative officer of the institution to designate him as an unclassified employee in such a position.

1.86 Any faculty member who is awarded the Nobel Prize or who has in the past been awarded the Nobel Prize may, upon recommendation of the chief administrative officer [head] of the component institution and the Chancellor [of-the-System], be given the title Regents Professor. Because of the great honor associated with the award of a Nobel Prize, institutional tenure is awarded to Regents Professors by virtue of the appointment to this rank.

1.87 The following [are] titles, which have been used in the past, shall not be used in the future [on-occasion-and-the-use-of-which-is-to-be-discontinued]:

- (a) System Professor
- (b) University Professor
- (c) Research Professor. Positions for which this title was used in the past should carry the title of Research Scientist or Research Associate or other appropriate title.
- (d) Guest Professor. In the future Visiting Professor should be used in lieu of this title.

Although persons may not in the future be appointed to any of the above four titles,

this provision does not require that such titles be removed from persons currently holding them, provided, however, that present System Professors must be assigned to specific departments in specific institutions for purposes of determining accountability for their time, and present University Professors must be assigned to specific departments at their institutions for purposes of determining accountability for their time.

Sec. 2. Classified Personnel Systems.

- 2.1 Subject to System-wide rules, each of the component institutions shall provide a classified personnel system covering all positions not entailing significant instructional responsibilities or responsibilities for administration of instructional or research activities. These systems shall be as nearly uniform as possible, and shall include a schedule of class titles, job specifications for each class, a schedule of pay ranges, and policies and rules relating to personnel administration.
- 2.2 All appointments of classified personnel shall be made within appropriate salary ranges and on salary steps as defined by the classified personnel program approved by the Board for the particular component institution.
- 2.3 The system-wide rules as to classified personnel are found in Part Two, Chapter V, Section 1.

Sec. 3. Employment of Aliens on Sponsored Projects.

Where sponsored contracts and grants do not otherwise prohibit or limit the employment of noncitizens, such noncitizens may be employed upon certification [~~by the Director of the International Office at The University of Texas at Austin, or~~] by an appropriate administrative officer at the [~~either~~] component institutions, that he has examined the applicant's visa and found it to be in order and has ascertained that the applicant has the approval of the United States Immigration authorities to accept such employment.

- Sec. 4. Code of Ethics.--Each employee, under State law, shall be furnished a copy of the Code of Ethics bill, which prescribes the following standards of conduct for employees of the System and its component institutions:

- 4.1 No employee shall accept any gift, favor, or service that might reasonably tend to influence him in the discharge of his official duties.
- 4.2 If an employee owns a controlling interest in a corporation, firm, partnership, or other business entity which is under the jurisdiction of any State regulatory agency, he shall file a sworn statement with the Secretary of State disclosing such interest.
- 4.3 No employee shall use his official position to secure special privileges or exemptions for himself or others, except as may be otherwise provided by law.
- 4.4 No employee shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position.
- 4.5 No employee shall disclose confidential information gained by reason of his official position, nor shall he otherwise use such information for his personal gain or benefit.
- 4.6 No employee shall transact any business in his official capacity with any business entity of which he is an officer, agent, or member, or in which he owns a controlling interest.
- 4.7 No employee shall make personal investments in any enterprise which will create a substantial conflict between his private interests and the public interest.
- 4.8 No employee shall accept other employment which might impair his independence of judgment in the performance of his public duties.
- 4.9 No employee shall receive any compensation for his services as an employee from any source other than the State of Texas, except as may be otherwise provided by law.

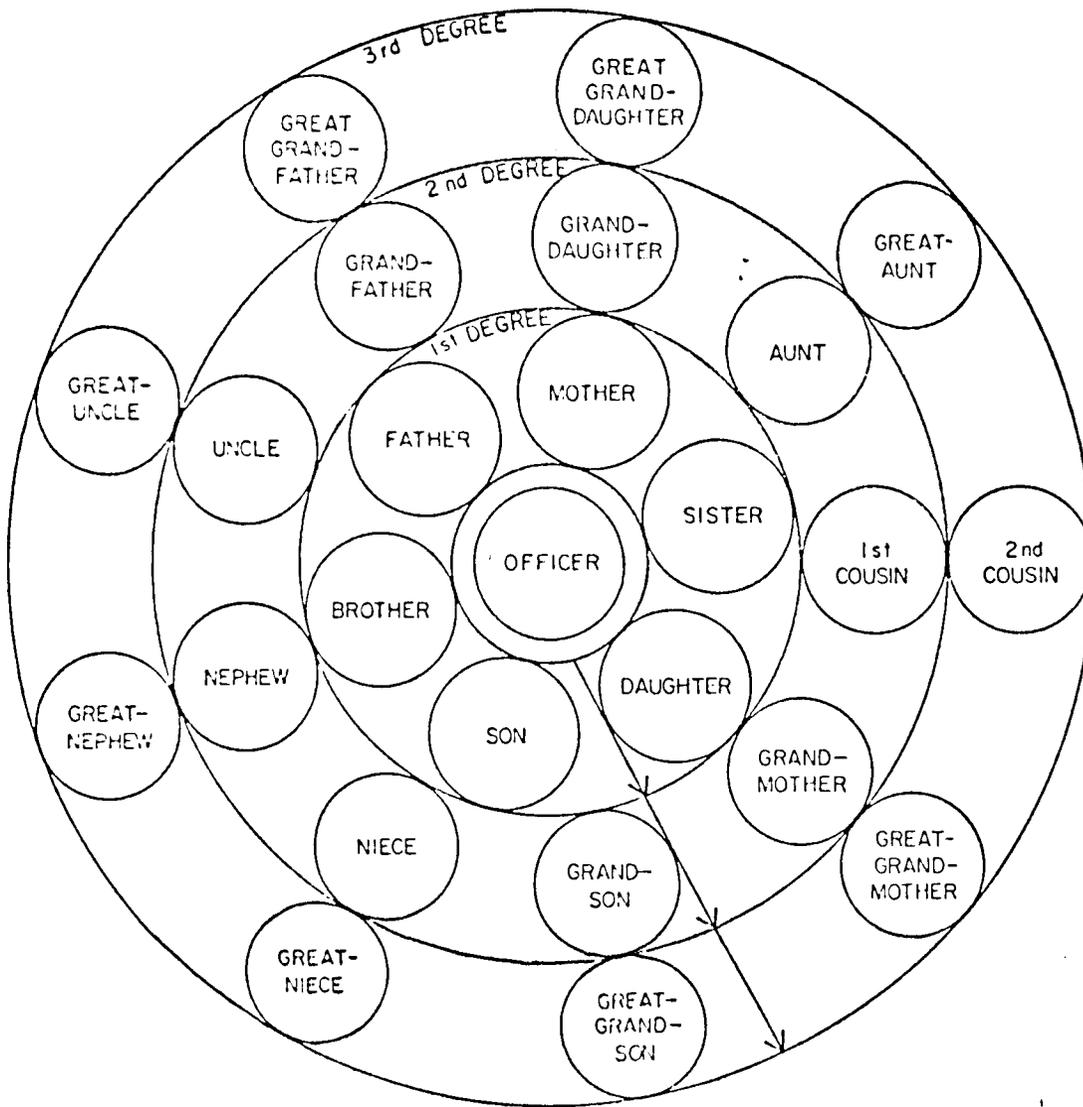
Sec. 5. Appointment of Relatives (Nepotism Rule).

- 5.1 Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes; and subject also to the provisions of this section of the Regents' Rules and Regulations.

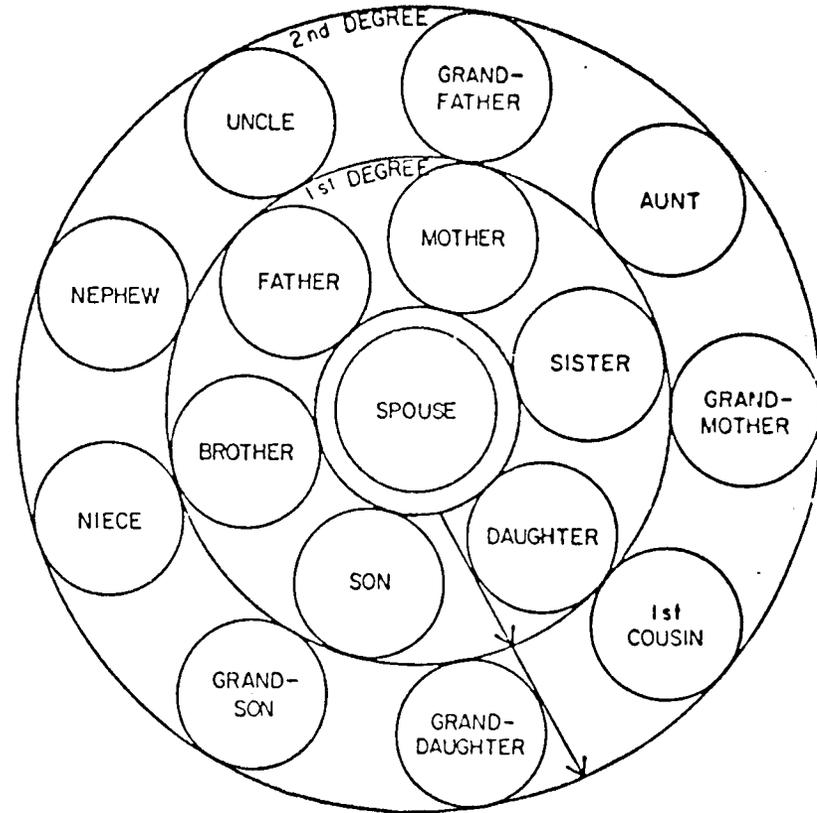
- 5.2 In accordance with the prohibition of Article 5996a, Vernon's Civil Statutes, no person related to any member of the Board of Regents within the second degree by affinity or within the third degree by consanguinity shall be eligible for appointment to any office, position, employment, or duty with The University of Texas System or any component institution thereof, when the salary, fee, or compensation of such appointee is to be paid, either directly or indirectly, out of public funds of any kind [~~or-character~~].
- 5.21 Article 5996a, Vernon's Civil Statutes, does not prohibit the reappointment or continued employment of any person who shall have been continuously employed in any such office, position, employment, or duty for a period of two (2) years prior to the appointment of the member of the Board of Regents related to such person within the prohibited degree, nor does it apply to prohibit honorary or nonremunerative positions.
- 5.22 Those persons related within the prohibited degrees are indicated on the charts displayed in this Section as Table I. [~~Page III---7a~~]
- 5.23 The prohibition of Article 5996a, Vernon's Civil Statutes, applies to all programs administered under the Board of Regents and may not be waived.
- 5.3 Even though the appointment of a person would not be prohibited by Article 5996a, Vernon's Civil Statutes, no officer, official or employee of The University of Texas System may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such officer, official, or employee within the second degree by affinity or the third degree by consanguinity regardless of the source of funds for payment of salary.
- 5.31 If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by

the component institution's Personnel Director in the case of classified employees of the chief administrative officer in the case of faculty or non-classified employees.

- 5.32 The provisions of Section 5.31 shall apply to situations where two employees of the System marry and one spouse is the administrative supervisor of the other.
- 5.33 All situations covered by Section 5.31 shall be reported annually through the institution's docket.



CONSANGUINITY KINSHIP CHART



AFFINITY KINSHIP CHART

TABLE I

Sec. 6. Tenure, Promotion, and Termination of Employment.

6.1 Subject to the provisions of Section 65.32 of the Texas Education Code, which reads, "The board may remove any officer, member of the faculty, or employee connected with the system when in its judgment the interest of the system requires the removal," and subject to the terms and provisions of these Regents' Rules and Regulations, the principles governing tenure and promotion are specified for each component institution in the Handbook of Operating Procedures applicable to that institution. See also Section 1.8 above on academic titles.

6.2 Tenure denotes a status of continuing appointment as a member of the faculty at a component institution. Except for the title Regents Professor, [Ø]only members of the faculty with the academic titles of Professor, Associate Professor, or Assistant Professor may be granted tenure. Tenure may be granted at the time of appointment to any of such academic ranks, or tenure may be withheld pending satisfactory completion of a probationary period of faculty service, however, such tenure status shall not be applicable to the faculty of The University of Texas of the Permian Basin or The University of Texas System Cancer Center.

The University of Texas of the Permian Basin and The University of Texas System Cancer Center are authorized to award a seven-year term appointment which will denote a status of continuing appointment at that institution as a member of the faculty for a period of seven years. Only members of the faculty with academic titles of Professor, Associate Professor, or Assistant Professor may be granted a seven-year term appointment. A seven-year term appointment may be granted at the time of appointment to any of such academic ranks, or may be withheld pending satisfactory completion of a probationary period of faculty service.

No component institution may adopt or implement a seven-year term appointment policy except The University of Texas of the Permian Basin and The University of Texas System Cancer Center.

6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the acquisition of tenure or a seven-year

- term appointment. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period.
- 6.22 Prior service at other academic institutions, whether inside or outside the System, shall not be counted toward fulfillment of the required probationary period unless specifically permitted under the provisions of a component institution's Handbook of Operating Procedures.
- 6.23 The maximum period of probationary faculty service in non-tenured status in any academic rank or combination of academic ranks specified in Section 6.21 shall not be more than seven years of full-time academic service. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years. No later than August 31st of the penultimate academic year of the maximum probationary period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event that the employment of a nontenured faculty member is to be terminated prior to the end of the maximum probationary period notice shall be given in accordance with Section 6.8 below.
- 6.24 For purposes of calculating the period of probationary service, an "academic year" shall be the period from September 1st through the following August 31st. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the following September 1st shall not be counted as academic service toward fulfillment of the maximum probationary period. One year of probationary service is accrued by at least nine months full-time academic service during any academic year. A faculty member shall be considered to be on full-time academic service if he is in full compliance with regental standards pertaining to minimum faculty workloads at general academic institutions or

when in compliance with the academic service standard in the Handbook of Operating Procedures of any health related institution.

6.25 All faculty appointments are subject to the approval of the Board. No nontenured member of the faculty should expect continued employment beyond the period of his or her current appointment as approved by the Board. Any commitment to employ a nontenured member of the faculty beyond the period of his or her current appointment shall have no force and effect until approved by the Board.

[6.26 ~~Accrued-faculty-service-under-tenure-policies-in-effect-at-any-component-institution prior-to-October-20, 1972, must-be-counted toward-fulfillment-of-the-probationary period-of-service-prescribed-by-this-Rule. In-the-event-that-the-probationary-period under-any-such-existing-tenure-policy-exceeds seven-years, no-person-who-on-October-20, 1972, is-then-serving-in-his-or-her-seventh-or succeeding-year-shall-be-deemed-to-have-been granted-tenure-by-virtue-of-the-adoption-of this-Rule.--All-such-persons-shall-be-given notice-on-or-before-August-31, 1973, that-the subsequent-academic-year-will-be-the-terminal year-of-employment-or-that-beginning-with-the subsequent-academic-year-tenure-will-be granted.]~~

6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of their appointment, except by resignation or retirement for age in accordance with these rules, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.

6.31 An institutional head may for grave cause suspend an accused faculty member pending immediate investigation or speedy trial as hereinafter provided.

6.32 In cases of incompetency, gross immorality, or felony, where the facts are admitted, summary dismissal will follow.

6.33 In cases where other offenses are charged, and in all cases where the facts are in dispute, the accused faculty member will be informed in writing of the charges against him, which, on reasonable notice, will be

heard by a special hearing tribunal whose membership shall be appointed by the institutional head from members of the faculty whose academic rank is at least equal to that of the accused faculty member.

- 6.331 In every such hearing the accused will have the right to appear in person and by counsel of his own selection and to confront and cross-examine witnesses who may appear against him.
- 6.332 He shall have the right to testify, but may not be required to do so, and he may introduce in his behalf all evidence, written or oral, which may be relevant or material to his defense.
- 6.333 A stenographic or electronic record of the proceedings will be taken and filed with the Board, and such record shall be made accessible to the accused.
- 6.334 A representative of the institution may appear before the hearing tribunal to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such institution representative shall have the right to cross-examine the accused faculty member (if he testifies in his own behalf) and the witnesses offered on behalf of the faculty member.
- 6.335 The hearing tribunal shall not include any accuser of the faculty member, and if the accused faculty member is not satisfied with the fairness or objectivity of any member or members of the hearing tribunal, he may challenge his or their alleged lack of fairness or objectivity, but he shall have no right to disqualify any such member or members from serving on the tribunal. It shall be up to each such challenged member to determine whether he can serve with fairness and objectivity in the matter, and if any such challenged member should voluntarily disqualify himself, the institutional head shall appoint a substitute member of the tribunal who is qualified hereunder.

- 6.336 The hearing tribunal, by a majority of the total membership, will make written findings on the material facts and a recommendation of the continuance or termination of the accused faculty member's tenure. The hearing tribunal, by a majority of its total membership, may make any supplementary suggestions it deems proper concerning the disposal of the case. The original of such findings and the basic recommendation, together with any supplementary suggestions, shall be delivered to the Board and a copy thereof to the accused. If minority findings, recommendation, or suggestions are made, they shall be similarly treated.
- 6.34 The Board, by a majority of the total membership, will approve, reject, or amend such findings, recommendation, and suggestions, if any, or will recommit the report to the same tribunal for hearing additional evidence and reconsidering its findings, recommendation, and suggestions, if any. Reasons for approval, rejection, or amendment of such findings, recommendation, or suggestions will be stated in writing and communicated to the accused.
- 6.35 Nontenured faculty members who are notified in accordance with Section 6.8 that they will not be reappointed or who are notified in accordance with Section 6.23, 6.8, or 6.9 that the subsequent academic year will be the terminal year of appointment shall not be entitled to a statement of the reasons upon which the decision for such action is based. No hearing to review such a decision shall be held unless the affected faculty member submits in writing to the chief administrative officer of the institution factual allegations that the decision to terminate was based upon the faculty member's exercise of rights guaranteed by the laws or Constitution of this State or the United States and requests an administrative hearing to review these allegations. Such allegations shall be heard under the same procedures as in the case of dismissal for cause, with the following exceptions:
- (1) the burden of proof is upon the affected faculty member to establish at such hearing that the decision in

question was based on his exercise of rights guaranteed by the laws or Constitution of this State or the United States;

- (2) the administration of the institution need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents a prima facie case in support of his allegations.

6.4 Any employee of any component institution of the System, including any member of the faculty or administration, who is placed on probation for or finally convicted of the illegal use, possession, or sale of a drug or narcotic, shall be dismissed as an employee, regardless of whether or not the illegal act that gave rise to the conviction was committed on the campus of one of the component institutions of the System.

6.5 Any employee of any component institution of the System, including any member of the faculty or administration, who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to dismissal as an employee. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.

6.6 Every faculty member and employee is expected to obey all federal, state, and local laws, and particularly the three state statutes set out below. Any faculty member or employee who violates any provision of these three statutes is subject to dismissal as a faculty member or employee, notwithstanding any action by civil authorities on account of the violation:

6.61 DISORDERLY CONDUCT.

Sec. 1 No person, acting alone or in concert with others, may engage in disorderly conduct. Disorderly conduct consists of any of the following:

- (1) behavior of a boisterous and tumultuous character in a residential area or a public place such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists; or

- (2) interfering with the peaceful and lawful conduct of persons in or about their homes or public places under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (3) violent and forceful behavior at any time in or near a public place, such that there is a clear and present danger that free movement of other persons will be arrested or restrained, or other persons will be incapacitated in the lawful exercise of business or amusement; or
- (4) behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or affrays; or
- (5) in a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (6) willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when such conduct tends to cause or provoke a disturbance; or
- (7) behavior near a courthouse or other public building wherein judicial proceedings are being held, designed or having the effect of interfering with the administration of justice, whether by disrupting the courts or by intimidating the judges, witnesses, jurors, or other persons having business with the courts; or
- (8) behavior near any public building wherein matters affecting the public are being considered or deliberated, designed or having the effect of interfering with such proceedings under circumstances in which such conduct

- tends to cause or provoke a disturbance; or
- (9) willful and malicious behavior which obstructs or causes the obstruction of any doorway, hall, or any other passageway in a public building to such an extent that the employees, officers, and other persons, including visitors and tourists, having business with the government are denied entrance into, exit from, or free passage in such building; or
 - (10) behavior involving the display of any deadly weapon in a public place in such a manner as to alarm or frighten other persons present; or
 - (11) enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it.

Sec. 2 Any person who violates any of the provisions of Section 1 of this Article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Two Hundred Dollars (\$200). For any second or subsequent conviction of any of the provisions of Section 1 of this Article such person shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000), or by imprisonment in the county jail for not more than thirty (30) days or by both such fine and imprisonment. (H.B. No. 57, Acts of the 61st Legislature, Regular Session, 1969)

6.62

DISRUPTIVE ACTIVITY.

Sec. 1 No person or group of persons acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any private or public school or institution of higher education or public vocational and technical school or institute.

Sec.2(a) For the purposes of this Act, "disruptive activity" means:

- (1) obstructing or restraining the passage of persons in an exit, entrance, or hallway of any

building without the authorization of the administration of the school;

- (2) seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity;
- (3) preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration;
- (4) disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or
- (5) obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.

(b) For the purposes of this Act, a lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

Sec. 3 A person who violates any provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed \$200 or by confinement in jail for not less than 10 days nor more than 6 months, or both.

Sec. 4 Any person who is convicted the third time of violating this act shall not thereafter be eligible to attend any school, college, or university receiving funds from the State of Texas for a period of two years from such third conviction.

Sec. 5 Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitutions of the United States or the State of Texas. (H.B. No. 141, Acts of the 61st Legislature, Regular Session, 1969)

6.63 FIREARMS.

Sec. 1 It shall be unlawful to interfere with the normal activities, the normal occupancy, or normal use of any building or portion of a campus of any private or public school or institution of higher education or public vocational and technical school or institute by exhibiting or using or threatening to exhibit or use a firearm.

Sec. 2 A person who violates Section 1 of this Act is guilty of a felony and upon conviction is punishable by a fine of up to \$1,000 or by imprisonment in jail for a period not to exceed 6 months, or by both fine and imprisonment, or by imprisonment in the state penitentiary for a period not to exceed five years. (H.B. No. 1450, Acts of the 61st Legislature, Regular Session, 1969)

6.7 The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every faculty member and employee of the System and its component institutions. Any faculty member or employee who violates the minimum standards of conduct required by any felony statute of Texas or the United States is subject to dismissal as a faculty member or employee, regardless of whether or not any action is taken against the faculty member or employee by civil authorities on account of such violation. If action for dismissal is taken, the appropriate administrative official shall proceed with the action in the same manner as he would in the case of a violation by a faculty member or employee of any other provision of these rules and regulations or a provision of any Handbook of Operation Procedures [~~institutional-supplement~~].

6.8 In the event of decision not to reappoint a nontenured faculty member, written notice will be given him or her not later than March 1st of the first academic year of probationary service if the appointment expires at the end of that academic year, or not later than December 15th of the second academic year of probationary service if the appointment expires at the end of that academic year. After two or more academic years written notice shall be given not later than August 31st that the subsequent year will be the terminal academic year of appointment. The notice required by this Section is not applicable where termination of employment is for good cause under Section 6.3 above.

- 6.9 A faculty member serving a seven-year term appointment shall be given notice not later than August 31st of the sixth academic year of such appointment period that the subsequent academic year will be the terminal year of employment or that, subject to the approval of the Board, at the conclusion of the subsequent academic year he or she will be reappointed to a seven-year term appointment.
- 6.(10) Reappointment of nontenured members of the faculty to a succeeding academic year, reappointment of members of the faculty who are serving a seven-year term appointment to a succeeding seven-year term appointment, or the award of tenure or a seven-year term appointment, may be accomplished only by notice by the chief administrative officer of a component institution or his delegate with the approval of the Board. Notwithstanding any provisions of Sections 6.23, 6.8 or 6.9 to the contrary, no person shall be deemed to have been reappointed or to have been awarded tenure or a seven-year appointment because notice is not given or received by the time prescribed in Sections 6.23, 6.8, or 6.9 or in the manner prescribed in Section 6.(11). Should it occur that no notice is received by the time prescribed in Sections 6.23, 6.8 or 6.9, it is the duty of the academic employee concerned to make inquiry to determine the decision of the chief administrative officer of a component institution, who shall without delay give the required notice to the academic employee.
- 6.(11) Each faculty member shall keep the chief administrative officer of the component institution or his delegate notified of his current mailing address. The written notice required by Sections 6.23, 6.8, or 6.9 shall be sent by certified mail, return receipt requested, to the last address given by the faculty member.
- 6.(12) Dismissal or demotion of classified or nonteaching personnel before the expiration of the stated period of appointment will be only for good cause shown, as determined by appropriate administrative officers to whom this responsibility is delegated by the chief administrative officer of the component institution and in case of such dismissal or demotion any appeal shall be reviewed by the chief administrative officer of the component institution.

Sec. 7. Rights and Responsibilities as a Citizen and as a Teacher.

- 7.1 The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties.

- 7.2 The teacher is entitled to freedom in the classroom in discussing his subject, but he is expected not to introduce into his teaching controversial matter which has no relation to his subject.
- 7.3 The University teacher is a citizen, a member of a learned profession, and an officer of an educational institution supported by the State. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a person [man] of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make it plain that he is not an institutional spokesman. As a member of the staff of a State institution of higher education, he should refrain from involving the System or any of its component institutions in partisan politics.
- 7.4 The Board of the System recognizes and affirms the right of a member of the faculty or staff to participate in political activities so long as such political activities do not interfere with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions and so long as such political activities do not involve the System or its component institutions in partisan politics (See Section 7.3). With the interest of the System or its component institutions being given first consideration, a leave of absence without pay may--but need not--be granted to a member of the faculty or staff (See Section 16). However, it would be inappropriate for a leave of absence without pay to be granted primarily to permit a member of the faculty or staff of the System or its component institutions to participate in political activity, including, but not limited to, being a candidate for political office, holding a political office, or directing the political campaign of another person seeking a political office. Therefore, if a member of the faculty or staff wishes to engage in political activity that interferes with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions, he should voluntarily terminate his employment by the University. On the other hand, if the faculty or staff member does not voluntarily terminate his employment by the University and if the faculty or staff member's superior officer, such as the institutional head, the Chancellor [~~President-of-the-System~~], or the Board,

finds that the faculty or staff member's political activity does in fact interfere with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions, the institutional head, the Chancellor [~~President-of-the System~~], or the Board shall terminate his employment by the University.

Sec. 8 The Greater Duties of a Member of the Teaching Staff.

- 8.1 Common practice has fixed the greater duties of a member of the teaching staff so clearly that many institutions do not even list them among their regulations. They are:
- 8.11 Teaching in the classroom, laboratory, seminar, or ward.
 - 8.12 Studying, investigating, discovering, and creating.
 - 8.13 Performing curricular tasks auxiliary to teaching and research, e.g., serving on faculty committees, attending to administrative and disciplinary tasks, promoting diligence and honest work in the student body.
 - 8.14 Influencing beneficially students and citizens in various extracurricular ways.
- 8.2 Performance as a teacher, as a scholar, as an administrator, and as an individual is valued greatly by any university, for in these four ways its work is chiefly done.
- 8.3 A state university being a public enterprise of maximum social importance, it is the duty of all persons connected with it to be as civic-minded as possible. It is also a duty to cooperate with the Board in carrying out the purposes and policies of the Board which are deliberately considered, usually by both the Board and the several faculties, in accordance with law and designed to attain the best educational results with the resources available. The Regents and all administrative officers are entitled to the cheerful acquiescence of all staffs in carrying out the policies duly adopted. At the same time, administrative officers are expected to listen with an open and appreciative mind to criticisms and suggestions coming to them from members of their staffs.

Sec. 9. Acquaintance with, Conformity to, and Improvement of University Regulations.

- 9.1 It is a specific and important duty of each member of the several teaching staffs to become acquainted with

and to conform to all the rules and regulations relating to him and to the proper and orderly discharge of his work that are to be found set forth in both these Regents' Rules and Regulations and the institutional Handbook of Operating Procedures; in catalogues, announcements of courses, and other official publications; in printed or other material regularly prepared for the use of the staff; and in minutes of the faculties. To this end, copies of the Regents' Rules and Regulations, Part One, and the official institutional Handbook of Operating Procedures shall be reproduced by the chief administrative officer and distributed and located on his campus as considered appropriate by the chief administrative officer. The chief administrative officer shall have one copy of the Rules and Regulations and the institutional Handbook of Operating Procedures available at an appropriate location in his office for ready reference. In addition, he shall distribute a copy of these two documents to the secretary to the faculty or representative faculty body at his institution. The official, current copy of the Regents' Rules and Regulations is maintained by the Secretary to the Board.

- 9.2 It is also the specific duty of each member of the teaching staffs to consider the regulations and the routines in conforming to them and to propose what seem to be desirable changes in these regulations and routines to the appropriate faculty or official.

Sec. 10. Communications, Appeals, and Hearings.

- 10.1 Every member of a teaching staff has the right to propose changes in policies and procedures and to present arguments in support thereof.
- 10.11 Proposals should originate and follow routines as prescribed elsewhere in the Regents' Rules and Regulations or in the institutional supplements.
- 10.12 When a proposal has been approved or amended by the appropriate institutional officials, faculties, and head of the component institution, it shall then go to the Chancellor [~~President-of-the-System~~] for recommendation to the Board if such action is required.
- 10.13 When a proposal has been approved or amended or rejected by the appropriate institutional officials, faculties, and the component institutional head, any member or group of members of the staff may present an appeal in opposition to the action of the majority or in opposition to the recommendation of the

institutional official or the component institutional head, and this appeal, accompanied by reasons for and against the proposal, shall go through the prescribed administrative channels and shall be presented to the Chancellor [~~President-of-the-System~~] and thence to the Board for final action. The deans and other institutional officials, the component institutional head, the Chancellor [~~President-of-the-System~~] and the Board may invite both sides for personal conferences and discussions.

10.14 An authorized routine for proposals, with the right of appeal, having been herein fixed, it follows that proposals shall always be made in accordance therewith.

10.2 Every voting member of any faculty has the right and the duty to propose changes and to participate in debate in faculty meetings.

10.3 Appeals of classified (nonteaching) employees concerning conditions of employment must be made in keeping with the rules governing such employees.

Sec. 11. Communication with the Legislature and Other State Agencies or Officials.--The Board is the only proper channel through which recommendations concerning the administration of the System, as a whole or in any of its parts, should reach the Legislature or other State agencies or officials.

Sec. 12. Office Hours.--Members of the teaching staffs are expected to post on their office doors, and publish in any other manner required by the institutional head, office hours and conference periods most advantageous to students.

Sec. 13. Outside Employment.

13.1 Members of the faculty or staff of component institutions should not be discouraged from accepting appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions. The consideration to the System of such activity is the improvement of the individual by virtue of his continuing contact with real problems in the real world.

13.2 Members of the faculty or staff should be discouraged from accepting regular employment with units outside the System because this action would be divisive of loyalties and does not provide the return to the institutions indicated in 13.1.

- 13.3 Conflict of interest should be avoided in all instances of outside employment, but conflict of interest in an academic institution means outside activity which intrudes upon the academic functions of teaching, scholarly activities, and service to the institution.
- 13.4 Even in the case of members of the staff specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for public benefit free of charge, provided that the meeting of this obligation by a faculty or staff member does not interfere with his regular duties, and provided further that in meeting this obligation a faculty or staff member on full-time duty shall avoid undue competition with legitimate private agencies.
- 13.5 No member of the faculty or staff engaged in outside remunerative activities shall use in connection therewith the official stationery of the System or any of its component institutions, or give as a business address any building or department of the institution.
- 13.6 No member of the faculty or staff shall accept employment or any position of responsibility if the discharge of such employment or responsibility will be antagonistic to the interests of the State of Texas or the System or any of its component institutions.
- 13.7 Every member of the faculty or staff who gives professional opinions must protect the System and its component institutions against the use of such opinions for advertising purposes. That is, when he does work in a private capacity, he must make it clear to those who employ him that his work is unofficial and that the name of the System and its component institutions is not in any way to be connected with his name, exceptions being made of the name of the author attached to books, pamphlets, and articles in periodicals.
- 13.8 No member of the faculty or staff shall accept pay from private persons or corporations for tests, assays, chemical analyses, bacteriological examinations, or other such work of a routine character, which involve the use of property owned by the System or its component institutions, unless advance permission has been obtained from the institutional head and provision has been made for compensation to the System or its component institutions.
- 13.9 No member of the full-time staff of the System on a twelve-month or nine-month basis shall be employed in any outside work or activity or receive from an outside

source a regular retainer fee or salary until a description of the nature and extent of the employment has been filed with and approved by appropriate administrative officials as set forth in the institutional Handbook of Operating Procedures [supplement] of each component institution. For special provisions relating to other state or federal employment, see subsections 13.(10), 13.(11), and 13.(12) of this section.

- 13.(10) Subject to the other provisions of this section, a member of the faculty or staff may hold other non-elective offices or positions of honor, trust, or profit with the State of Texas or the United States if his holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between his holding the office or position and his holding the original office or position for which the member of the faculty or staff receives salary or compensation.
- 13.(11) Before a member of the faculty or staff may accept an offer to serve in other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States, the member of the faculty or staff must obtain from the appropriate administrative officials and the Board a finding that the requirements of this section have been fulfilled, including the expected additional compensation to be received from such service. The finding of the Board shall be recorded in the official minutes of the meeting of the Board at which approval was granted.
- 13.(12) The institutional head must keep a record of compensation received from additional state or federal employment, or both, including specifically: salary, bonuses, and per diem or other type of compensation.

Sec. 14. Holidays.

- 14.1 All faculty, classified and other nonteaching personnel are entitled to such holidays as are provided by the Legislature in the then current appropriation bill and as are approved annually by the Chancellor [~~President of-the-System~~] and the Board, or alternate holidays approved in the official calendars of the various institutions by the Chancellor [~~President-of-the-System~~] and the Board. (See the Classified Personnel rules in the institutional Handbook of Operating Procedure.)

Sec. 15. Vacation.

- 15.1 Vacations for faculty, classified and other nonteaching personnel shall be as provided by the Legislature in

the then current appropriation bill and as approved by the Board, except that vacation accumulated by faculty on nine-month appointments shall be counted as having been taken during periods when classes are not in session within the appointment period. Vacations for hourly and part-time employees shall be on a percentage basis for the time appointed. (See the Classified Personnel rules in the institutional Handbook of Operating Procedure.)

- 15.2 An employee who resigns, is dismissed, or separates from University employment shall be entitled to be paid in "lump sum" for all vacation leave entitlement duly accrued at the date of termination provided the employee has had continuous employment with the State for six months. The payment shall be calculated at the rate of compensation being paid the employee at the time of termination.
- 15.3 In the case of death of an employee who has accumulated vacation leave, his estate will be paid for all accumulated vacation leave. The payment shall be calculated at a rate of compensation being paid the employee at the time of his death.

Sec. 16. Leaves of Absence without Pay.

- 16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff.
- 16.2 The maximum unit period for which a leave of absence will be granted is the end of the fiscal or academic year in which the leave begins. In normal times, leaves for one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements.
- 16.3 A second consecutive year of leave should not be requested except for military service, reasons of health, or continued graduate study. This provision will be interpreted liberally in the case of junior staff members working on advanced degrees.
- 16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted. [~~Such-circumstances-would-now-include-extended-military-service-or-prolonged-illness.~~]
- 16.5 After a return to active duty of one year or more, the leave-of-absence privilege will again be available.

16.6 The granting of a leave of absence does not affect in any way the tenure position of the grantee.

16.7 For leave of absence to participate in a political campaign see Part One, Chapter III, Sec. 7.4.

Sec. 17. Faculty Development Leaves.--Faculty development leaves for faculty members may be granted as set out in House Bill 669, 60th Legislature, Regular Session, 1967. This bill provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his regular salary or for one-half academic year at his full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.

Sec. 18. Division of Salaries for Staff Engaged in Teaching and Non-teaching Activities.--Each component institution shall develop policies covering budgetary division of salaries for individuals whose employment is divided between teaching and nonteaching assignments subject to current statutory requirements or limitations. These policies shall be set forth in the institutional supplements.

Sec. 19. Sick Leave.

19.1 Sick leave for all employees, including faculty, non-teaching personnel, and classified personnel shall be governed by the General Appropriations Act or other applicable Statutes.

19.2 [~~in cases of illnesses of classified or other nonteaching personnel the rules and regulations for each of the several component institutions shall apply, subject to controlling provisions of State law.~~]

[19-1] In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.

19.3 In the case of death of an employee who has accumulated sick leave, the estate will be paid for the accumulated sick leave as permitted by law. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.

Sec. 20 Leave for Jury Duty.--Necessary time off for jury duty is allowed without loss of pay or vacation leave.

Sec. 21 Absence from Usual and Regular Duties.

- 21.1 Authorization for any member of a faculty or staff to be absent from his usual and regular duties will be granted only under the following conditions:
- 21.11 When such absence is on State business, and
 - 21.12 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution; or
 - 21.13 In the case of military leave, not to exceed 15 working days each year.
- 21.2 Permission to be absent from usual and regular duties shall be obtained as prescribed in the Fiscal Rules (See Part Two hereof).

Sec. 22 Authorization to Travel.

- 22.1 Authorization to travel will be granted only under the conditions specified in the Fiscal Rules (see Part Two hereof).
- 22.2 A faculty or staff member whose usual duties do not require travel shall not absent himself from his regular place of work and his usual duties except with permission obtained according to the Fiscal Rules (see Part Two hereof).

Sec. 23 Compensation for Correspondence and Extension Teaching of Full-Time Staff Members.--Compensation rates for correspondence courses and extension center teaching for full-time teachers on a nine months' basis or for other employees on a twelve months' basis shall be in accord with rates fixed by the then current appropriation bill. If not so fixed, they shall be set from year to year by the institutional head with the approval of the Chancellor [~~President-of-the-System~~].

Sec. 24 Textbooks and Other Materials Prescribed for the Use of Students.

- 24.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:
- 24.11 Although generally the individual instructor or the department should have wide discretion in the choice of materials to be used in the courses offered by the department, frequent changes in the textbooks prescribed should be discouraged and should be made only for cogent reasons.
 - 24.12 Although the authorship of books, outlines, manuals and similar materials by members of the staff should be encouraged, the prescribed

use of these for students is a responsibility that goes beyond that of the individual author. Where practicable and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the instructional department concerned. Whenever a charge is authorized for such mimeographed or similiary processed materials, the prices should be as low as possible, consistent with the payment of a fair and reasonable royalty to the author or authors.

24.2 To carry out this statement of policy the following procedures are prescribed:

24.21 Any proposed change in the textbook of any course, within one year from the date of first adoption, shall be approved by the departmental faculty having jurisdiction, and a statement of the authorization with reasons therefor shall be transmitted by the chairman of the department through the dean to the institutional head.

24.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the departmental faculty, the dean or deans concerned, and transmitted to the institutional head for approval and inclusion in the next regular docket. All such requests shall indicate the proposed prices and profits, and their authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.

Sec. 25 Sectarian Courses Prohibited.--No course of instruction of a sectarian character shall be taught in the System or any of its component institutions. (Article 2604, Vernon's Civil Statutes)

Sec. 26 Acceptance of Money from Students.

26.1 Members of teaching staffs, without previous and special approval of the Board, shall not collect from students any fees or charges to be expended for institutional purposes, and shall not sell to students books, notes, or similar student supplies.

- 26.2 A member of the faculty or staff of the rank of instructor or above may not accept pay for extra instruction or teaching of students registered in the institution where he is employed.
- 26.3 With written approval, teaching assistants, assistants, and other like instructional employees below the rank of an instructor, may accept pay from students for extra-class instruction or coaching but only in courses or sections of courses with which they have no instructional connection. The Handbook of Operating Procedures [Institutional-Supplement] of the component institution shall specify the procedure for approval at the institutional level.

Sec. 27 Power to Authorize Expenditures out of System Funds.

- 27.1 No expenditure out of funds under control of the Board [~~of-the-System~~] shall be made and no debt or obligation shall be incurred and no promise shall be made in the name of the System or any of its component institutions or of the Board by any member of the respective staffs of the System or any of its component institutions except:
- 27.11 In accordance with general or special budgetary apportionments authorized in advance by the Board and entered in its minutes; or
- 27.12 In accordance with authority specifically vested by the Board in a committee of the Board; or
- 27.13 In accordance with authority to act for the Board when it is not in session, specifically vested in some University officer by these Rules and Regulations or by special action of the Board.
- 27.2 It shall be the duty of the [~~Auditor-of-The-University of-Texas-at-Austin-and-the~~] several institutional officers [~~managers~~] to see that all claims for payments of items not authorized as indicated above are refused and returned unpaid.
- 27.3 There shall be no sale to or purchase from the System or its component institutions by any employee thereof unless same has been duly authorized by the Board and the details relating thereto have been entered in its minutes.

Sec. 28 Indebtedness to the System or the State.--Neither salary payments nor any other payments shall be made to an employee, his agent or assignee, who is indebted to the System, any of its component institutions, or to the State until such debt is paid.

- Sec. 29 Power to Bind the System in Fixing its Policies.--No employee of the System or any of its component institutions, as an individual or as a member of any association or agency, has the power to in anywise bind the System or any of its component institutions unless such power has been officially conferred in advance by the Board. Any action which attempts to change the policies or otherwise bind the System or any of its component institutions, taken by any individual or any association or agency, shall be of no effect whatsoever until the proposed action has been approved by the institutional head concerned, if any, and the Chancellor [~~President-of-the-System~~], and ratified by the Board.
- Sec. 30 Institutional Employees as Students.--The Handbook of Operating Procedures [~~Institutional-Supplement~~] for each of the component teaching institutions shall express the institutional policy as to the amount of course work full-time and part-time employees shall be permitted to carry.
- Sec. 31 Retirement and Modified Service.
- 31.1 No officer, administrator, faculty member, or employee of The University of Texas System or of any component institution or agency thereof shall be continued in a full-time service capacity or at a full-time compensation rate beyond the end of the fiscal year that includes his or her seventieth birthday.
- 31.2 The Board of Regents, upon the recommendation of the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint an officer, administrator, faculty member, or employee to modified service after the end of the fiscal year that includes the person's seventieth birthday.
- 31.3 Recommendation for, and appointment to, modified service shall be made only after a review of the individual's past and current performance and a finding that the individual is not only competent to continue his or her duties, but that the continued service of the individual will result in a significant benefit to the System or a particular component institution.
- 31.4 Appointment to modified service shall be for one academic year and may be renewed for successive terms of one academic year after an annual review, recommendation, and finding as set forth in subsection 31.3. The notice provisions of Section 6.8 of this Chapter shall not apply to non-renewal of such appointments.
- 31.5 The workload of an individual on modified service shall be no more than one-half of his or her workload immediately preceding appointment to modified service. Salary

rate shall be in the same proportion of his or her salary rate for the fiscal year immediately preceding appointment to modified service as his or her workload is to a full-time workload and shall be subject to adjustment in accordance with policies and procedures applicable to other employees.

- 31.6 Upon recommendation of the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, the Board of Regents may, by unanimous vote of the members present, make exceptions to this Section in special cases when the Board finds that the services of a particular individual will be of unique benefit to the System or a component institution.
- [31.1] ~~Members of institutional faculties will not be continued on their standard full-time service or full-time compensation rate beyond the end of the fiscal year that includes their seventieth birthday.~~
- [31.2] ~~Members of the institutional nonteaching staffs who are without faculty rank will not be continued on their standard full-time service or full-time compensation rate beyond the end of the fiscal year that includes their sixty-fifth birthday, except as provided in subsequent subsections. Nonteaching staff members who are without faculty rank may, at the end of the fiscal year that includes their sixty-fifth birthday, be employed in an academic status on a full-time or part-time basis until the end of the fiscal year during which their seventieth birthday occurs on the condition that employment in such capacity shall be considered temporary and on a year-to-year basis. Such a nomination shall be made by a teaching department solely on the basis of the institution's need.~~
- [31.3] ~~Faculty members who have served continuously the System, except as set out in Sections 31.(16) and 31.(17), for twenty (20) years or more and have the faculty rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor, shall be continued after reaching the age of seventy (70) on a reduced salary and upon modified service until the Board, upon recommendation of the President of the System and the institutional head involved, determines that they shall retire completely from service with and compensation from the System.~~
- [31.4] ~~Faculty members who do not have the rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor shall not be appointed to modified service after the end of the fiscal year which includes their seventieth birthday.~~

- [31-5] Subject to the provisions of Paragraph 31-27, non-teaching staff members who have served the System continuously for fifteen (15) years or more shall be continued after reaching the age of sixty-five (65) on a reduced salary from the System and upon modified service until the end of the fiscal year during which their sixty-seventh birthday occurs, except as provided in the subsections below:
- [31-51] Nonteaching staff members who have reached their forty-fifth birthday by September 1, 1964, and who at that time will have been employed continuously for a period of at least fifteen (15) years, may continue on a full-time service and compensation through the fiscal year that includes their sixty-fifth birthday and they may then be continued upon modified service until the Board, upon recommendation of the President of the System and the institutional head involved, determines that they shall retire completely from service with and compensation from the System.
- [31-52] Nonteaching staff members who have reached their fifty-fifth birthday by September 1, 1964, and who will at that time have been employed continuously for a period of ten (10) years may be continued on full-time service and compensation through the fiscal year that includes their sixty-fifth birthday and upon modified service, if physically qualified, until the end of the fiscal year that includes their seventieth birthday.
- [31-53] Nonteaching staff members who have reached their sixtieth birthday by September 1, 1964, may be continued on full-time service and compensation through the fiscal year that includes their seventieth birthday, thereafter, if at that time they have completed twenty (20) years of continuous service, they will be eligible, if physically qualified, for appointment to modified service through the fiscal year that includes their seventy-second birthday.
- [31-54] Nonteaching staff members who have reached their sixty-fifth birthday by September 1, 1964, may continue on full-time service and compensation through the fiscal year that includes their seventieth birthday, and, if they have at that time completed twenty (20) years of continuous service, they may continue upon modified service until the Board, upon recommendation of the President of the System and the institutional head involved determines that they shall retire completely from service with and compensation from the System.

- [31-55] Nonteaching-employees-in-nonadministrative performance-level-positions-appointed-to modified-service-will-be-assigned-to-such duties-within-the-individual's-capacities as-will-be-to-the-benefit-of-the-institution.
- [31-56] Nonteaching-employees-in-administrative policymaking-positions-appointed-to-modified service-must-retain-from-their-full-time position-and-shall-be-assigned-such-other-and different-duties-within-the-individual's capacity-as-are-determined-to-be-most-beneficial-to-the-institution.
- [31-6] The-salary-rate-for-modified-service-shall-be-one-half-the-average-regular-salary-rate-for-each-individual-during-the-five-years-of-full-time-service immediately-preceding-the-fiscal-or-academic-year, as-appropriate, in-which-modified-service-begins. Adjustments-in-rate-will-be-made-to-care-for-any general-change-in-salary-scale-under-policies developed-from-time-to-time-by-the-component-institutions-and-approved-by-the-President-of-the-System and-the-Board.
- [31-7] The-work-load-of-a-faculty-or-staff-member-placed-on modified-service-shall-be-essentially-one-half-of-his immediately-previous-full-time-work-load, but-he-may not-continue, or-be-assigned, major-administrative duties.
- [31-8] During-the-fiscal-year-in-which-the-faculty-member's seventieth-birthday-occurs-or-the-nonteaching-staff member's-sixty-fifth-birthday-occurs-and-before-the budget-is-prepared-for-the-following-year, and-each year-thereafter-until-full-retirement, there-must-be an-administrative-determination-of-the-employee's fitness-to-fulfill-his-duties.
- [31-9] Members-of-institutional-faculties-who-have-served the-System-continuously-for-twenty-(20)-years, and members-of-the-nonteaching-staff-who-have-served-the institution-continuously-for-fifteen-(15)-years, may, upon-approval-of-the-institutional-head, change-to the-modified-service-in-the-System-for-which-they-are eligible-at-any-time-after-reaching-their-sixtieth birthday.
- [31-(10)] No-person-appointed-to-the-institutional-faculties-or nonteaching-staffs-after-the-age-of-fifty-shall-have the-right-to-modified-service.
- [31-(11)] Members-of-institutional-faculties-and-staffs-who-are not-members-of-the-Teacher-Retirement-System-and

faculty-members-who-have-served-less-than-twenty-(20) years-and-nonteaching-staff-members-who-have-served less-than-fifteen-(15)-years-may-secure-modified-service-status-only-upon-special-recommendation-of-the institutional-head-and-the-President-of-the-System and-approval-by-the-Board, and-such-recommendation-and approval-must-be-made-annually-on-the-basis-of-institutional-need.

[31-(12) In-deciding-when-a-faculty-member-shall-retire-from all-service-with-and-compensation-from-the-System, the Board-will-consider-his-current-capacity-for-work, his service-to-the-System-and-the-retirement-benefits-to which-he-is-entitled-under-the-Teacher-Retirement-System of-Texas-and-the-Federal-Social-Security-laws, with-the expectation-that-for-each-voting-member-of-the-faculty with-at-least-twenty-five-(25)-years-of-faculty-membership-in-the-System, modified-service-will-be-continued until-the-retirement-benefits-receivable-are-approximately equal-to-the-amount-that-would-be-received-under-modified service.

[31-(13) Nonteaching-Staff-Members-with-Faculty-Rank.--Every full-time-or-part-time-nonteaching-staff-member-who also-has-the-faculty-rank-of-Instructor, Assistant Professor, Guest-Assistant-Professor, Associate Professor, Guest-Associate-Professor, Professor, or Guest-Professor-shall-retire-from-his-administrative position-[see-Subsection-31-(15)-below]-at-the-close of-the-fiscal-year-in-which-his-sixty-fifth-birthday occurs-and, if-he-chooses, return-to-a-full-time faculty-assignment.--Thereafter, his-rights-shall-be in-accord-with-any-other-member-of-the-faculty.

[31-(13)1 Every-full-time-or-part-time-nonteaching-staff member-who-has-academic-rank-but-does-not-have the-faculty-rank-of-Instructor, Assistant Professor, Guest-Assistant-Professor, Associate Professor, Guest-Associate-Professor, Professor, or-Guest-Professor-shall-retire-from-his-administrative-position-[see-Subsection-31-(15) below]-at-the-close-of-the-fiscal-year-in which-his-sixty-fifth-birthday-occurs-and-he may-choose-to-return-to-full-time-faculty assignments-until-the-close-of-the-fiscal year-in-which-his-seventieth-birthday-occurs without-eligibility-for-modified-service, or he-may-choose-to-be-continued-in-a-nonteaching position-on-modified-service-and-compensation through-the-fiscal-year-in-which-his-sixty-seventh-birthday-occurs.

[31-(14) Administrative-Officers.--Administrative-officers-with policymaking-responsibility-shall-retire-from-their

administrative-positions-at-the-end-of-the-fiscal year-in-which-their-sixty-fifth-birthday-occurs. Administrative-officers-in-this-paragraph-shall include-all-executive-officers,-deans-and-directors, assistant-and-associate-deans-and-directors,-departmental-chairmen,-administrative-personnel-within-the professional-and-administrative-classifications-in the-Personnel-Pay-Plan-of-each-institution-of-the System,-or-unclassified-administrative-positions, and-others-by-title-whose-positions-are-deemed involved-in-policy-making-decisions-by-the-President of-the-System-and-his-staff.--This-determination will-be-made-annually-by-the-President-of-the-System, upon-recommendation-of-the-executive-head-of-the component-institution,-at-the-time-of-budget-preparation.

[31-(15) Employment-after-Retirement.--Any-person-receiving service-retirement-benefits-from-the-Teacher-Retirement-System-of-Texas-and-who-is-over-sixty-(60)-years-of-age-may-be-employed-in-a-public-school-of-Texas-on-as-much-as-a-one-third-time-basis.--This-would-usually limit-employment-in-instruction-to-no-more-than-one-(1) three-semester-hour-course-during-any-one-semester-of the-long-term,-one-(1)-three-semester-hour-course during-a-six-week-term.--One-third-employment-for staff-shall-in-no-case-exceed-fifty-nine-(59)-clock hours-in-any-calendar-month.--This-employment-of-a person-receiving-service-retirement-shall-not-affect his-right-to-continue-to-receive-benefits-under-the Teacher-Retirement-System-of-Texas.--However,-this employment-does-not-entitle-the-person-to-receive additional-creditable-service-under-the-Teacher Retirement-System-of-Texas-and-the-person-so-employed shall-not-be-required-to-make-further-contributions to-the-Teacher-Retirement-System-of-Texas.--Application-of-this-provision-to-individual-cases-shall-be based-on-institutional-benefit-or-need-and-will-be recommended-through-appropriate-administrative-officers to-the-President-of-the-System-for-approval.

[31-(16) The-regulations-and-provisions-of-this-section-(Sec.31) shall-not-apply-to-these-professional-and-nonclassified administrative-staff-members-of-The-University-of-Texas M.-D.-Anderson-Hospital-and-Tumor-Institute-at-Houston who-participate-in-the-retirement-program-financed through-the-Physicians-Referral-Service.--Such-individuals shall-retire-at-age-65.--Any-subsequent-employment-prior to-age-70-shall-be-recommended-on-a-year-to-year-basis only-for-those-persons-whose-specialized-talent-or-productivity-meets-an-institutional-need.

[31-(17) Whenever-such-action-appears-to-be-to-the-advantage and-best-interest-of-the-System-or-any-of-its-component

~~institutions, the Board, upon recommendation of
institutional heads and the President of the System,
may, by unanimous vote of the members present, make
exceptions to this rule in special and extreme cases.]~~

Sec. 32 Staff Benefits.--For other staff benefits, see Part Two
hereof.

CHAPTER IV

FACULTY ORGANIZATION

Sec. 1. Educational Policy.

- 1.1 The Board will devote its best efforts to making all of the institutions composing the System institutions of the "first class," as the Texas Constitution directs in Article VII, Section 10. The Board will be guided in general by the best practices of the best universities in the United States and abroad, especially by the best practices of state universities in the United States.
- 1.2 The Board will not, except in extraordinary cases, act on important matters of academic policy until it has received, or requested and obtained, advice thereupon from the institutional faculty or faculties affected or their legislative bodies. When new policies originating in any faculty give rise to serious differences of opinion in that body, the advice and recommended legislation shall, at the request of the minority, be accompanied by a record of the vote and by a summary of the reasons for and against the matters proposed.

Sec. 2. Institutional, College, School, and Departmental Faculties and Legislative Bodies.

- 2.1 General Authority.--Subject to the authority of the Board and subject further to the authority that the Board has vested in the various administrative officers and subdivisions of the System, the faculties of the component institutions regularly offering instruction shall have a major role in the governance of their respective institutions in the following areas:
 - 2.11 General academic policies and welfare.
 - 2.12 Student life and activities.
 - 2.13 Requirements of admission and graduation.
 - 2.14 Honors and scholastic performance generally.
 - 2.15 Approval of candidates for degrees.
 - 2.16 Faculty rules of procedure.
- 2.2 Necessity of Approval by Regents.--Legislation recommended by an institutional faculty, or legislative body thereof, requiring approval of the Board,

shall not be effective unless and until approved by the Board. Such legislation by a college or school faculty shall not be presented to the Board until it has been approved by the institutional faculty, either directly or through its legislative body, and has received the consideration and recommendation of the appropriate institutional head(s) and the Chancellor [~~President-of-the-System~~]. The faculty affected will be notified by the Board, through administrative channels, of its action on recommended faculty legislation.

- 2.3 When Legislation is Effective.--Except where the Board has specifically authorized procedure for placing into effect emergency faculty legislation without prior Board approval, institutional faculty legislation shall become effective only upon approval by the Board or at such later time as the Board shall specify. The secretary of the institutional faculty shall be notified of Board action, and notice of such action shall be included in the official minutes of the faculty.
- 2.4 Approval of Degree Candidates.--It shall be the duty of the several institutional faculties to recommend approval or disapproval of all candidates for degrees. This duty may be delegated for any academic year by affirmative vote of the institutional faculty, or its legislative body, to the respective deans or other appropriate official. Should this duty not be delegated, then the institutional registrar, or his equivalent, shall furnish to the members of the institutional faculty a complete list of the degree candidates for recommendation.
- 2.5 List of Degree Candidates in Minutes.--The institutional registrar, as soon as possible after each commencement, shall provide the secretary of his institutional faculty, or its legislative body, with a complete list of all successful degree candidates, and the secretary shall insert the list in the minutes of the faculty.
- 2.6 Changes in Degree Requirements.--Changes in degree requirements shall not become effective until approved by the Board and published in the appropriate catalogue; provided, however, that students may be given the benefit of any action reducing or modifying the requirements for their degree immediately upon Board approval.
- 2.7 Faculty Minutes.--Copies of institutional faculty minutes, or of their legislative bodies, shall be available for use of members of the particular faculties individually, if desired; and shall be filed in

the office of their secretaries, the institutional heads, the Chancellor [~~President-of-the System~~], and the Secretary to the Board and in the institutional libraries.

CHAPTER V

GRADUATE EDUCATION IN THE UNIVERSITY OF TEXAS SYSTEM

- Sec. 1. The various component institutions of the System authorized to offer graduate degrees shall provide and maintain an appropriate faculty and administrative organization for such graduate degrees. The chief administrative officer of each component institution of the System shall be responsible to the Chancellor [~~President-of-the-System~~], and through him, to the Board for the policies and administration of the graduate programs.
- 1.1 "Graduate programs," as the term is used in these rules, does not include the programs that lead to the M.D., D.D.S., M.P.H., Dr. P.H., J.D., LL.M., and M.C.J. degrees, or others that may be excluded upon recommendation by the chief administrative officer of the component institution and concurrence by the Chancellor.
- Sec. 2. Within the general academic components, the designation "Graduate School" will be used if (a) there is a minimum of three distinct programs approved for doctoral degrees and thirty such doctoral degrees have been awarded; or (b) there is a minimum of ten distinct programs approved for master's degrees and fifty master's degrees have been awarded. In component institutions that do not meet these requirements, graduate study will be in a "Division of Graduate Studies."
- Sec. 3. Graduate programs in the health [~~biomed+ea~~] components shall be administered as follows:
- 3.1 In the Health Science Centers at Dallas, Houston, and San Antonio and at Galveston Medical Branch the graduate programs will be administered through a Graduate School of Biomedical Sciences.
- 3.2 In the Nursing Schools of component institutions, graduate education will be administered as specific graduate programs coordinated by an administrative officer designated by the chief administrative officer of the component institution.
- 3.3 In the System Cancer Center research and graduate instruction will be offered in cooperation with other components which are authorized to award graduate degrees.

Sec. 4. Component institutions which offer graduate degrees and elect an administrative organization and designations different from those authorized above may do so only upon the recommendation of the chief administrative officer, the concurrence of the Chancellor [~~President-of-the-System~~] and the approval of the Board.

Sec. 5. The policies and procedures for staffing and administering the graduate programs at all component institutions shall be set forth in the institutional Handbook of Operating Procedures. These policies and procedures shall include qualifications for faculty members assigned to teach graduate courses, supervise graduate programs, and advise graduate students.

Where two or more components of the the [~~The-University-of Texas~~] System are authorized to conduct joint or cooperative degree programs, the chief administrative officers of the cooperating institutions shall be authorized to establish, subject to the approval of the Chancellor [~~President-of-The-University-of-Texas-System~~], special procedures and organizations for the administration of such programs.

CHAPTER VI

STUDENT SERVICES AND ACTIVITIES

Sec. 1 General Provisions.

- 1.1 These policies and regulations apply to all component institutions of the System and shall be implemented appropriately in the Handbook of Operating Procedures for each institution.
- 1.2 When the title, "Dean of Students," appears in this chapter, reference is made to the administrator bearing that title, or the officer or officers directly responsible for student affairs at each component institution.
- 1.3 All authority held and exercised by a Dean of Students is delegated to him by the institutional head just as all authority held and exercised by an institutional head is delegated to him by the Chancellor [~~President-of-the-System~~]. Therefore, any action taken is subject to review by the institutional head and the Chancellor [~~President-of-the-System~~], and both the Chancellor [~~President-of-the-System~~] and the institutional head may approve, amend, or disapprove such action, just as the Chancellor [~~President-of-the-System~~] may approve, amend, or disapprove any action taken by the administrative head of any component institution.
- 1.4 Any individual student, group of students, or student organization may petition the Board on any matter relating to these policies and regulations through the Dean of Students, the institutional head, and the Chancellor [~~President-of-the-System~~].
- 1.5 These policies and regulations shall become effective on December 1, 1978 and shall, at that time, supersede all other policies and regulations that may be in conflict herewith.
- 1.6 Definition of Student.--A student is one who is currently enrolled at any of the component institutions of the System. These policies and regulations will also apply to any prospective or former student who has been accepted for admission or

readmission to any component institution while he is on the campus of any component institution.

- 1.7 Definition of Campus.--The campus of a component institution is defined as all real property over which that institution has possession and control.

Sec. 2 The Dean of Students and His Staff.

- 2.1 The Dean of Students shall be the administrative officer primarily responsible for the development and administration of policies relating to students and for the development and implementation of services to students in the areas assigned to him. He shall have responsibility for the initial preparation of institutional regulations which will implement the policies and regulations set forth in this chapter.
- 2.2 The Dean of Students shall have primary responsibility for (1) the supervision and development of student out-of-class programs and activities and of all student organizations; (2) the development of policies affecting student life; (3) the promulgation and enforcement of institutional rules that govern student conduct; and (4) the administration of student discipline on the campus.
- 2.3 The administrative staff of the Dean of Students shall consist of the heads of services for which he has administrative responsibility.
- 2.4 The Dean of Students shall work with academic deans and department chairmen in structuring and implementing a program of faculty advising for both old and new students.
- 2.5 The Dean of Students shall be responsible for the preparation of the budgetary recommendations for the student services and activities under his jurisdiction.

Sec. 3 Student Conduct and Discipline.

- 3.1 The System and its component institutions have rules and regulations for the orderly and efficient conduct of their business, and each student is charged with notice and knowledge of the contents and provisions thereof.
- 3.2 All students are expected and required to obey the law, to show respect for properly constituted authority, and to observe correct standards of conduct.

- 3.21 Gambling, immoral conduct, dishonesty, or the excessive use of intoxicating liquors renders the student subject to discipline.
- 3.22 Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution of the System is subject to discipline, including expulsion, pursuant to the procedures set out in Subsections 3.(10) and 3.(11) of this chapter.

3.3 (Reserved for future use)

~~[For the purpose of this subsection, H.B. No. 447, Acts of the 63rd Legislature, Regular Session, 1973, shall be referred to as the Texas Controlled Substances Act. With respect to acts giving rise to charges under the foregoing Subsection 3.3b before the effective date of the Texas Controlled Substances Act, (1) the word "drug" means "dangerous drug" as defined in Section 2, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended, and as in effect prior to the effective date of the Texas Controlled Substances Act (Article 726d, Vernon's Texas Penal Code), and (2) the word "narcotic" means "narcotic drugs" as defined in Section 1, Chapter 169, Acts of the 45th Legislature, Regular Session, 1937, as amended and as in effect prior to the effective date of the Texas Controlled Substances Act (Article 725b, Vernon's Texas Penal Code). With respect to acts giving rise to charges under the foregoing Subsection 3.3b after the effective date of the Texas Controlled Substances Act, the word "drug" or "narcotic," or both, includes any controlled substance listed in Schedules I through V, Penalty Groups 1 through 4, Section 2.17, and Section 4.05 of the Texas Controlled Substances Act.]~~

- 3.4 The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas; provided, however, that with the prior consent of the institutional head, the foregoing provisions of this section may be waived with respect to any specific affair which is sponsored by the institution. However, with respect to the possession and consumption of alcoholic beverages, state law will be strictly enforced at all times on all property controlled by the System and its component institutions.

- 3.5 No former student who has been suspended for disciplinary reasons from a component institution of the System shall be permitted on the campus of any component institution during the period of such suspension without the prior written approval of the chief administrative officer of that institution.
- 3.6 Hazing in state educational institutions is prohibited by state law (Section 4.19, Chapter 4, Title I, Texas Education Code). Hazing with or without the consent of a student is prohibited by the System, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline.
- 3.7 Initiations by organizations may include no feature which is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders the organization subject to discipline.
- 3.8 Any student who advocates or recommends, either orally or in writing, the conscious and deliberate violation of any federal, state or local law is subject to discipline.
- 3.9 Any student who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to discipline, including expulsion. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.
- 3.(10) The Dean of Students shall have primary authority and responsibility for the administration of student discipline at his institution. It shall be his duty to investigate allegations that a student has violated the Regents' Rules and Regulations, the rules and regulations of the institution, or specific orders and instructions issued by an administrative official of the institution in the course of his duties.
- 3.(10)1 If the Dean of Students determines that such allegations are not unfounded, he shall prepare a written statement of charges, a statement of the evidence supporting such charges, including a list of witnesses and brief summary of the testimony

to be given by each, and shall send such charges and statement to the accused student by certified mail, return receipt requested, addressed to the address appearing in the registrar's records.

3.(10)2 In any case where the accused student does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures specified in Subsection 3.(11), the Dean of Students shall assess the penalty appropriate to the charges and inform the student of such action in writing. The decision of the Dean of Students [~~dean-of-students~~] may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3.(11).

3.(11) In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial person, hereinafter called the Hearing Officer, selected in accordance with procedures adopted by the institution. Except in those cases where immediate interim disciplinary action has been taken under authority of Subsection 3.(18) [~~15~~], the accused student shall be given at least 10 (ten) days' notice of the date, time, and place for such hearing and the name of the Hearing Officer [~~person who will hear and decide upon the charges~~]. Hearings held under Subsection 3.(18) will be held under the same procedures set forth below, but will be held as soon as practicable within ten (10) days after the disciplinary action has been taken.

Upon a hearing of the charges, the institutional representative has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence. The hearing shall be conducted in accordance with procedures adopted by the institution and that assure both parties (institutional representative and the accused student) the following minimal rights:

3.(11)1 Both parties will exchange lists of witnesses and copies of documents to be introduced at a reasonable time prior to the hearing. [~~the-right-of-the-Dean-of-Students and-the-accused-student-to-have,--reasonably in-advance-of-the-date-fixed-for-the-hearing, a-list-of-the-witnesses-to-be-presented-by the-opposing-party-and-a-brief-summary-of the-testimony-to-be-given-by-each~~]

- 3.(11)2 Each party shall have the right to appear
~~[B]~~ and present evidence in person or through
a designated representative or counsel of
choice.
- 3.(11)3 Each party, or his/her designated represen-
~~[E]~~ tative or counsel, shall have the right to
cross-examine ~~[the]~~ witnesses ~~[testifying~~
~~on-behalf-of-the-opposing-party,-and]~~.
- 3.(11)4 The hearing will be recorded. If either
~~[D]~~ party desires to appeal the finding, the
record will be transcribed and both par-
ties will be furnished a copy of the
transcript. [the-right-to-have-all-pro-
~~ceedings-at-the-hearing-recorded-electroni-~~
~~cally-or-stenographically-and-transcribed.]~~
- 3.(12) The accused student may challenge ~~[Prior-to-the~~
~~[3-(11)1]~~ date-of-the-hearing,] the impartiality ~~[fairness~~
~~or-objectivity]~~ of the Hearing Officer at any time,
~~[person-designated-to-hear-the-charges,]~~ but the
Hearing Officer shall be the sole judge of ~~[he~~
~~shall-not-be-entitled-to-disqualify-the-person-~~
~~challenged.--It-shall-be-up-to--the-individual~~
~~challenged-to-determine]~~ whether he or she can
serve with fairness and objectivity. In the event
the Hearing Officer disqualifies himself/herself,
a substitute will be chosen in accordance with
procedures adopted by the institution. [The-in-
~~stitutional-regulations-shall-provide-for-the~~
~~selection-of-a-substitute-for-a-challenged-person~~
~~who-disqualifies-himself.]~~
- 3.(13) The Hearing Officer ~~[The-person-hearing-the-charges]~~
~~[3-(11)2]~~ shall render and send to both parties a written
decision which shall contain findings of fact and
conclusions as to the [accused-student's] guilt or
innocence of the accused student and shall assess
a penalty in accordance with the published disci-
plinary penalties of the institution or in accor-
dance with one of the following prescribed penalties:
~~[of-the-charges-and-shall-set-ferth-findings-of~~
~~fact-in-support-of-the-charges.--The-penalty-shall~~
~~also-be-stated-in-the-decision.--The-accused-student~~
~~and-the-Dean-of-Students-shall-each-be-given-a-copy~~
~~of-the-decision.]~~
- 3.(13)1 Disciplinary probation - not to exceed one
calendar year.
- 3.(13)2 Withholding of transcript or degree for
failure to pay authorized fees.
- 3.(13)3 Bar against readmission for failure to
pay prescribed fees.

- 3.(13)4 Restitution or reimbursement for damage to or misappropriation of University property.
- 3.(13)5 Suspension of rights and privileges, including participation in athletic or extracurricular activities.
- 3.(13)6 Failing grade for scholastic dishonesty.
- 3.(13)7 Denial of degree for scholastic dishonesty.
- 3.(13)8 Suspension from the University for a period of time not to exceed one calendar year.
- 3.(13)9 Expulsion from the University for an indefinite period of time.

3.(14) Within thirty-five (35) days after the decision has
~~[3-(11)3]~~ been mailed, either or both parties may appeal
~~[Either-the-Dean-of-Students-or-the-accused-student~~
~~may-appeal-the-decision]~~ to the Chancellor [President
~~of-the-System]~~ through the chief administrative
officer of the institution. The decision or decisions
will be reviewed [at-each-level-of-such-appeal] upon
the basis of the [written] transcript of the hearing.
Both parties may submit arguments to support their
position. At the discretion of such authority, such
arguments may be oral or written, or both. [Arguments
~~either-against-or-in-support-of-the-Decision-will-be~~
~~considered-by-the-reviewing-authority-and, at-the~~
~~discretion-of-such-authority, will-be-presented-in~~
~~writing-rather-than-orally.]~~

3.(15) The chief administrative officer of the institution
~~[3-(11)4]~~ or the Chancellor [President-of-the-System] may
approve, reject, or modify the decision in question,
or may require that the original hearing be reopened
for the presentation of additional evidence and re-
consideration of the decision. The action of each
reviewing authority shall be communicated in writing
to the accused student and the Dean of Students.
The decision of the Chancellor [President-of-the
System] shall be the final appellate review.

3.(16) Through matriculation at an institution of the System,
~~[3-(12)2]~~ a student neither loses the rights nor escapes the
responsibilities of citizenship. Students who violate
the law may incur penalties prescribed by civil
authority, but institutional penalties shall not be
used merely [merely] to duplicate the penalties im-
posed by civil authority. However, when a student
violation of the law occurs on the campus of a
component institution or in connection with a compo-
nent institution-oriented activity, institutional

penalties may be imposed regardless of whether penalties have been imposed by civil authority for the same offense.

[3-(13) ~~Upon his indictment for a felony, a student may be suspended by the Dean of Students pending a final disposition of the indictment. If the student is not acquitted, his readmission to the institution will be subject to the approval of the Dean of Students and the institutional head.~~]

3.(17) Since the value of an academic degree depends on [3-(14)] the absolute integrity of the work done by the student for that degree, it is imperative that a student maintain a high standard of individual honor in his scholastic work. Scholastic dishonesty is the submission as one's own work of material that is not one's own. As a general rule, it involves one of the following acts: cheating, plagiarism, and/or collusion. Each component institution will adopt detailed regulations concerning scholastic dishonesty.

3.(18) The Dean of Students, the chief administrative officer of the institution, [3-(15) ~~the institutional head~~] or the Chancellor [~~President of the System~~] may take immediate interim disciplinary action, including suspension pending a hearing, against a student for violation of a rule and regulation of the System or of the institution at which the accused is a student when the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the academic process [~~in the opinion of such official, the interest of the System or the component institution would be served by such action~~].

3.(19) Each component institution shall maintain for every [3-(16)] student who has been charged with dishonesty or other serious misconduct [~~received any disciplinary penalty~~] at such institution, a permanent written disciplinary record that shall reflect the nature of the charge, the disposition of the charge, the penalty assessed, if any, and any other pertinent information. This disciplinary record shall be separate from the student's academic record and shall be treated as confidential, and the contents shall not be revealed except upon request of the student or in accordance with applicable state or federal laws [~~upon direction of the institutional head or his delegate~~].

3.(20) Every student is expected to obey all federal, state, and local laws and is expected to familiarize himself/herself with the requirements of such laws [~~7-and-particularly-the-three-state-statutes-set-out below~~]. Any student who violates any provision of those [these] laws [~~three-statutes~~] is subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities on account of the violation. [∓]

[3-(17)] ~~1-DISORDERLY-CONDUCT~~

~~Section 1. No person, acting alone or in concert with others, may engage in disorderly conduct. Disorderly conduct consists of any of the following:~~

- ~~(1) behavior of a boisterous and tumultuous character in a residential area of a public place such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists; or~~
- ~~(2) interfering with the peaceful and lawful conduct of persons in or about their homes or public places under circumstances in which such conduct tends to cause or provoke a disturbance; or~~
- ~~(3) violent and forceful behavior at any time in or near a public place, such that there is a clear and present danger that free movement of other persons will be arrested or restrained, or other persons will be incapacitated in the lawful exercise of business or amusement; or~~
- ~~(4) behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or affrays; or~~
- ~~(5) in a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance; or~~

- (6) willful-and-malicious-behavior that-interrupts-the-speaker-of any-lawful-assembly-or-impairs the-lawful-right-of-others-to participate-effectively-in-such assembly-or-meeting-when-such conduct-tends-to-cause-or-provoke-a-disturbance;-or
- (7) behavior-near-a-courthouse-or other-public-building-wherein judicial-proceedings-are-being held;-designed-or-having-the effect-of-interfering-with the-administration-of-justice; whether-by-disrupting-the courts-or-by-intimidating-the judges;-witnesses;-jurors;-or other-persons-having-business with-the-courts;-or
- (8) behavior-near-any-public-building wherein-matters-affecting-the public-are-being-considered-or deliberated;-designed-or-having the-effect-of-interfering-with such-proceedings-under-circumstances-in-which-such-conduct tends-to-cause-or-provoke-a disturbance;-or
- (9) willful-and-malicious-behavior which-obstructs-or-causes-the obstruction-of-any-doorway; hall;-or-any-other-passageway in-a-public-building-to-such an-extent-that-the-employees; officers;-and-other-persons; including-visitors-and-tourists; having-business-with-the-government-are-denied-entrance-into; exit-from;-or-free-passage-in such-building;-or
- (10) behavior-involving-the-display of-any-deadly-weapon-in-a-public place-in-such-a-manner-as-to alarm-or-frighten-other-persons present;-or
- (11) enters-upon-the-property-of another-and-for-a-lewd-or-unlawful-purpose-deliberately looks-into-a-dwelling-on-the property-through-any-window or-other-opening-in-it.

Section-2.-Any-person-who-violates-any-of-the provisions-of-Section-1-of-this Article-shall-be-guilty-of-a-misdemeanor-and-upon-conviction-shall be-punished-by-a-fine-of-not-more

than Two Hundred Dollars (\$200); For any second or subsequent conviction of any of the provisions of Section 1 of this Article such person shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000); or by imprisonment in the county jail for not more than thirty (30) days or by both such fine and imprisonment.

{H. B. No. 57, Acts of the 61st Legislature, Regular Session, 1969}

[3-(17)2-DISRUPTIVE-ACTIVITY.

See-1. No person or group of persons acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any private or public school or institution of higher education or public vocational and technical school or institute.

See-2(a) For the purposes of this Act, "disruptive activity" means:

- (1) obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school;
- (2) seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research or other authorized activity;
- (3) preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration;
- (4) disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or
- (5) obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.

~~(b) For the purposes of this Act, a lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.~~

~~Sec--3 A person who violates any provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine of not to exceed \$200 or by confinement in jail for not less than 10 days nor more than 6 months, or both.~~

~~Sec--4 Any person who is convicted the third time of violating this act shall not thereafter be eligible to attend any school, college or university receiving funds from the State of Texas for a period of two years from such third conviction.~~

~~Sec--5 Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitutions of the United States or the State of Texas.~~

~~[(H.B.--No.--141,--Acts of the 61st Legislature,--Regular Session,--1969)]~~

~~Sec--6 Neither the institutional head nor the President of the System, nor any representative of either of them when dealing with disruptive activities as defined in Section 2(a) above, shall negotiate or attempt to negotiate with any person or persons engaged in any disruptive activity on the campus of any component institution of the System. When such a situation arises, the institutional head or the President of the System, or any representative of either of them, shall take immediate action to utilize all lawful measures to halt and eliminate any and all such disruptive activities that come to their attention.~~

~~Sec--7 Any person who, acting either singly or in concert with others, engages in any disruptive activity (as defined in Section 2(a) above) on the campus of any component institution of the System is subject to discipline, including expulsion from enrollment as a student or dismissal from employment as a faculty or staff member. The institutional head or the President of the System may take immediate interim~~

disciplinary-action,-including-sus-
pension-as-a-student-or-faculty-or
staff-member-pending-a-hearing,
against-any-person-who-engages-in
any-such-disruptive-activity-

[3-(17)3 FIREARMS-

See--1

It-shall-be-unlawful-to-interfere
with-the-normal-activities,-the
normal-occupancy,-or-normal-use-of
any-building-or-portion-of-a-campus
of-any-private-or-public-school-or
institution-of-higher-education-or
public-vocational-and-technical-school
or-institute-by-exhibiting-or-using
or-threatening-to-exhibit-or-use-a
firearm-

See--2

A-person-who-violates-Section-1-of-this
Act-is-guilty-of-a-felony-and-upon
conviction-is-punishable-by-a-fine-of
up-to-\$1,000-or-by-imprisonment-in
jail-for-a-period-not-to-exceed-6-
months,-or-both-by-fine-and-imprison-
ment,-or-by-imprisonment-in-the-state-
penitentiary-for-a-period-not-to-ex-
ceed-five-years-

{H.B.-No.-1450,-Acts-of-the-61st-Legislature,-Regular
Session,-1969}

3. (21) Pursuant to the authority conferred upon the Board
[3-(18)] of the System by Sections 51.202 and 51.204, Texas
Education Code, [Chapter 80,-Acts-of-the-60th-Legis-
lature,-Regular-Session,-1967-(Article-2919j,-Vernon's
Texas-Civil-Statutes)], and in order to protect the
safety and welfare of students and employees of the
component institutions of the System and to protect
the property of the System, it is hereby declared
that it shall be unlawful for any person to enter,
walk, run, lie, play, remain, or be in the water of
any fountain or other artificial body of water lo-
cated on the campus of any component institution of
the System unless such person shall have theretofore
been granted permission by the administrative head
of that institution to enter, remain, or be in such
water.

It shall further be unlawful for any person to dump,
throw, place, or cause to be placed any material,
object, trash, waste, or debris in the water of any
fountain or other artificial body of water located
on the campus of any component institution of the
System.

It shall also be unlawful for any person to damage,
deface, or remove any portion of any fountain, monu-
ment, or memorial located on the campus of any compo-
nent institution of the System.

Any person who violates any portion of this regula-
tion shall upon conviction thereof be punished by a
fine of not more than \$200.

Any student of a component institution who violates any portion of this regulation shall, in addition to the penalty prescribed in the last preceding section, be subject to discipline, including expulsion, by the institution.

3.(22) The minimum standards of individual conduct required ~~[3-(19)]~~ by the penal statutes of Texas or the United States are both expected and required of every student attending any component institution of the System. Any student who violates such standards of conduct is subject to discipline by the Dean of Students, regardless of whether or not any action is taken against the student by civil authorities on account of such violation. If disciplinary action is taken, the Dean of Students shall proceed with action in the same manner as he would in the case of a violation of any other provision of these rules and regulations or a provision of any Handbook of Operating Procedures ~~[institutional-supplement]~~.

Sec. 4 Student Organizations.

- 4.1 An organization in which membership is limited to students (recognizing that faculty and staff may also be members) of a component institution may become a registered student organization at that institution by complying with the registration procedures established by the Dean of Students.
- 4.2 The Dean of Students, with the approval of the institutional head, may establish regulations requiring faculty or staff advisers for registered student organizations.
- 4.3 A registered student organization may state that its membership is composed of students, or of students, faculty, and/or staff, of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of that institution.
- 4.4 The Dean of Students, with the approval of the institutional head, may issue regulations governing the eligibility of students for participation in organized activities.
- 4.5 At each component institution, an appropriate committee or committees shall have initial jurisdiction over all registered student organizations.
- 4.6 Any student organization is subject to disciplinary action or revocation of registration as a student organization for violation of a rule or regulation of the System and/or of the institution at which the organization is registered.

4.7 The administrative head of each component institution of the System shall require and enforce the following:

- 4.71 As a condition to being a registered student organization or group during a semester, every registered student organization or group shall furnish to the appropriate institutional officer at the beginning of each such semester a complete list of officers or other members of the organization or group who are authorized to speak for or represent the organization or group in its relations with the institution and who are authorized to receive for the organization or group official notices, directives, or information from the institution. Each such list shall be kept current and accurate throughout the semester by the organization or group, and it shall be conclusively presumed that the officers or members whose names are on the list most recently filed by the organization or group are authorized to speak for and represent the organization or group in its relations with the institution and are authorized to receive for the organization or group official notices, directives, or information from the institution.
- 4.72 No registered student organization or group may have any person as a member who is not either a student or a member of the faculty or staff of the institution. Except pursuant to the provisions of Section 6.5 of this chapter, no organization or group, whether registered or not, may use any facility of any component institution of the System if it has as a member any person who is not either a student or a member of the faculty or staff of the institution.
- 4.73 At the beginning of each semester, each registered student organization or group must file with the appropriate institutional officer an affidavit stating that the organization or group does not, and will not during the semester, have as a member any person who is not either a student or a member of the faculty or staff of the institution. If an organization or group fails or refuses to file the required affidavit, or if, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused registered organization or group every right guaranteed to it by the due process

clauses of the United States and Texas Constitutions), the institutional head shall during the semester find that the affidavit is or has become false, and that the organization or group does, in fact, have as a member a person who is not either a student or a member of the faculty or staff of the institution, the institutional head shall immediately cancel the registered status of the organization or group and shall deny to the organization or group any and all privileges to which it would otherwise be entitled as a registered student organization or group.

4.74 No organization or group, whether registered or not, may use the facilities of any component institution as long as it owes a monetary debt to the institution and the debt is considered delinquent by the crediting institutional agency.

4.8 No component institution shall register any student organization or group whose actions or activities, in the opinion of the institutional head or the Chancellor [~~President-of-the-System~~], are inimical to the educational purpose and work of the institution.

4.9 A registered student organization whose registered status has been canceled by the institutional head pursuant to Subsection 6.13 of Section 6 of this chapter or Subsection 4.73 of Section 4 of this chapter may apply for re-registration not less than six months following the date of such cancellation.

Sec. 5 Participation in Student Government.

5.1 Students' Associations.--Students' associations currently authorized at the component institutions of the System are hereby approved. They shall have such jurisdictions and shall exercise such powers as the Board may now or hereafter delegate to them.

5.11 Constitutions and Laws Approved.--The constitutions and laws of the several associations in force at the date of adoption of these Rules and Regulations are hereby approved.

5.12 Mode of Amending Constitutions and Laws.--An amendment to the constitution or laws of a students' association may be adopted by an association, in accordance with its constitution and laws, but the change shall not become effective until transmitted to and acted upon by the Dean of Students, the institutional head, and the Chancellor [~~President-of-the-System~~] and approved by the Board.

- 5.13 Amendment or Repeal by Regents.--The Board shall amend or repeal any portion of the constitution and laws of a students' association when, in the judgment of the Board, the interests of the particular institution shall require it.
- 5.14 Amendment or Repeal by Dean of Students.--The Dean of Students shall have the power, when in his judgment the interests of the institution require it, to amend or repeal any provision in the constitution or laws of the particular association, but his action shall be in force only until the next meeting of the Board when Section 5.13, above, shall become applicable.
- 5.15 Salaried Employees Approved by Regents.--All persons officially employed on salary by or under the direct supervision of a students' association shall be subject to approval by the Dean of Students, the institutional head, the Chancellor [~~President of-the-System~~], and the Board, both as to salary and as to qualifications.
- 5.16 Annual Financial Reports.--Every officially recognized students' association shall make annually a complete financial report to the institutional business officer, and shall make such special reports as may be called for by such business officer. A duplicate copy of each report shall be filed with the Dean of Students. Committees and administrative units of a students' association maintaining a budget in excess of \$25.00 per annum shall make such interim reports of financial condition as may be required by the Dean of Students.
- 5.2 The students' association on each campus shall be a recognized forum of student opinion.
- 5.21 When a students' association takes a position with reference to issues directly related to a component institution and its operations, its recommendations shall go through the Dean of Students, the institutional head, and the Chancellor [~~President of-the-System~~] to the Board.
- 5.22 When a students' association takes a position on non-University issues, it shall make clear the fact that it does not speak for the institution.
- 5.23 A students' association may conduct polls, initiate petitions, and/or establish forums for debate or discussion under conditions approved by the Dean of Students.

- 5.24 Officers of a students' association may so identify themselves when they express their personal views, but they shall then make it clear that they are not speaking for the institution, or for the student body, and they shall make it clear they are not speaking for the students' association unless the legislative body of that association has authorized the statement in advance.

Sec. 6 Use of University-Owned Facilities.

- 6.1 The campuses of the component institutions of The University of Texas System are not open for assembly and expression of free speech as are the public streets, sidewalks and parks. The responsibility of the Board of Regents to operate and maintain an effective and efficient system of institutions of higher education requires that the time, place, and manner of the exercise of the right of assembly and free speech on the grounds and in the buildings and facilities of the various component institutions be regulated. Acting pursuant to the general authority of Chapter 65 of the Texas Education Code and the specific authority of Subchapter E, of Chapter 51 of the Texas Education Code, the Board of Regents adopts and promulgates the Rules and Regulations of this Section and this Chapter relating to the use of institutional buildings, grounds and other facilities for purposes other than regular academic use. No individual, organization, group, association, or corporation may use the grounds, buildings, or facilities of any component institution of The University of Texas System except as permitted by the provisions of the Rules and Regulations of the Board of Regents and the rules and regulations of the component institutions approved in accordance with such Regents' Rules and Regulations.

~~[The-institutional-head-or-his-delegate-has-the responsibility-of-establishing-regulations-and procedures-for-the-use-of-institutional-buildings, grounds,-and-other-facilities-for-purposes-other than-regular-academic-use.--Such-regulations-and procedures-shall-be-in-accordance-with-the-following:]~~

- 6.11 The term "solicitation" as used herein means the sale or offer for sale of any property or service, whether for immediate or future delivery; the receipt of or request for any gift or contribution; and

the request that a vote be cast for or against a candidate, issue, or proposition appearing on the ballot at any election held pursuant to state or federal law.

~~[As used in this section, the word "solicitation" means the sale or offer for sale of any property or service, whether for immediate or future delivery, and the receipt of or request for any gift or contribution.]~~

- 6.12 No solicitation shall be conducted in any building, ~~[or]~~ structure, or facility ~~[on the campus]~~ of any component institution of the System, provided, however, that the following activities shall be deemed not to be solicitations prohibited by this subsection if they are conducted in a manner that will not disturb or interfere with the ~~[regular]~~ academic or institutional programs being carried on in a building, ~~[or]~~ structure or facility, [or] or do not interfere with entry to or exit from a building, structure or facility:
- (1) The sale or offer for sale of any newspaper, magazine, or other publications by means of a vending machine in an area designated in advance by the institutional head or his delegate for the conduct of such activity.
 - (2) The sale or offer for sale of any food or drink item by means of a vending machine operated by the institution or its subcontractor in an area designated in advance by the institutional head or his delegate for the conduct of such activity.
 - (3) The sale or offer for sale of any publication of the institution or of any book or other printed material to be used in the regular academic work of the institution.
 - (4) The operation by the institution or its subcontractor of any bookstore, specialty store, laundry, cafeteria, or other service facility maintained for the convenience of the students, staff and/or faculty.
 - (5) The sale or offer for sale by the institution or its subcontractor of food and drink items and programs at athletic contests or at any other program or event sponsored or authorized by the institution.
 - (6) The collection of tuition and fees in connection with enrollment of a student in any course or degree program.

(7) The collection of membership fees or dues by registered student, faculty, or staff organizations at meetings of such organizations scheduled in accordance with the facilities use regulations of any component institution.

(8) The collection of admission fees for the exhibition of movies or other programs that are sponsored by the component institution, a recognized faculty group, or a registered student organization, and are scheduled in accordance with the facilities use regulations of the component institution.

(9) The activities of any organization that can present to the institutional head, or his delegate, written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under 26 U.S.C.A. 501(c)(3) (Internal Revenue Code).

6.121 No organization may solicit under Subdivision (9) of this subsection for more than a total of fourteen days, whether continuous or intermittent, during each state fiscal year.

6.13 No solicitation shall be conducted on the grounds, sidewalks, or streets on the campus of any component institution of the System, except by the agents, servants, or employees of that institution acting in the course and scope of their agency or employment, or by the students' association of that institution, or by a registered student, faculty, or staff organization at that institution.

(1) Solicitation made pursuant to the terms of Subsection 6.13 must be conducted in such a way (a) that it will not disturb or interfere with the [regular] academic or institutional programs being carried on in campus buildings, (b) that it will not interfere with the free and unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from campus buildings, and (c) that it will not harass, embarrass, or intimidate the person or persons being solicited. If, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused organization

every right guaranteed by the due process clauses of the United States and Texas Constitutions) the institutional head determines that a solicitation is being conducted in a manner violative of this subsection, the institutional head shall prohibit the offending organization from solicitation on the campus for such period or periods of time as he shall determine to be appropriate and in the case of repeated violations of these solicitation rules, the institutional head may cancel the registered status of the offending organization.

- (2) The students' association and each registered student organization shall, within 30 days following the end of each academic semester or summer session, file with the institutional head or his delegate a sworn statement fully and fairly disclosing the sources and amounts of money which it obtained from solicitations (sales and contributions) on the campus during the preceding semester or summer session and fully and fairly disclosing the beneficiaries and amounts of the expenditures which it made during the preceding semester or summer session. A registered student organization which during a semester or summer session receives no money or thing of value other than from its own members need file only a sworn statement to that effect. Any organization failing to comply with the provisions of this paragraph shall be prohibited from solicitation on the campus until such organization places itself in compliance.

6.14 Use of Physical Facilities of the System by Registered Student, Faculty or Staff Organizations.--Registered student, faculty or staff organizations may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. Groups of

- students, faculty or staff who are not registered may not use the institution's buildings and/or grounds. Registered student, faculty or staff organizations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.
- 6.15 Reasonable and nondiscriminatory regulations may be promulgated to authorize students and registered student organizations, under specified conditions, to petition, post signs, set up booths, and/or peacefully demonstrate on the campus. Such regulations shall prohibit any activity that would interfere with [~~regular~~] academic and institutional programs.
- 6.16 No person, whether or not a student or employee of a component institution, shall publicly distribute on the campus of any such institution any petition, handbill, or piece of literature that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
- 6.17 No person, whether or not a student or employee of a component institution, shall post or carry any sign or poster that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
- 6.18 No person, whether or not a student or employee of a component institution, shall install, occupy, or use on the campus of any such institution any booth, if the use of the booth is wholly or partly for the distribution or dissemination of words or material that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law. For the purpose of this provision, the word "booth" includes furniture, enclosure, and any other structure temporarily installed for distributing petitions, handbills, or literature, or for displaying signs, or for raising funds or soliciting tangible items.
- 6.2 The use of student center or student union facilities on the campus of each component institution shall be subject to reasonable and nondiscriminatory regulations as may be promulgated by that center's governing board and approved by the Dean of Students and the institutional head.

6.3 Extracurricular student, faculty or staff activities involving the use of System-owned buildings and grounds shall be conducted in accordance with local, state and national law and in accordance with the applicable System and institutional regulations. Such activities shall not disrupt or disturb the academic and institutional program and shall not result in damage to or defacement of property.

6.4 Identification Required.

(a) Pursuant to the authority conferred upon the Board of the System by Chapter 80, Acts of the 60th Legislature, Regular Session, 1967 (Section 51.209, Texas Education Code) [~~Article-2919j, Vernon's-Texas-Civil Statutes~~], and in order to protect the safety and welfare of students and employees of the component institutions of the System, and to protect the property of the System, it is hereby declared that it shall be unlawful for any person on any property either owned or controlled by the System or any component institution to refuse to identify himself to an institutional representative in response to a request. For the purpose of this subsection, a person identifies himself by: (1) giving his name and complete address; and (2) by stating truthfully whether or not he is a student at the institution and whether or not he is an employee of the institution.

(b) For the purpose of Subsection (a), an "institutional representative" is:

- (1) any member of the Board of the System;
- (2) any administrative officer of the System, including the Chancellor, the Executive Assistant to the Chancellor, the Assistant Chancellor for Planning, the Executive Director for Development, [~~the-President-of-the-System,~~] the Vice Chancellor [~~President~~] for Academic Affairs, the Vice Chancellor [~~President~~] for Administration, the Vice Chancellor for Business Affairs, the Vice Chancellor [~~President~~] for Health Affairs, the Vice Chancellor for Lands Management and General Counsel, the Executive Director for Investments and [7] Trusts [~~and Lands, the Vice-President-for-Operations, the-Director-for-Public-Affairs~~], the Comptroller, the Director of Facilities Planning and Construction,

the Budget Director, the Associate General Counsel [~~the Vice-President and General Counsel for the System~~], the Director of Police, the System Personnel Director, the Director for Special Services, and the Director of Accounting [~~of the University of Texas at Austin~~];

- (3) any administrative officer of the component institution, including the institutional head, any assistant to the institutional head, any vice president, any Dean of Students, and any associate or assistant dean of students; and
 - (4) any attorney, peace officer, or security officer of the System or the institution.
- (c) Any person who refuses to identify himself fully in accordance with Subsection (a) is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.
- (d) Any student who refuses to identify himself fully in accordance with Subsection (a) is, in addition to the penalty prescribed in Subsection (c), subject to discipline, including expulsion, by the institution.

6.5 Use of Grounds and Physical Facilities by Outside Groups, the System as a Joint Sponsor.--Use of grounds and physical facilities of the System, especially auditoriums, gymnasiums, and large rooms, by outside individuals, groups or associations shall be subject to the following rules in which the "System" shall mean any component institution.

- 6.51 The System will not permit the unrestricted use by non-System groups of any of its facilities.
- 6.52 The System will not enter into joint sponsorship of any project or program that is to result in private gain for the cooperating individuals, group or associations [groups].
- 6.53 The System, established as a public institution without regard to political affiliation or religious faith, cannot be a joint sponsor with any noncampus organization for political or sectarian gatherings. However, the appearance by or on behalf of a candidate for public office may be authorized under conditions prescribed by the Board in Section 7.2 of this Chapter.
- 6.54 Whenever non-System groups share in the use of System buildings, it must be upon the invitation of the System and under its joint sponsorship, and with the further understanding

- that all the conditions governing such sponsorship are to be set by the System.
- 6.55 The System, when entering into joint sponsorship of any program or activity, assumes full responsibility for all details and reserves the right to approve all copy for advertising, as well as news releases.
- 6.56 The System will not enter into joint sponsorship of any program or activity in which the educational implications are not self-evident and which does not directly supplement the educational purposes of the System.
- 6.57 It shall be understood that the availability of the System's [auditorium] facilities for functions other than the institution's own activities is strictly subject to the needs and the convenience of the System, which are always to have priority in the scheduling of facilities.
- 6.58 In the case of programs for which the System is a joint sponsor with some other individual, group or organization, the fee to be paid by the co-sponsor will be a matter for negotiation in each case and will be specified in the agreement providing for the joint sponsorship.
- 6.6 Notwithstanding any other provisions of this chapter, the chief administrative officer of a component institution may designate specific facilities of a component institution, such as special events centers, conference centers, concert halls, theaters, or auditoria, as Special Use Facilities. The chief administrative officer shall cause to be prepared and submitted for approval, as a part of the Handbook of Operating Procedures of the institution, appropriate rules and regulations for the reservation and use of such designated Special Use Facilities. Such rules and regulations must restrict the reservation and use of such facilities in accordance with the following:
- 6.61 Designation as a Special Use Facility shall not constitute the facility as a public facility open to use by non-University persons, groups, associations, or corporations on a first come, first served basis.
- 6.62 Priority in the reservation and use of Special Use Facilities shall be given to activities and events sponsored by the component institution that are in furtherance of and related to the educational, cultural, recreational, and athletic programs of the institution.
- 6.63 As a lower priority, the institutional rules and regulations may provide for reservation

and use of Special Use Facilities by non-University individuals, groups, associations or corporations, without the necessity of joint sponsorship by the institution. The institution shall establish rates to be charged for the use of the facility that will, at a minimum, insure recovery of that part of the operating cost of the facility attributable directly or indirectly to such non-University use. If the non-University user charges those attending an event any admission or registration fee, or accepts donations from those in attendance, the institution shall require the user to make a complete account of all funds collected and of the actual cost of the event. If the funds collected exceed the actual cost of the event, the non-University user shall be required to remit such excess funds to the institution as an additional charge for the use of the Special Use Facility.

6.64 Subject to all constitutional and statutory provisions relating to the use of state property or funds for religious or political purposes, and subject to Subsection 6.63, above, Special Use Facilities may be made available for religious and political conferences or conventions. Religious organizations applying for use of a Special Use Facility must submit written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c)(3) of Title 26 of the United States Code [Internal Revenue Code]. Political organizations applying for use of a Special Use Facility must present written evidence that the organization had candidates for either state, district, or local offices listed on the ballot at the last general election. A religious or political organization shall be permitted to use a Special Use Facility only one time during a calendar year.

Sec. 7 Speech and Assembly.

7.1 Freedom of inquiry and discussion are basic and essential to intellectual development. However, these freedoms must be exercised in a manner that does not intrude upon or interfere with the academic programs and administrative processes of the System. Each component institution may designate one or more appropriate "free speech" areas on the campus where students may assemble and engage in free speech activities without prior administrative approval.

In the absence of the designation of such "free speech" areas, all speech and assembly activities must be conducted in accordance with the provisions of this Chapter and the rules and regulations of the component institution. [Students-have-the-right, therefore, to freedom of speech and assembly, subject to reasonable nondiscriminatory rules and regulations adopted by the System and/or the component institution.]

7.11 Students, faculty or staff who are candidates for public office or who wish to campaign on behalf of a particular candidate or candidates may engage in conduct in behalf of such candidacy in the designated "free speech" areas or in accordance with the provisions of Section 7.2 of this Chapter relating to off-campus speakers.

["It shall be unlawful for any person knowingly or willfully to . . . advocate, abet, advise, or teach by any means . . . under such circumstances as to constitute a clear and present danger to the security of the United States, or of the State of Texas, or of any political subdivision of either of them . . ."] (Texas Civil Statutes, Article 6889-3A, Sec. 5.)

[7.12 Students who are candidates for public office or students appearing in the interest of a particular candidate or candidates for public office may be permitted the use of institution-owned facilities under the provisions of paragraphs 7.241 and 7.242 of this chapter.]

7.2 Off-Campus Speakers.--The Board has and reserves the right to regulate the presentation of guest speakers on the campus who are unaffiliated with the System or any component institution thereof (hereafter referred to as off-campus speakers).

7.21 Only registered student organizations, faculty or staff organizations, System-owned dormitories, and Student Government may present off-campus speakers on the campus.

7.22 The organization sponsoring an off-campus speaker has the responsibility of making clear the fact that the organization, not the institution, is extending the invitation to speak and that any views the speaker may express are his own and not necessarily those of the System or of any component institution.

7.23 An off-campus speaker is subject to all provisions of the Texas Civil Statutes.

- 7.24 Registered student organizations, faculty or staff organizations, University-owned dormitories, and Student Government may be permitted the use of System-owned facilities to present off-campus speakers on campus pursuant to the facilities' use regulations promulgated by the component institution and subject to the requirement that each component institution must submit to the System Administration for approval as a part of its institutional Handbook for Operating Procedures a copy of all applicable facilities' use regulations, and no facilities' use regulation shall have any force or effect until it has been approved by the Chancellor [President of-the-System] and the Vice Chancellor for Lands Management [President] and General Counsel [for-the-System].
- 7.25 An application for the use of any System-owned facility must be made to the chief administrative officer, or his delegate, at least forty-eight hours before the time the event is scheduled to take place.
- 7.26 No person shall be permitted to speak on any campus of the System who is known to advocate or recommend, either orally or in writing, the conscious and deliberate violation of any federal, state, or local law.
- 7.27 No off-campus speaker who is to be paid from state funds as consideration for his or her speech shall be permitted to speak on the campus of any component institution of the System unless the university facility in which the speech is to be delivered will be open to the public, including members of the news media, who will be entitled to record, videotape, or telecast live portions of the speech. The provisions of this subdivision do not apply to classes, seminars, symposia, and conferences intended for the use and benefit of students, faculty, staff, and invited guests. No person may in any way obstruct or lessen in any way the opportunity for the audience to take the fullest advantage of the speech, including the opportunity to see and hear the speaker during the entire speech.

Sec. 8. Off-Campus Student Housing.

- 8.1 Off-Campus Student Housing.--The component institutions of the System will not extend Approved Housing status to any student residential units except those

directly operated by the System. Each student at a component institution will have free choice in the selection of his non-University-operated residential accommodations, subject to parietal rules.

Sec. 9 University Policy in Regard to Debts of Students.

9.1 Neither the System nor any component institution is responsible for debts contracted by individual students or by student organizations. On the other hand, all students and student organizations are expected to conduct themselves honorably in all commercial transactions. Neither the System nor any component institution will assume the role of a collection agency except for monies owed to the System or one of its component institutions, nor will the System nor any of its component institutions adjudicate disputes between students and creditors over the existence or the amounts of debts.

9.2 In the event of nonpayment to the System or one of its component institutions, one or more of the following actions may be taken: (a) a bar against readmission for the student, (b) withholding of the student's grades and official transcript, (c) withholding of a degree to which the student otherwise would be entitled.

Sec. 10 Anonymous Publications.

10.1 Anonymous publications are prohibited. Any student publishing or aiding in publishing, or circulating or aiding in circulating, any anonymous publication will be subject to discipline.

Sec. 11 Negotiations Prohibited.

~~[Other Regulations Concerning Student Affairs are Reported in the Rules and Regulations of the Board, as follows:~~

~~Fellowships, Scholarships, and Loan Funds --- Part Two, Chapter I, Sec. 2, p. 2.~~

~~Tuition and Other Fees --- Part Two, Chapter I, Sec. 3, p. 2.~~

~~Policy Against Discrimination --- Part Two, Chapter I, Sec. 5, p. 3.~~

~~Auxiliary Enterprises --- Part Two, Chapter X, Sec. 1-7, p. 69.~~

~~Texas Student Publications at The University of Texas at Austin --- Part Two, Chapter X, Sec. 8, pp. 70-71.]~~

11.1 Neither the institutional head nor the Chancellor, nor any representative of either of them when dealing

with disruptive activities, shall negotiate or attempt to negotiate with any person or persons engaged in any disruptive activity on the campus of any component institution of the System. When such a situation arises, the institutional head or the Chancellor, or any representative of either of them, shall take immediate action to utilize all lawful measures to halt and eliminate any and all such disruptive activities that come to their attention.

Sec. 12 Other Regulations Concerning Student Affairs are Reported
[See--11] in the Rules and Regulations of the Board, as follows:

Fellowships, Scholarships, and Loan Funds - Part Two,
Chapter I, Sec. 2, p. I-2.

Tuition and Other Fees - Part Two, Chapter 1, Sec. 3,
p. I-2.

Policy Against Discrimination - Part Two, Chapter I, Sec.
5, p. I-3.

Auxiliary Enterprises - Part Two, Chapter X, Sec. 1-7,
p. X-1 [69].

Texas Student Publications at The University of Texas at
Austin - Part Two, Chapter X, Sec. 8, p. X-2 [pp--70-71].

The Texas Union at The University of Texas at Austin -
Part Two, Chapter X, Sec. 9, p. X-8.

Employment of a Students Attorney - Part Two, Chapter X,
Sec. 11, p. X-12.

CHAPTER VII

THE SYSTEM PRIVATE-FUND DEVELOPMENT AND FOUNDATIONS

Sec. 1 The System Private-Fund Development.

1.1 Responsibilities of the Board and Administrative Officials of the System in Private-Fund Development.

1.11 Among the most important responsibilities of the Board are those of establishing policies and procedures by which the developmental needs of the System and its component institutions can be determined and of directing vigorous efforts to attract private-fund support for meeting these needs.

1.12 The Chancellor is to serve as the Chief Executive Officer for Fund Development and as the agent of the Board for the discharge of development responsibilities. [1-121] The Chancellor shall define for the Board, at periodic intervals, descriptions of current and future needs, as determined by the institutional heads and System Administration, taking into account such needs as the System Development Advisory Council and each component institution development board may have recommended.

[1-2 ~~Responsibilities and Duties of the System Development Advisory Council:~~

1-21 ~~The System Development Advisory Council is the group responsible for advising the Chancellor on all private-fund development for the System.~~

1-22 ~~The System Development Advisory Council shall advise the Chancellor on policies to govern activities for cultivating and securing private funds for the System and its component institutions.~~

1-23 ~~In the absence of unusual circumstances, no major private-fund development effort or decision, not covered by previously adopted regulations of the Board, shall be recommended by the Chancellor to the Board without prior advice thereon from the System Development Advisory Council and the component institution development board, which advice shall be transmitted to the Board.~~

- 1-24 ~~The System Development Advisory Council shall have particular responsibility to advise the Chancellor with regard to:~~
- 1-241 ~~The development, with the cooperation and assistance of each component institution development board, of the total private fund needs of each component institution of the System.~~
- 1-242 ~~The planning, coordination, and promoting, with the component institution development board, of support for both current and long-term programs to meet developmental needs of the System and its component institutions.~~
- 1-243 ~~The development of continuing gift possibilities not related to predetermined projects.~~
- 1-244 ~~The content of periodic progress reports from the Chancellor to the Board on the development plans and programs of the System.~~
- 1-245 ~~Appropriate recognition of donors by the System or the institutional development boards.~~
- 1-246 ~~The enlistment of the aid of numerous friends of the System and its component institutions in fund development efforts, and the establishment of such committees and other groups as seem desirable in carrying out its program.~~

[1-3 ~~Composition and Operation of the System Development Advisory Council.--~~

- 1-31 ~~The System Development Advisory Council membership shall consist of:~~
- (1) ~~The Chancellor of the System as Chairman.~~
- (2) ~~A member to be elected by each component institution development board. Initial appointments to the System Development Advisory Council shall draw lots providing for one third of the total membership to serve for one, two, or three-year terms.--All terms following the initial appointments to the committee will be a three-year term.--All terms will officially begin on September 1.~~
- 1-32 ~~The System Development Advisory Council shall cause accurate minutes of its proceedings to be kept, and shall file copies with the Secretary to the Board.--It shall assist the Chancellor in the preparation of an annual~~

evaluation-report-on-the-development-func-
tion.--This-report-shall-be-transmitted
to-the-Board:

1.33 The-System-Development-Advisory-Council-shall
conduct-its-operations-in-accord-with-the
policies-and-regulations-of-the-Board,--and
shall-make-recommendations-concerning-policies
through-the-Chancellor-to-the-Board.

[1.4 Development-Executive-Officer-of-the-System.--

1.41 Within-the-Office-of-the-Chancellor-there
may-be-appointed-by-the-Chancellor-the-Execu-
tive-Director-for-Development-who-shall-be
responsible-to-the-Chancellor.--He-is-subject
to-supervision,--evaluation,--and-termination-of
employment-by-the-Chancellor.

1.42- This-Executive-Director-for-Development-shall
have-such-staff-and-operating-funds-as-shall
be-determined-from-time-to-time-by-budgets
recommended-by-the-Chancellor-and-adopted
by-the-Board:

[1.5 Finances.--Financial-support-of-the-System-Development
Advisory-Council-and-the-Executive-Director-for-Develop-
ment-shall-be-provided-exclusively-by-appropriation-of
the-Board.--Such-appropriation-will-be-made-through
established-budgetary-procedures.--The-Board-may
accept-gifts-designated-for-use-by-the-System-Develop-
ment-Advisory-Council-and-may-make-such-funds-available
for-expenditure-by-said-committee.]

Sec. 2 The Development Board of a Component Institution for Private-
Fund Development.

2.1 With the approval of the institutional head, the
Chancellor, and the Board of Regents, any component
institution may have a development board dedicated
to its own unique interests. Such a development board
is the agency responsible through the institutional
head to the Chancellor, and through him to the
Board of Regents, for all private-fund development
for that component institution. Each component
institution development board shall determine its
development needs and shall direct the formulation
of plans and the promotion of support for its pro-
grams.

2.2 Responsibilities and duties of the component insti-
tution development boards:

2.21 The component institution development board
is the agency responsible to the institutional
head of each institution for all private-fund
development for that institution.

- 2.22 The component institution development board shall recommend through the institutional head and the Chancellor to the Board of Regents the approval of current and long-range policies which shall govern activities and responsibilities in cultivating and securing private funds for the institution.
- 2.23 The component institution development board shall have responsibility:
 - 2.231 For studying and developing total development needs of the component institution.
 - 2.232 For coordinating and formulating plans and actively promoting support for both current and long-range programs to meet the developmental needs of the component institution.
 - 2.233 For developing gift possibilities not related to predetermined projects.
 - 2.234 For periodic reports of progress to the institutional head and the Chancellor on the plans and programs of the component institution development board. It is expected that a continuing program of the component institution will include collection and dissemination of information regarding gifts and endowments.
 - 2.235 At periodic intervals, the institutional head shall lay before his development board descriptions of current development needs.
- 2.3 Composition and Operation of the Component Institution Development Board:
 - 2.31 The component institution development board shall consist of not more than 25 appointed members, and these shall be recommended and appointed by the institutional head of each component institution with prior specific written approval of the Chancellor and the Board of Regents. Initial appointments to the component institution development board shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointment of the board will be for a three-year term. All terms shall officially begin on September 1. At least one member shall be nominated by the ex-students' association of that institution. The institutional head and the Chancellor (or his delegate) shall be ex officio members with voting privileges. The component

- institution development board will elect a Chairman and such other officers as are appropriate from among its membership.
- 2.32 The component institution development board shall elect a representative from its membership to the System Development Advisory Council for a three-year term except as specified in paragraph 1.31(2). This representative may serve on the System Development Advisory Council only so long as he is a member of the component institution development board.
- 2.4 General Policies of the Component Institution Development Boards:
- 2.41 A component institution development board shall seek to enlist the aid of numerous friends of the institution in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its program.
- 2.42 A component institution development board shall serve the individual component institution of the System to coordinate and assist in the plans and programs of that component institution with consideration of development interests of all component institutions in the System.
- 2.43 A component institution development board will work closely with the internal foundations of the component institutions. No internal foundations shall be established or continued in existence except with the approval of the Chancellor and the Board of Regents. The institutional head of each component institution shall be responsible for stimulating, guiding, and assisting the component institution development board and internal foundations of the component institution he heads and he may require suitable annual reports from each. All such activities shall be coordinated through the office of the institutional head and the director of the component institution development board.
- 2.44 From time to time, special campaigns for specific objectives may be conducted, with or without the assistance of private fund-raising counsel. Such campaigns may originate upon recommendation by the Board of Regents, [~~the-System-Development-Advisory-Council~~], the Chancellor, the institutional head with the concurrence of the Chancellor, or the component institution development board. No such campaign shall be authorized or

- undertaken, however, until the Chancellor has advised the Board of Regents of his approval or disapproval and the campaign has been approved by the Board of Regents.
- 2.45 Notwithstanding the provisions hereof conferring authority upon and placing responsibility with the Chancellor for fund development and fund raising, it is understood that ex-students' associations of the System component institutions may engage in fund raising for their own support through dues and payments for memberships, both annual and life. However, it is expected that no such ex-students' association will sponsor or participate in any other organized fund-raising effort without first consulting and advising with the institutional head and the Chancellor, and then receiving the approval of the Board of Regents.
- 2.46 The component institution development boards shall make recommendations to the System Development Advisory Council regarding the appropriate recognition of donors.
- 2.5 Executive Office of a Component Institution Development Board:
- 2.51 Within the office of the institutional head there may be appointed by the institutional head, with the approval of the Chancellor, an executive director of the component institution development board. He is to be charged solely with fund-development activity, and subject to supervision, evaluation, and termination of employment by the institutional head.
- 2.52 The executive director of the component institution development board shall have such staff and such operating funds as shall be determined from time to time by budgets recommended by the institutional head, endorsed by the Chancellor, and adopted by the Board of Regents. Duties of staff members shall be established by the executive director.
- 2.6 Finances.--Financial support of the component institution development board and the executive director shall be provided exclusively by the budget of the institution. Such budgets will be made through established budgetary procedures. The Board of Regents may accept gifts designated for use by the component institution development board and may make such funds available for expenditure by said board.

Sec. 3 Foundations--The following policies shall govern the creation and administration of foundations:

3.1 Internal Foundations:

- 3.11 The establishment of internal foundations shall be limited to teaching and research divisions of the component institutions of the System. This is not in any sense to be construed as excluding nonteaching and non-research divisions from seeking support from private sources through the component institution development boards as the authorized agencies for correlating all fund-raising activities.
- 3.12 The establishment of foundations for other than component institutions, colleges, or schools shall be limited to divisions and departments with respect to which it can be clearly demonstrated that there exists, actually or potentially, the support of a strong business or professional group, the activities of which will not be in substantial conflict with the foundation which represents the school or college of which the division or department is a part. It is believed that divisions and departments which cannot meet these tests may effectively work as separate groups within the framework of the foundation which represents this school or college. The provisions now existing for the designation of special funds to be used for specific activities should continue within the framework of the various foundations. This opportunity to earmark funds obtained by specific groups should help to avoid stifling the interest and initiative of these groups.
- 3.13 Any foundation in addition to those now existing shall be authorized by the Board of Regents only after approval by the Chancellor.
- 3.14 The work of all internal foundations shall be considered a part of the work of the component institution development boards. It is the duty of the System Development Advisory Council and the component institution development boards to cooperate with such foundations at all times and to stimulate their efforts by counsel, by personal contacts and by providing promotional materials. Further, the foundations shall report periodically to the Chancellor through the component institution development boards. Every effort should be made to permit a free range of

initiative within the foundations, but activities should be in conformity with policies of the Board of Regents so as to permit maximum overall achievements in fund raising throughout the System.

- 3.15 There should be periodic reviews of the activities of each foundation to determine its effectiveness; and, if it is unproductive over a reasonable length of time, provisions should be made for its dissolution.
- 3.16 There shall be established, wherever practical, advisory councils to the foundations. The executive director of each component institution development board shall be an ex officio nonvoting member of each such advisory council.
- 3.17 The presently authorized internal foundations are:

<u>Foundation</u>	<u>Date Established</u>
<u>The University of Texas at Austin</u>	-
John Charles Townes Foundation (School of Law)	1941
Pharmaceutical Foundation of the College of Pharmacy	1949
Fine Arts Foundation of the College of Fine Arts	1950
Architectural Foundation of the School of Architecture	1952
Genetics Foundation of the Zoology Department	1952
College of Business Administration Foundation	1953
The Psychological Research Foundation	1953
Geology Foundation	1953
Arts and Sciences Foundation	1955
Engineering Foundation	1955
College of Education Foundation*	1976

*Formerly Teacher Education Foundation - 1956

School of Social Work Foundation	1966
The Lyndon Baines Johnson School of Public Affairs Foundation, Inc. (Chartered)	1968
Communication Foundation of the School of Communication	1969
Graduate School of Library Science Foundation	1969
<u>University Cancer Foundation</u>	1951
<u>The University of Texas at Arlington Foundation</u>	1967
<u>The University of Texas Medical Branch at Galveston Foundation</u>	1967
<u>The University of Texas at El Paso Foundation</u>	1967
<u>The University of Texas Medical School at Houston</u>	
Houston Medical Foundation (Chartered)	1970
<u>The University of Texas System</u>	
Hogg Foundation for Mental Health	1940
The University of Texas [System] Foundation, Inc. (Chartered)	1967
The University of Texas Nursing School (System-wide) Foundation	1968
<u>The University of Texas at Dallas</u>	
<u>The Aerospace Heritage Foundation, Inc.</u>	<u>1978</u>

3.2 External Foundations

- 3.21 No component institution or department or school of a component institution of the System may accept or receive gifts or bequests from any external foundation (whether or not an authorized external foundation) until such gifts or bequests have been accepted and approved by the Board of Regents.
- 3.22 Wherever such external foundations now exist, the Board of Regents shall establish a working

relationship with the officials of that foundation and coordinate their activities in such a way as to assure their conformity with the general policies of the Board of Regents.

3.23 The only presently authorized external foundations are:

Foundation

Law School Foundation

Texas Chest Foundation

The Business School Foundation

CHAPTER VIII

MISCELLANEOUS

- Sec. 1 Naming of Buildings and Other Facilities.--Buildings and other facilities (including laboratories and clinics) of the System and its component institutions shall not be named in honor of any person until such person shall have been dead at least five years and a nomination accompanied by reasons shall have been received by the Board from the institutional faculty; provided, however, that the Board may act without receiving a nomination from the institutional faculty when unusual circumstances justify such action and particularly when a substantial donation has been made toward the construction of the building or facility to be named.
- Sec. 2 Flags at Half Mast.--Flags at any of the component institutions of the System shall be placed at half mast on the death of a Regent, the death of a member of the teaching or nonteaching staff, the death of a student in residence at the institution, or at such other times as may be deemed appropriate by the institutional head.
- Sec. 3 Medical and Hospital Services.--No medical or hospital services shall be provided by any component institution of the System to any person without compensation or reimbursement to the System, except that in the case of hospitals operated by the System, which under the law are open to the general public, free or partly free medical and hospital services may be rendered to persons who are indigent and who are able to offer proof that they are not financially able to pay either all or any part of their hospital or medical expenses.

In the health components, full-time faculty in clinical services meeting the American Medical Association definitions of primary care may accept patients for acute or continuing, or both, care without referral by another physician or agency if the patients certify that they have no primary physicians. The patients are accepted for total and continuing care including the obligation to obtain the services of other physicians when indicated.

Upon the referral of a duly licensed physician, dentist, or governmental agency or for the purpose of preparing for testimony before any administrative or judicial tribunal, full-time faculty in nonprimary care clinical services

may accept patients for examination, care and/or treatment. The referral source should be documented in the patient's records.

This referral policy shall not apply to patients with emergency conditions, or to employees or students of UT component institutions.

Sec. 4 Institutions and Entities Composing the System.--The System is composed of the component institutions and entities set forth below in paragraphs 4.1 et seq.; and such other component institutions and activities as may from time to time be assigned to the governance, control, jurisdiction, or management of the Board of the System. To insure uniformity and consistence of usage throughout the System, the component institutions and their respective entities shall be listed in the following order and the following titles shall be used:

	<u>Full Title</u>	<u>Short Title</u>
4.1	The University of Texas System Board of Regents, including The University of Texas Permanent University Fund	Board of Regents Permanent Univer- sity Fund
4.2	The University of Texas System Administration	System Administration
4.3	The University of Texas at Arlington	U.T. Arlington
4.31	The University of Texas at Arlington School of Archi- tecture and Environmental Design	
4.32	The University of Texas at Arlington College of Business	
4.33	The University of Texas at Arlington College of Engineering	
4.34	The University of Texas at Arlington College of Liberal Arts	
4.35	The University of Texas at Arlington School of Nursing	
4.36	The University of Texas at Arlington College of Science	
4.37	The University of Texas at Arlington School of Social Work	
4.38	The University of Texas at Arlington Graduate School	
4.39	The University of Texas at Arlington Institute of Urban Studies	Institute of Urban Studies

- 4.4 The University of Texas at Austin U.T. Austin
- 4.41 The University of Texas at
 Austin School of
 Architecture
- 4.42 The University of Texas at
 Austin College of Liberal
 Arts [Humanities]
- 4.43 The University of Texas at
 Austin College of Natural
 Sciences [~~The-University-of~~
 ~~Texas-at-Austin-College-of~~
 ~~Social-and-Behavioral-Sciences~~]
- 4.44 The University of Texas at
 Austin College of Business
 Administration [~~The-University~~
 ~~of-Texas-at-Austin-College-of~~
 ~~Natural-Sciences~~]
- 4.45 The University of Texas at Austin
 School of Communication
 [~~The-University-of-Texas~~
 ~~at-Austin-Division-of~~
 ~~General-and-Comparative~~
 ~~Studies~~]
- 4.46 The University of Texas at
 Austin College of Educa-
 tion [~~The-University-of~~
 ~~Texas-at-Austin-College~~
 ~~of-Business-Administration~~]
- 4.47 The University of Texas at
 Austin College of Fine Arts
 [~~The-University-of-Texas-at~~
 ~~Austin-School-of-Communica-~~
 ~~tion~~]
- 4.48 The University of Texas at
 Austin School of Law [~~The~~
 ~~University-of-Texas-at~~
 ~~Austin-College-of-Education~~]
- 4.49 The University of Texas at
 Austin Graduate School of
 Library Science [~~The-Univer-~~
 ~~sity-of-Texas-at-Austin~~
 ~~College-of-Fine-Arts~~]
- 4.4(10) The University of Texas at
 Austin School of Nursing
 [~~The-University-of-Texas~~
 ~~at-Austin-School-of-Law~~]
- 4.4(11) The University of Texas at
 Austin College of Pharmacy
 [~~The-University-of-Texas-at~~
 ~~Austin-Graduate-School-of~~
 ~~Library-Science~~]
- 4.4(12) The University of Texas at
 Austin School of Social
 Work [~~The-University-of~~
 ~~Texas-at-Austin-School~~
 ~~of-Nursing~~]

- 4.4(13) The University of Texas at Austin Graduate School
[~~The-University-of-Texas at-Austin-College-of Pharmacy~~]
- 4.4(14) The University of Texas at Austin Marine Science Institute
[~~The-University of-Texas-at-Austin-School of-Social-Work~~]
- 4.4(15) The University of Texas at Austin McDonald Observatory at Mount Locke
[~~The University-of-Texas-at Austin-Graduate-School~~]
[4.4(16)]
[4.4(17)]
- 4.5 The University of Texas at Dallas
- 4.51 The University of Texas at Dallas School of Arts and Humanities
- 4.52 The University of Texas at Dallas School of General Studies
- 4.53 The University of Texas at Dallas School of Human Development
- 4.54 The University of Texas at Dallas School of Management and Administration
- 4.55 The University of Texas at Dallas School of Natural Sciences and Mathematics
- 4.56 The University of Texas at Dallas School of Social Sciences
- 4.57 The University of Texas at Dallas Callier Center for Communication Disorders
- 4.6 The University of Texas at El Paso
- 4.61 The University of Texas at El Paso College of Business Administration
- 4.62 The University of Texas at El Paso College of Education
- 4.63 The University of Texas at El Paso College of Engineering
- 4.64 The University of Texas at El Paso College of Liberal Arts
- 4.65 The University of Texas at El Paso College of Nursing
- Marine Science Institute
- McDonald Observatory
- U.T. Dallas
- U.T. El Paso

- 4.66 The University of Texas at El Paso College of Science
- 4.67 The University of Texas at El Paso Graduate School
- 4.7 The University of Texas of the Permian Basin U.T. Permian Basin
- 4.71 The University of Texas of the Permian Basin College of Arts and Education
- 4.72 The University of Texas of the Permian Basin College of Management
- 4.73 The University of Texas of the Permian Basin College of Science and Engineering
- 4.8 The University of Texas at San Antonio U.T. San Antonio
- 4.81 The University of Texas at San Antonio College of Business
- 4.82 The University of Texas at San Antonio College of Fine and Applied Arts
- 4.83 The University of Texas at San Antonio College of Humanities and Social Sciences
- 4.84 The University of Texas at San Antonio College of Multidisciplinary Studies
- 4.85 The University of Texas at San Antonio College of Sciences and Mathematics
- 4.9 The University of Texas Institute of Texan Cultures at San Antonio Institute of Texan Cultures
~~[The-University-of-Texas-Health Science-Center-at-Dallas~~ Dallas-Health Science-Center
4-91 ~~The-University-of-Texas Southwestern-Medical School-at-Dallas~~ Dallas-Southwestern Medical-School
4-92 ~~The-University-of-Texas School-of-Biomedical Sciences-at-Dallas~~ Dallas-G.S.B.S.
4-93 ~~The-University-of-Texas School-of-Allied-Health Sciences-at-Dallas~~ Dallas-Allied Health-Sciences School]
- 4.(10) The University of Texas Health Dallas Health
[4-9] Science Center at Dallas Science Center
4.(10)1 The University of Texas Dallas Southwestern
[4-91] Southwestern Medical School at Dallas Medical School

4.(10)2	The University of Texas [4-92] Graduate School of Bio- medical Sciences at Dallas	Dallas G.S.B.S.
4.(10)3	The University of Texas [4-93] School of Allied Health Sciences at Dallas	Dallas Allied Health Sciences School
4.(11)	The University of Texas Medical Branch [4-(10)] at Galveston	Galveston Medical Branch
4.(11)1	The University of Texas [4-(10)1] Medical School at Galveston	Galveston Medical School
4.(11)2	The University of Texas [4-(10)2] Graduate School of Biomedical Sciences at Galveston	Galveston G.S.B.S.
4.(11)3	The University of Texas [4-(10)3] School of Allied Health Sciences at Galveston	Galveston Allied Health Sciences School
4.(11)4	The University of Texas [4-(10)4] Marine Biomedical Insti- tute at Galveston	Marine Biomedical Institute
4.(11)5	<u>The University of Texas</u> <u>Institute for the Medi-</u> <u>cal Humanities at</u> <u>Galveston</u>	<u>Galveston Medical</u> <u>Humanities</u> <u>Institute</u>
4.(11)6	The University of Texas [4-(10)5] Hospitals at Galveston	Galveston Hospitals
4.(11)7	The University of Texas [4-(10)6] School of Nursing at at Galveston	Galveston Nursing School
4.(12)	The University of Texas Health [4-(11)] Science Center at Houston	Houston Health Science Center
4.(12)1	The University of Texas [4-(11)1] Medical School at Houston	Houston Medical School
4.(12)2	The University of Texas [4-(11)2] Dental Branch at Houston	Houston Dental Branch
4.(12)3	The University of Texas [4-(11)3] Graduate School of Bio- medical Sciences at Houston	Houston G.S.B.S.
4.(12)4	The University of Texas [4-(11)4] School of Allied Health Sciences at Houston	Houston Allied Health Sciences School
4.(12)5	The University of Texas [4-(11)5] School of Public Health at Houston	Public Health School
4.(12)6	The University of Texas [4-(11)6] Speech and Hearing In- stitute at Houston	Speech and Hearing Institute
4.(12)7	The University of Texas [4-(11)7] School of Nursing at Houston	<u>Houston Nursing</u> <u>School</u>

4.(13) The University of Texas Health [4-(12)] Science Center at San Antonio	San Antonio Health Science Center
4.(13)1 The University of Texas [4-(12)1] Medical School at San Antonio	San Antonio Medical School
4.(13)2 The University of Texas [4-(12)2] Dental School at San Antonio	San Antonio Dental School
4.(13)3 The University of Texas [4-(12)3] Graduate School of Biomed- ical Sciences at San Antonio	San Antonio G.S.B.S.
4.(13)4 The University of Texas [4-(12)4] School of Allied Health Sciences at San Antonio	San Antonio Allied Health Sciences School
4.(13)5 The University of Texas [4-(12)5] School of Nursing at San Antonio	San Antonio Nursing School
4.(14) The University of Texas System [4-(13)] Cancer Center	University Cancer Center
4.(14)1 The University of Texas [4-(13)1] M. D. Anderson Hospital and Tumor Institute at Houston	M. D. Anderson
4.(14)2 The University of Texas [4-(13)2] [Environmental] Science Park [at-Smithville]	[Environmental] Science Park
4.(15) The University of Texas Health [4-(14)] Center at Tyler	Tyler Health Center

CHAPTER IX

ENACTMENT AND AMENDMENT

Sec. 1 Repeal of Existing Rules in Conflict Herewith.

1.1 All rules, regulations, orders, and resolutions heretofore enacted by the Board which are in conflict with these Regents' Rules and Regulations are hereby repealed.

Sec. 2 Format for Rules.

2.1 The Regents' Rules and Regulations for the government of the System apply to and govern the Board and all employees and agencies directly under its control, the Chancellor, [~~the-President-of-the-System,~~] the System Administration of The University of Texas System, and the component institutions comprising The University of Texas System.

2.2 These Regents' Rules and Regulations are organized in two parts. Part One shall, in general, contain all rules and regulations other than those of a fiscal nature. Part Two shall consist, in general, of the fiscal rules and regulations of the Board.

Sec. 3 Official Copies.

3.1 The official copies of the Regents' Rules and Regulations and the Handbook of Operating Procedures for each component institution of the System shall be maintained on file in the Office of the Secretary to the Board.

3.2 Copies of these Regents' Rules and Regulations and of the Handbooks of Operating Procedures shall be furnished to members of the Board and such other persons and offices as the Board shall designate.

Sec. 4 Amendment of Rules and Regulations.--The Regents' Rules and Regulations [~~herein~~] may be added to or amended by a majority of all of the members of the Board at any regular meeting or at any special meeting called for that purpose.

Sec. 5 Distribution of Amendments.--After any change in these Regents' Rules and Regulations, the Secretary to the Board shall conform the Official Copies and shall send corrected pages containing such changes for substitution in copies in the possession of members of the Board, administrative

officers, or others on an official list in the Office of the Secretary to the Board.

[See--6 Endowment-of-Academic-Positions.

- 6-1 No-endowment-will-be-established-or-announced-and no-appointment-made-to-an-endowed-academic-position without-prior-approval-by-the-Board.
- 6-2 No-negotiations-or-commitments-implying-the-establishment-of-the-endowment-of-an-academic-position-will be-undertaken-by-any-faculty-member-or-officer-of the-component-institution-until-the-proposal-has been-formally-approved-by-the-chief-administrative officer.
- 6-3 Recommendations-to-the-Board-concerning-acceptance of-gifts-for-endowment-of-academic-positions-will be-made-through-the-President-of-the-System-in the-dockets-of-the-several-institutions-or-System Administration-or-in-special-reports-by-the-President-of-the-System-to-the-Board.--Before-the-final action-of-the-Board, such-recommendations-will-be referred-to-the-Land-and-Investment-Committee-as-to fiscal-arrangements-and-to-the-Academic-and-Developmental-Affairs-Committee-as-to-policy.
- 6-4 The-four-categories-of-endowed-and-named-academic positions-are:--Chairs, Professorships, Visiting Professorships, and-Lectureships, and-requirements for-same-are:
- 6-41 Endowed-Chairs.--The-endowed-chair-will-be established-with-a-minimum-of-\$500,000-or the-equivalent-in-annual-contributions-arranged-according-to-agreements-recommended by-the-President-of-the-System-and-approved by-the-Board.--Grants-of-\$400,000-already under-contractual-agreement-for-the-future, bequests-included-in-wills-made-prior-to January-25,-1975-and-other-prior-bona-fide arrangements-for-\$400,000-endowment-of chairs-are-excepted-in-this-regulations. The-component-institution-will-pay-from its-funds-such-amounts-as-are-necessary-to set-the-salary-of-the-occupant-at-a-level commensurate-with-his-or-her-record, experience, and-position-in-the-faculty. The-endowment-will-be-used-both-for-salary supplementation-and-for-other-professional support-of-the-holder-of-the-chair, including assistance-in-his-research.
- 6-42 Endowed-Professorships.--The-endowed-professorship-will-be-established-with-a-minimum-of-\$100,000-or-the-equivalent-in-annual

contributions arranged according to agreements recommended by the President of the System and approved by the Board. Income from endowment will be used chiefly to supplement the salary of the occupant of the professorship but will be available for other professional support, including assistance in his research.

6.43 Visiting Professorships. The endowment of the visiting professorship specifies that such positions must be funded with a minimum endowment of \$50,000. Such appointments will be given to distinguished scholars who are in temporary residence at the component while participating in planned academic programs.

6.44 Endowed Lectureships. The endowed lectureship will be established with a minimum of \$20,000 and within a range of \$20,000 and \$100,000, with the provision that all such lectureships for which bona fide arrangements are in negotiation are excluded from this regulation. The lectureship will be considered a temporary appointment, usually given to a visiting scholar during temporary residence at the institution where the lectureship is established. Other emoluments for such visiting lectureships may be provided the visiting scholar through regular budgetary procedures, but no visiting lecturer will be remunerated from two or more lectureship endowments.

[See 7 Acceptance of Small Gifts. The Board welcomes contributions, both large and small, in aid of the educational purposes of its various component institutions. Because of the high, and mounting, costs involved in the continued maintenance and servicing of individual accounts, practicality requires the establishment of policies with respect to the acceptance of gifts made for the establishment of permanent endowment funds. Accordingly, the following guidelines are hereby adopted with respect to the establishment hereafter of permanent endowment funds:

7.1 No gift of less than \$10,000 will be accepted as a separate permanent endowment.

7.2 Any limitation shall not be applied to gifts already received, but all gifts accepted after October 20, 1972, are subject to the ensuing provisions:

7.21 Should the Board determine at any time that the fund is not of sufficient size, and has no foreseeable prospects of growing to sufficient size to justify the

~~continuing costs of maintenance of such fund as a separate fund, then in the Board's discretion the principal of such fund may be expended for or otherwise devoted to the accomplishment, as near as may be possible, of the purposes for which the fund was established.~~

7-22 A permanent register of Memorial Gifts shall be maintained at each component institution to record gifts, or where the gift or donation is not specifically directed to a component, the register shall be maintained by System Administration.

(See Part Two, Chapter I, for relocation of [See--6] and [See--7].)

Proposed Revision

RULES AND REGULATIONS

OF THE

BOARD OF REGENTS

OF

THE UNIVERSITY OF TEXAS SYSTEM

FOR THE GOVERNMENT OF

THE UNIVERSITY OF TEXAS SYSTEM

PART TWO

CHAPTER I

GENERAL

Sec. 1 Gifts to The University of Texas System.

- 1.1 The authority to accept gifts to the System or to any of the component institutions is vested in the Board.
- 1.2 Recommendations for the acceptance of gifts showing details as to value, form, stipulations regarding use, and provisions for custody and disbursement of funds shall be transmitted by the chief administrative officer to the Chancellor [~~President-of-the System~~] and by him, with recommendations, to the Board.
- 1.3 The authority to accept gifts to a component institution is delegated to the chief administrative officer when the gift is to a fund, foundation, or enterprise already approved by the Board or is a continuation of a series which has been previously approved by the Board. Each chief administrative officer is empowered to accept cash gifts to a component institution of the System of \$5,000 or less, within the policies of the Board and Legislature governing the acceptability of gifts, and to deposit such gifts to the appropriate accounts. All gifts (except those described in subsection 1.4 below) shall be reported by the dockets of each component institution as prescribed by the Board.
- 1.4 A quarterly report of such gifts of \$5,000 or less showing name and address of donor, amount, purpose, and date of the gift shall be filed with the Board within thirty (30) days after August 31, November 30, February 28, and May 31 of each year. Such reports will summarize gifts of \$500 or less showing only total dollars and number of gifts.
- 1.5 Except as provided in the preceding sections, no member of the staff of any institution has the authority to accept gifts of money to the System or to any of its component institutions. Gifts to the component institutions of books or other objects of

very small value and very obvious propriety, without conditions attached, may be accepted by individual members of the staffs provided these gifts are reported to the Board.

- 1.6 Neither the System nor any of its component institutions will accept a gift for the benefit of any designated student unless the donor is exempt from Federal Income Taxes as defined by the Commissioner of Internal Revenue.
- 1.7 The acceptance of gifts of real property is prohibited without prior express approval of the Legislature except for establishing scholarships, professorships, or other trusts for educational purposes, provided that such property will not thereafter require legislative appropriations for operation, maintenance, repair, or construction of buildings. (Current Appropriation Bill)

Sec. 2 Acceptance of Small Gifts.--The Board welcomes contributions, both large and small, in aid of the educational purposes of its various component institutions. Because of the high, and mounting, costs involved in the continued maintenance and servicing of individual accounts, practicality requires the establishment of policies with respect to the acceptance of gifts made for the establishment of permanent endowment funds. Accordingly, the following guidelines are hereby adopted with respect to the establishment hereafter of permanent endowment funds:

- 2.1 No gift of less than \$10,000 will be accepted as a separate permanent endowment.
- 2.2 All gifts are subject to the ensuing provisions:
 - 2.21 Should the Board determine at any time that the fund is not of sufficient size, and has no foreseeable prospects of growing to sufficient size to justify the continuing costs of maintenance of such fund as a separate fund, then in the Board's discretion the principal of such fund may be expended for or otherwise devoted to the accomplishment, as near as may be possible, of the purposes for which the fund was established.
 - 2.22 A permanent register of Memorial Gifts shall be maintained at each component institution to record gifts, or where the gift or donation is not specifically directed to a component, the register shall be maintained by System Administration.

Sec. 3 [See 2-2] Fellowships, Scholarships, and Loan Funds.

- 3.1 [2-1] After gifts for fellowships, scholarships, and loan funds have been accepted by the Board, as indicated previously, they are administered jointly by designated committees and the business office of each component institution.
- 3.2 [2-2] In the case of scholarships and fellowships, the appropriate committee, or designated individual, receives applications, makes the necessary inquiries, and determines the award. The committee advises the institutional head of the award and he, in turn, approves and forwards the notice of award to the business office. Payments on scholarships and fellowships are made through the business office of the component institution.
- 3.3 [2-3] In the case of loan funds, the appropriate committee or designated person receives applications for loans, makes the necessary inquiries, and approves or declines the original loan as well as all renewals and extensions. The chairman notifies the business office of the granting of loans, and all records including notes, cash, accounts and collections are thereafter handled by that office. The principal of loan funds is kept intact insofar as possible. The chairman of the awarding committee may be requested by the business office to assist in collection of past due interest or principal.

Sec. 4 Endowment of Academic Positions.

- 4.1 No endowment will be established or announced without prior approval of the Board, and no initial appointment of an individual will be made to an endowed academic position without prior approval by the Board via the Agenda. Subsequent successive appointments of the same individual to the same position may be approved via the Chancellor's Docket.
- 4.2 No negotiations or commitments implying the establishment of the endowment of an academic position will be undertaken by any faculty member or officer of the component institution until the proposal has been formally approved by the chief administrative officer.
- 4.3 Recommendations to the Board concerning acceptance of gifts for endowment of academic positions will be made through the Chancellor in the dockets of the several institutions or System Administration or in special reports by the Chancellor to the Board. Before the final action of the Board, such recommendations will be referred to the Land and Investment Committee as to fiscal arrangements and to the Academic and Developmental Affairs Committee as to policy.

4.4

The four categories of endowed and named academic positions are: Chairs, Professorships, Visiting Professorships, and Lectureships, and requirements for same are:

- 4.41 Endowed Chairs. The endowed chair will be established with a minimum of \$500,000 or the equivalent in annual contributions arranged according to agreements recommended by the Chancellor and approved by the Board. Grants of \$400,000 already under contractual agreement for the future, bequests included in wills made prior to January 25, 1975, and other prior bona fide arrangements for \$400,000 endowment chairs are excepted in this regulation. The component institution will pay from its funds such amounts as are necessary to set the salary of the occupant at a level commensurate with his or her record, experience, and position in the faculty. The endowment will be used both for salary supplementation and for other professional support of the holder of the chair, including assistance in the holder's research.
- 4.42 Endowed Professorships. The endowed professorship will be established with a minimum of \$100,000 or the equivalent in annual contributions arranged according to agreements recommended by the Chancellor and approved by the Board. Income from endowment will be used chiefly to supplement the salary of the occupant of the professorship but will be available for other professional support, including assistance in the occupant's research.
- 4.43 Visiting Professorships. The endowment of the visiting professorship specifies that such positions must be funded with a minimum endowment of \$50,000. Such appointments will be given to distinguished scholars who are in temporary residence at the component while participating in planned academic programs.
- 4.44 Endowed Lectureships. The endowed lectureship will be established with a minimum of \$20,000 and within a range of \$20,000 and \$100,000, with the provision that all such lectureships for which bona fide arrangements are in negotiation are excluded from this regulation. The lectureship will be considered a temporary appointment, usually given to a visiting scholar during temporary residence at the

institution where the lectureship is established. Other emoluments for such visiting lectureships may be provided the visiting scholar through regular budgetary procedures, but no visiting lecturer will be remunerated from two or more lectureship endowments.

Sec. 5[See-3] Tuition and Other Fees.--Tuition fees and other charges will be fixed as prescribed or as authorized by statute, and will be set out in the institutional catalogue.

Sec. 6[See-4] Fiscal Year.--The fiscal year of the System shall be September 1 through August 31.

Sec. 7[See-5] Policy Against Discrimination.--No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under, any program or activity sponsored or conducted by the System or any of its component institutions, on any basis prohibited by applicable law, including, but not limited to, race, color, national origin, religion, sex, or handicap.

Sec. 8[See-6] General Admission Policy.

8.1[6-1] The System will make maximum use of its resources, subject to the limited enrollment policy of the Board, to admit and educate as many qualified students as possible, consistent with accreditation standards and consistent with maintaining a high quality of education. Neither the faculty nor students of any component institution will solicit or recruit for admission to that institution any person who cannot meet the usual academic requirements for admission to that institution. Other than for the exceptions set forth in the General Appropriation Act, no funds appropriated by the Legislature, including local institutional funds, may be expended for the recruitment of students, whether qualified or unqualified. However, this provision does not prohibit the distribution of informational literature about an institution or a particular program in appropriate schools or among economic or social groups which might have a special interest in a particular institution or educational program. Such information might focus upon, but need not be limited to, programs for which there is a state-wide need for graduates. Nor does it prohibit visits by students, faculty members, or administrators, upon request, with groups of high school or college students or other groups interested in information on higher education, a particular institution, or particular programs when such visits are supported by funds from gifts and bequests.

8.2[6-2] All Texas resident applicants to medical schools within the System shall be notified of their eligibility to apply to the State Rural Medical Education Board for financial assistance pursuant to Article 4498(c), Vernon's Civil Statutes. Article 4498(c) authorizes the Rules Medical Education Board to make loans, grants or scholarships to medical students who are contractually obligated to practice medicine in rural areas of the State. The notification will also inform applicants that they may seek financial assistance from the State Rural Medical Education Board at any time during medical school should they subsequently determine that they desire to enter the practice of medicine in a rural area. The fact that an applicant has contracted for a loan, grant or scholarship from the State Rural Medical Education Board will be considered by the admissions committee in the overall consideration of the applicant.

Sec. 9[See-7] Admission of Nonresident Students.--No nonresident of the State of Texas shall be enrolled as a new or transfer student in any school, college, or degree-granting program at any component institution of the System when all of the three following conditions occur: (1) when there is a limitation on the number of students that will be enrolled in the class of which such nonresident would be a member if he were enrolled; (2) when the result of enrolling such nonresident would be to increase to greater than 10% the percentage of nonresidents enrolled in the class of which such nonresident would be a member if he were enrolled; and (3) when at the time of the proposed enrollment of such nonresident, admission to the school, college, or degree-granting program is being denied to one or more Texas residents who have applied for admission and who reasonably demonstrate that they are probably capable of doing the quality of work that is necessary to obtain the usual degree awarded by the school, college, or degree-granting program.

Sec. 10[See-8] Official Seal, Colors, Flag, and Mascot.

10.1[8-1] The official seal of the System shall be the seal held in the custody of the Secretary to the Board on which shall be inscribed "Seal of The University of Texas." The official seal of each component institution shall consist of the System seal with such heraldic variations as may be approved by the Board upon recommendation of the head of the component institution and the Chancellor [System Administration]. This official seal shall be used for the purpose of certifying diplomas, official transcripts for students and for such other official

purposes as may be approved by the Board, by System Administration, or by the chief administrative officer of a component institution. Provided, however, that if any component institution has previously adopted and presently uses an institutional seal, such component institution may continue to use such seal in lieu of the seal hereby provided for. Provided further, however, no component institution shall use as its official seal that seal approved herein as the official seal of the System, unless the full title of the institution as designated in the Rules and Regulations of the Board, Part One, Chapter VIII, Section 4, is also used as an integral part of the seal.

10.2[8-2] The official colors for the System shall be orange and white; provided, however, that a component institution may adopt other colors to be used only in connection with athletic activities of the institution when approved by the Board upon recommendation of the chief administrative officer of the component institution and the Chancellor [System-Administration].

10.3[8-3] The Texas State Flag shall be designated as the official flag of the System, and the official flag of each component institution shall be the Texas State Flag with a streamer with the official name of the component institution in white letters on an orange field. No component institution shall have or display as its official flag or as a flag representative or symbolic of the institution any other flag.

10.4[8-4] Each component institution may adopt a theme and a mascot to be used in connection with athletic activities, provided same is approved by the Board upon recommendation of the chief administrative officer of the component institution and the Chancellor [System-Administration].

Sec. 11[See--9] Appropriation Act Riders.--The System will comply with the provisions of the current General Appropriation Act insofar as applicable.

CHAPTER II

ACCOUNTING, AUDITING, REPORTING, AND BUDGETARY CONTROL

Sec. 1 Types of Funds.

1.1 Current Funds.

- 1.11 General.--General Funds are those unrestricted operating funds which are available for any purpose. Such funds are expended in accordance with the budgets and appropriations approved by the Board. General Funds balances shall not be re-appropriated from one fiscal year to another unless specific approval is given by the Chancellor [President-of-the-System] and the Board.
- 1.12 Auxiliary Enterprises.--Auxiliary Enterprises Funds are those funds set aside for operating entities which exist to furnish specified services to students, faculty, or staff, and which charge fees that are directly related to the cost of the service.
- 1.13 Designated.--Designated Current Funds are those funds designated for special activities by the System. The income and expenditures are ordinarily related to a particular department. Expenditures follow the same programs as are found in the General and Restricted Current Funds. Such funds are subject to the same budgetary restrictions as General Funds although balances are automatically reappropriated at the end of each fiscal year.
- 1.14 Restricted.--Restricted Current Funds are those received from federal and local governments, state agencies, individuals, foundations, corporations, etc., or income derived from endowments, to be used only for a particular purpose or project, specified by the donor, such as research, conferences, scholarships, fellowships, etc. The period of use is usually designated in the agreement approved by the Board. The accounting for the funds will be on the accrual basis; however, in financial reporting, the amounts reported as revenues are limited to the expenditures. Unless otherwise specified, balances are automatically reappropriated at the end of each fiscal year.

- 1.2 Loan Funds.--Those funds that have been set aside for loans to be granted to students, faculty, or staff, including interest earned thereon.
- 1.3 Endowment and Similar Funds.
 - 1.31 Endowment Funds.--Those funds that donors have stipulated, as a condition of gift, that the principal is to be maintained inviolate in perpetuity, or in the case of "term" endowments to be maintained inviolate for a specified term. All endowment funds are administered by the Office of Investments[7] and Trusts [~~and-Bands~~] of System Administration as provided in Part Two, Chapter IX of these Rules and Regulations.
 - 1.32 Quasi-endowment Funds.--Funds functioning as endowment as a result of determination by the Board that they are to be retained and invested. All quasi-endowment funds are administered by the Office of Investments[7] and Trusts [~~and-Bands~~] of System Administration as provided in Part Two, Chapter IX of these Rules and Regulations.
- 1.4 Annuity and Life Income Funds.--Those funds acquired by the System subject to annuity contracts, living trust agreements, or gifts and bequests reserving life income to one or more beneficiaries. Such funds shall be administered by the Office of Investments[7] and Trusts [~~and-Bands~~] of System Administration.
- 1.5 Plant Funds.
 - 1.51 Unexpended Plant Funds.--Funds specified by the Board or by external sources for the acquisition, construction, or improvement of physical properties to be used for institutional purposes.
 - 1.52 Renewals and Replacement Funds.--Funds specified by the Board or by external sources to be used for the renewal and replacement of plant fund assets. A regular source for such funds shall be the portion of indirect cost allowances represented by use charges on buildings, other improvements and equipment allocated to sponsored programs. (See also Part Two, Chapter XI, Section 7).
 - 1.53 Retirement of Indebtedness Funds.--Funds specified by the Board or by external sources to be set aside to meet debt service charges and the retirement of indebtedness on institutional plant assets. All such funds shall be administered by the Office of Investments[7] and Trusts [~~and-Bands~~] of System Administration.

1.54 Investment in Plant Funds.--Funds invested in physical properties to be used for institutional purposes.

1.6 Agency Funds.--Those funds received and held by the System as custodian or fiscal agent for others. Agency funds shall be expended in accordance with the limitations of the agency agreement.

Sec. 2 Accounting.

- 2.1 The financial records of the System shall be kept as nearly as practicable in accordance with the recommendations set forth in "College and University Business Administration, Third Edition," (1974) published by the National Association of College and University Business Officers. Where those recommendations conflict with statutes or with regulations of the Coordinating Board, Texas College and University System, the latter shall be controlling.
- 2.2 All accounting records and procedures shall be subject to the approval of the chief business officer and the Vice Chancellor for Business Affairs [~~President-of-the-System~~⁷] or his delegate.
- 2.3 The business office of each component institution shall be the central office for accounting control for all financial transactions of the institutions. The chief business officer shall confer with departmental and administrative officials and instruct them concerning the records of financial transactions to be kept by the departments, as indicated in the next subsection.
- 2.4 Each person directly responsible for a department or other administrative unit (hereinafter called "department head") shall keep an account of funds and property for which he is responsible, as detailed as necessary to supplement the business office records.
- 2.5 All expenditures must be in accordance with the approved institutional operating budget.
- 2.6 Statements of department or other administrative unit accounts shall be prepared monthly by the business office and shall be sent periodically to the department heads who will compare their records with those of the business office and report any differences promptly to the business office.
- 2.7 A person in each department or other administrative unit may be designated by the department head, with

the approval of the chief business officer, to sign vouchers, requisitions, etc., in the absence of the department head. These designations shall expire upon receipt of notification by the accounting office in writing from the department head or upon termination or transfer of the designee from the department.

Sec. 3 Auditing.

- 3.1 The chief business officer is initially responsible for the preaudit of all business transactions as a part of the regular accounting procedures of the business office and consistent with the system of internal control.
- 3.2 Postauditing shall be regularly performed with formalized audit programs developed by the chief business officer and the System Comptroller. Each institution is expected to maintain an internal audit staff to perform the basic postaudit functions and to augment the work of the System Comptroller's staff and the State Auditor, unless otherwise exempt from this requirement by the Vice Chancellor for Business Affairs [~~President-of-the-System~~].
- 3.3 The audit staff of the System Comptroller shall review and/or conduct postaudits of business activities at the component institutions. Such audits shall be conducted in accordance with accepted auditing standards, including necessary tests of the records. Written reports will be prepared for all such audits, calling attention to transactions which may not be in accord with legal requirements, System and institutional accounting principles, policies and regulations. The audit staff shall recommend corrective measures and procedures when appropriate.
- 3.4 The audit staff of the System Comptroller, in addition to the above duties, shall review the internal audit programs of the component institutions, and shall conduct procedural studies and make recommendations for effective, and insofar as practical, uniform systems of accounting and reporting for all component institutions of the System.
- 3.5 The State Auditor, under State law, is responsible for the external audits of the books of the System.

Sec. 4 Reporting.

- 4.1 All financial reports shall be prepared in accordance with the provisions of the statutes, official directives of the Coordinating Board, Texas College

and University System, and directives of the Board, and in conformity with the manual, "College and University Business Administration, Third Edition," (1974) referred to above. The reports shall be prepared by the chief business officer and approved by the System Comptroller.

- 4.2 Two reports, both of which shall be prepared under the direction of the chief business officer and the System Comptroller, shall be prepared annually:
- 4.21 Annual Financial Report.--As required by law, printed financial reports, in the format recommended in "College and University Business Administration, Third Edition," (1974), or its successor publication, shall be filed with the Coordinating Board, Texas College and University System, and other State offices as specified by law.
- 4.22 Salary Payment Report.--On or before December 31, each year, an itemized report in format prescribed by System Administration shall be prepared of salaries and wages paid all employees for services during the preceding fiscal year out of any funds from any source or character under the control and/or custody of the Board, listing for each employee the total amount paid from each source during the twelve months of the fiscal year, the title of the position held or kind of service rendered. Copies of this report shall be furnished the Secretary to the Board, the System Budget Director, and the System Comptroller.
- 4.3 Monthly financial reports, in the form prescribed by the System Comptroller, shall be prepared by each institutional chief business officer and distributed to the chief administrative officer, the Secretary to the Board, the System Budget Director, and the System Comptroller.

Sec. 5 Operating Budgets.

- 5.1 Operating Budgets for all the component institutions shall be approved annually by the Board within the budget estimates of income prepared by the chief business officer and the chief administrative officer and approved by the Chancellor [~~President-of-the System~~].
- 5.2 General policies for the budget preparation shall be recommended by the Chancellor [~~President-of-the System~~] to the Board and shall be followed in preparing the budgets. Instructions for details of

budget preparation shall be furnished to the chief administrative officers by System Administration.

- 5.3 The institutional chief administrative officer shall issue local instructions and shall furnish forms to the budget-recommending officials. Their recommendations for salaries, maintenance and operation, equipment, travel, and other pertinent items shall be reviewed by the chief administrative officer. The budget as finally recommended by the chief administrative officer shall be forwarded to the Chancellor [~~President-of-the-System~~] for further review and recommendation to the Board.
- 5.4 Rules and procedures for budget administration shall be prepared by System Administration, approved by the Board, and shall be included in the completed budgets.
- 5.5 A copy of each budget, and any subsequent amendment thereto, shall be filed by the Secretary to the Board with the Legislative Reference Library to be available for public inspection, and also with such other State offices as required by law.

Sec. 6 Legislative Budget Requests.

- 6.1 Legislative budget requests, biennial or otherwise, as may be required shall be submitted to the Coordinating Board, Texas College and University System, to the Legislative Budget Board, and to the Executive Budget Office in the form and at the time prescribed.
- 6.2 These legislative budget requests shall be prepared in conformity with the same general procedures, as outlined above in Section 5, for the annual budgets in the following sequence:
 - 6.21 Approval of budget request writing policies by the Board upon recommendation of the Chancellor [~~President-of-the-System~~].
 - 6.22 Preparation of a recommended budget request of expenditures by the chief administrative officer in conformity with these policies.
 - 6.23 Approval of the completed budget request by the Chancellor [~~President-of-the-System~~] and the Board.

CHAPTER III

RECEIPT, CUSTODY, AND DISBURSEMENT OF MONEYS; ABSENCE FROM USUAL AND REGULAR DUTIES INCLUDING TRAVEL

Sec. 1. Receipts, Admission Tickets, and Charges.

- 1.1 No department, division, or individual staff member is authorized to receive money in the name of a component institution of the System unless authorized by the chief business officer and chief administrative officer.
- 1.2 An official receipt in the form prescribed by the chief business officer shall be issued to payors for all moneys received unless the chief business officer has specifically authorized exceptions for certain types of collections.
- 1.3 All moneys received shall be recorded and handled under appropriate internal accounting controls.
- 1.4 Admission tickets, including complimentary tickets, shall have the price of admission indicated thereon, and all such tickets shall be prenumbered, except for certain events where the section, row, and seat number are shown. Admission tickets and coupon books shall be purchased for delivery to the institutional business office and issued to the department concerned. Unused tickets or books shall be returned along with a prescribed ticket report to the business office within 30 days from the date of the event, and a list showing the names of all persons receiving complimentary tickets shall be a part of the prescribed ticket report.
- 1.5 All unpaid (including complimentary, free, or discounted) charges for sales or service of auxiliary enterprises, organized activities, or service departments or similar activities shall be reported to and recorded by the chief business officer or his delegate under appropriate internal accounting controls. A list or other documentation showing the authorization and names of all persons receiving complimentary, free, or discounted goods or services and the values thereof shall be furnished the business office within 30 days from the date such goods were issued or such services were rendered by any

auxiliary enterprise, organized activity, or service department or similar activity.

Sec. 2. Deposits with Institutional Business Office.

- 2.1 Money received by all departments from all sources shall be deposited, using an official form, in the institutional business office, unless depositing directly to a special bank account has been specifically authorized by the System Comptroller. The deposits shall be daily if the receipts are \$50 or more, and weekly even if the accumulation is less than \$50. Except for mail deposits authorized under subsections 2.11 and 2.12, the deposit shall be made in person by a departmental representative to whom an official receipt is issued.
- 2.11 Mail deposits by on campus departments are authorized if the amount of each deposit is less than \$100 and does not contain cash (currency).
- 2.12 Mail deposits by off campus activities are authorized if such deposit does not contain cash (currency).
- 2.2 Departments or activities mailing deposits shall maintain adequate record of such deposits, including detailed description of negotiable instruments.
- 2.3 Cash overages or shortages shall be reported to the business office with each deposit. Cash overages shall be deposited in the business office.
- 2.4 Petty cash funds shall be provided only on approval of, and by arrangement of, the department with the chief business officer. Special petty cash fund bank accounts may be established only with the approval of the System Comptroller.

Sec. 3. Deposits with the State Treasurer.

- 3.1 The statutes and the current appropriation act require that all cash receipts of the general academic teaching institutions be deposited in the State Treasury with the exception of those from auxiliary enterprises, noninstructional services, matriculation fees collected in lieu of student activity fees, agency and restricted funds, endowment funds, student loan funds, and Constitutional College Building Amendment Funds.
- 3.2 Institutional receipts required to be deposited in the State Treasury shall be so deposited in the manner prescribed in the statutes and the current appropriation act.

- 3.3 Component institutions of the System are authorized by the current appropriation act to establish Revolving Funds under certain prescribed procedures to facilitate the payment of nominal expenses and to pay bills within cash discount periods, as well as for regular monthly payrolls, weekly, and special payrolls. Such Revolving Funds are authorized, subject to approval of the System Comptroller.

Sec. 4. Local Institutional Funds.

- 4.1 All local income not required to be deposited in the State Treasury must by law be deposited in official depository banks for safekeeping.
- 4.11 Depository agreements with official depository banks shall be negotiated, as necessary, by the System Comptroller with those banks approved by the Board and in accordance with the then current policies of the Board. Such depository agreements shall be executed by the Chairman of the Board.
- 4.12 Requests for authorized signatures, or changes thereto, for bank accounts maintained in all depository banks, shall be forwarded to the System Comptroller, who, after review and approval, shall refer such requests to the Vice Chancellor for Business Affairs [~~President of the System~~] for notification of the banks concerned.
- 4.2 Depository banks selected shall furnish adequate surety bonds or securities to assure safety of these funds. Local funds shall be deposited in the depository banks as soon as possible, but in no event later than seven days from the date of collection. Demand deposits and time deposits will be maintained in accordance with the current policies of the Board.
- 4.3 The Board and the chief administrative officers may not, by law, borrow money from any person, firm, or corporation to be repaid from local funds except as specifically authorized by the Legislature.
- 4.4 Interest on Time Deposits.--As permitted by statute, interest received from depository banks for funds on time deposit shall be credited to appropriate accounts in either general funds or trust funds in relationship to the sources of balances on time deposit, provided that disposition of such earning was not specified by the grantor. Interest received from Current Restricted funds (Trust Funds) time deposits shall be subject to further appropriation or transfer by the Board for any lawful purpose.

Sec. 5. Vouchers for Expenditures.

- 5.1 Properly approved and fully supported vouchers are the authorization for cash disbursements.
- 5.11 The Chairman of the Board or his delegate or the chief administrative officer or his delegate must approve all vouchers. One of these delegates shall be the chief business officer who shall select the other delegates from his staff. Such approval is based upon satisfactory supporting documentation evidencing that goods or services were properly ordered, that the vendor has submitted invoice and certification, and that the goods or services have been received by the institution and are acceptable to the requisitioning department.
- 5.2 Appropriate internal accounting controls shall be exercised over the vouchering and disbursement procedures.
- 5.21 To the extent that centralized receiving facilities are available, delivery of all purchased supplies, materials, and equipment should be received at a centralized location under the direction of the chief business officer.
- 5.22 Vouchers should be prepared centrally in the business offices of those component institutions having centralized receiving operations.
- 5.3 Vouchers are to be coded in the business offices within the approved expenditure codes, and if payable by warrant drawn by the State Treasurer, with the proper expenditure classifications furnished by the State Comptroller, as well as complying with other current requirements of the State Comptroller and the State Board of Control.

Sec. 6. Cash Discounts.--The accounting procedures should be designed to assure realization of advantageous cash discounts allowed by vendors.

Sec. 7. Outstanding Checks.--Outstanding checks shall be carried on the official accounting records for the two fiscal years following the year in which they are issued.

Sec. 8. Institutional Membership Dues.--General funds of the System may be used to pay membership fees only in educational, scientific, or other associations, in which the System, or a component institution thereof, is an institutional member, with memberships approved by the chief administrative officers. Such other approvals as may be required by law shall also be secured.

Sec. 9. Payrolls.

- 9.1 There are three general types of payrolls, those for (1) regular monthly salaried employees; (2) weekly salaried employees; and (3) hourly salaried employees.
- 9.2 All payrolls shall be prepared or verified in the business office from regular budgets, appointment documents, authorizations, time cards, or other documentation, and approved by the chief business officer or a person designated by him.
- 9.3 If payment for regular salaried employees is for less than a month, the salary calculated shall be figured proportionately on the basis of the actual number of working hours in such month.
- 9.4 Deductions for income tax, retirement, social security, and programs authorized by the Board, such as group insurance, are made where applicable on all payrolls.
- 9.5 Dates for distribution of salary checks vary at the component institutions and will be announced by the respective business offices.

Sec. 10. Absence from Usual and Regular Duties, Authorization for Absence, Including Travel, and Travel Expense Reimbursement.

- 10.1 Approvals of travel shall not be routine or perfunctory, but shall be made only after the chief administrative officer or his authorized representative have carefully examined the purpose and need for each trip with a view to the economic and effective utilization of all travel funds.
- 10.2 Approvals of travel by the chief administrative officer or his authorized representative shall be made only:
 - 10.21 When such travel is on state business, which shall include among other purposes, the formal presentation of original research by an employee before a national, international, regional, or state learned society; and
 - 10.22 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution.
- 10.3 Authorization for Absence for Staff Members Whose Regular Duties Do Not Require Travel.--Authorization for absence from usual and regular duties, including travel from the city or town where the officer or employee is regularly stationed, will be granted by the Board, or by the administrative officer as

hereinafter delegated by the Board, only in advance, as follows:

- 10.31 Requests for authorization to be absent for a period not in excess of two weeks (fourteen calendar days) shall be transmitted through proper administrative channels to the chief administrative officer of the component institution for approval.
- 10.32 Requests for authorization to be absent for a period in excess of two weeks, but not in excess of twenty-nine days, including travel on official business, shall be transmitted through proper administrative channels to the Chancellor [~~President-of-the-System~~] for approval prior to such absence.
- 10.33 Requests for authorization to be absent for a period in excess of twenty-nine days, (excluding holidays approved by the Board), including travel on official business, shall be transmitted through proper administrative channels to the Chancellor [~~President-of-the-System~~] for approval prior to such absence. Such approvals are to be reported in the regular dockets of the institutions affected.
- 10.34 Requests for authorization to be absent by the administrative officers and staff of System Administration shall be approved by the Chancellor [~~President-of-the-System~~].
- 10.35 Any travel that contemplates reimbursement from funds appropriated by the Legislature for travel expenses incurred must have the advance written approval of the Governor, with the exception of travel to, in, and from the several states, United States possession, Mexico, and Canada.
- 10.36 In lieu of any of the delegations of authority to approve absence from usual and regular duties, including official travel, specified in the above subsections, the Chancellor [~~President-of-the-System~~] may exercise such authority.
- 10.37 The chief administrative officers of the component institutions shall keep records of all approved absences which shall be available for review by the Chancellor [~~President-of-the-System~~] and the Board, or their delegate.
- 10.4 Travel Expense Reimbursements.
- 10.41 Travel expenses shall be reimbursed only from funds appropriated or authorized for travel. The chief administrative officers shall plan the travel of all employees under their authority to achieve maximum economy and efficiency.

- 10.411 Each travel voucher submitted for reimbursement shall include such a description as to identify persons or places contacted and/or the nature of the official business of the State performed within the legal responsibilities of the institution. When recruiting of faculty and staff is involved, names of persons contacted are required.
- 10.412 In submitting travel vouchers for payment from funds in the State Treasury, component institutions should recognize the regulations of the State Comptroller with respect to such claims.
- 10.42 Travel vouchers for reimbursement of all official travel authorized pursuant to the foregoing provisions shall be approved and signed as follows:
- 10.421 System Administration--Reimbursement for all travel by employees of the System Administration shall be approved either by the Chancellor [~~President of the System~~] or his delegate, or the Director of Accounting or Assistant Director of Accounting of The University of Texas at Austin.
- 10.422 Component Institutions--Reimbursement for all travel by employees of the component institutions shall be approved either by the Chancellor [~~President of the System~~] or by the institutional administrative officers designated below:
 chief administrative officer or chief business officer or other senior administrative or fiscal officers as may be delegated in writing by the chief administrative officer and the chief business officer. Such delegations shall be approved by the Chancellor [~~President of the System~~] and filed with the Secretary to the Board and the State Comptroller of Public Accounts, together with the names of the individuals occupying the positions named.
- 10.43 Allowances for Meals and Lodging (including Per Diem), Transportation and Related Expenses.--Provisions of the applicable current appropriations act and the Travel Regulations Act of 1959 (Article 6823a VTCS), as amended, shall govern such allowances.

- 10.431 Exceptions to Per Diem Allowance--
 - 10.4311 Chief administrative officers shall be reimbursed for their actual meals, lodging, and incidental expenses (exclusive of expenses related to motor vehicles for which transportation is paid) when traveling on official business either in or out of state.
 - 10.4312 Partial Per Diem Allowance for Meals and Lodging.--An employee who is traveling on official University business for a continuous period of a minimum of six (6) hours but less than twenty-four (24) hours which does not involve over-night stay will be reimbursed a partial per diem for meals in lieu of actual expenses, for both in-state and out-of-state travel. System Administration shall prescribe such reimbursement within the limitations established by the current appropriations act.
 - 10.4313 In addition to employees, these provisions apply to reimbursement of travel expenses for prospective employees as provided in the statutes.
- 10.432 Reimbursement for Dues or Membership Fees.--Reimbursement will not be allowed for dues or membership fees incurred in joining or attending any type of organization or association unless the membership is in the name of the State of Texas and/or the System or a component institution thereof. Such dues or membership fees will not normally be included for reimbursement on a travel claim, but will be separately approved and paid.
(See Section 8.)
- 10.44 Special Exceptions to Foregoing Travel Provisions.--The foregoing provisions apply to all employees and all funds but employees may elect to take advantage of the specific exceptions authorized below:
 - 10.441 Contracts.--Travel allowances under research or other contracts, which are 100 percent reimbursable, will

follow the terms of the contract, and in the absence of specifications the travel rules and regulations covering payments from gifts, grants, and designated funds will apply.

10.442 Gifts, Grants, and Designated Funds.-- Reimbursement of travel expenses paid from Gifts, Grants, and Designated Funds will be as follows:

- (a) For grants from or derived from Federal or State agencies, travel allowances shall be paid as specified in the foregoing provisions.
- (b) For other gifts, grants, trust or designated fund travel allowances may be for actual expenses for meals, lodging and airport parking, not to exceed \$40 per day. The transportation allowances will be as specified in the foregoing provisions.

The provisions of both (a) and (b) above are subject to the terms, provisions and conditions of the particular gifts, grants, or funds involved. Further exceptions to these provisions may be in accordance with specific authorization by the Board with certain designated funds. Likewise, when anticipated living costs are unusually low for those engaged in travel, the person authorizing the travel may reduce the allowance for all or any part of the travel, provided that the employee shall be notified of such reduced allowance before being allowed to incur any expense. When not otherwise prohibited by the terms of the gift or grant, employees may also be reimbursed for required registration fees or similar expenses incurred in attending meetings of organizations or associations. Receipts for lodging, registration fees, or similar expenses shall be obtained and attached to the expense voucher. Project Directors, Principal Investigators, Departmental Chairmen, or other authorized personnel under a gift or grant who travel in their personally owned airplanes on necessary official business may be reimbursed at the rate of twenty-three cents (23¢) per highway mile for

in-state travel. The same rate shall apply to out-of-state travel, subject to the limitation that the mileage reimbursement shall not exceed the amount equal to the number of persons flying by private plane times the lowest available airline fare.

- 10.443 Intercollegiate Athletics.--Actual expenses will be paid at no per diem limit, provided such expenditures in the amount of \$4.00 or more are supported by signed receipts.
- 10.45 Travel Advances.--As provided by statute, the System, including component institutions may establish procedures for making advances for travel expenses incurred by employees in the exercise of their official duties. Any such procedures established shall be in accordance with the statute, based on guidelines provided by the State Comptroller, and provide for prompt recovery of any such advances.
- 10.46 Institutional Travel Regulations.--Component institutions shall issue institutional travel regulations to implement the provision of this Section 10.4 for guidance of all personnel concerned. Copies of all such regulations shall be filed with the System Comptroller, who shall also issue clarifying instructions as appropriate.

Sec. 11. Insurance on Money and Securities; Fidelity Bonds.

- 11.1 Insurance on Money and Securities.--As approved by the Board, the System carries a blanket System-wide policy insuring against loss of money or securities at any of the component institutions. The premium paid by each institution is separately computed and is based on the coverage applicable at each institution. At the time any loss occurs at any institution, the Vice Chancellor for Business Affairs [Vice-President-for-Operations] shall be notified by the appropriate chief business officer and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board. Money and Securities coverage may be combined with the blanket position fidelity bond.
- 11.2 Fidelity Bonds.
 - 11.21 As approved by the Board, the System shall carry a blanket position (fidelity) bond that shall cover employees of all component institutions. All employees shall be covered in

- the amount of not less than \$5,000 each. For total coverage in excess of \$10,000, approval of the State Auditor is necessary.
- 11.22 The Secretary of State and the State Comptroller of Public Accounts shall be each furnished with an original of the bond.
- 11.23 The premium for the bond is prorated to the component institutions on the basis of the number of employees covered for which a premium charge is made and the excess coverage thereon.
- 11.24 At the time a loss occurs, the Vice Chancellor for Business Affairs [~~Vice-President-for Operations~~] shall be notified by the chief business officer and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board.
- 11.25 The blanket position fidelity bond coverage may be combined with money and securities coverage.

CHAPTER IV

PURCHASING

- Sec. 1 Authority to Obligate Institutional Funds.--The official purchasing agents of the component institutions shall have sole authority to obligate institutional funds for purchases of supplies, materials, services, and equipment unless otherwise provided in these regulations or otherwise specifically approved by the component chief administrative officer and the Chancellor [~~President-of-the-System~~] or by the Board. No liability can be assumed for payment of obligations except those incurred in accordance with authority thus granted.
- Sec. 2 Purchasing Ethics.
- 2.1 First consideration shall be given to the objectives and policies of the System and its component institutions.
 - 2.2 Every effort shall be made to obtain the maximum ultimate value for each dollar of expenditure.
 - 2.3 Honesty in sales representation shall be demanded, whether offered through the medium of oral or written statement, an advertisement, or a sample of the product.
 - 2.4 Purchasing agents and their staffs and others authorized by or under these regulations to make purchases shall not accept personal gifts or gratuities that might in any way result in an obligation to individuals or firms seeking business.
 - 2.5 All qualified, reputable bidders shall be given equal opportunity to submit bids on a uniform basis when competition is possible.
 - 2.6 No bidder shall receive special consideration or be allowed to revise his bid after the time set for opening bids.
 - 2.7 Any violations of these purchasing ethics shall be reported promptly by the chief business officer to the Chancellor [~~President-of-the-System~~].

Sec. 3 Contacts with the State Board of Control.--All contact, whether oral or written, with the State Board of Control and with vendors are handled through the official purchasing agents and the divisions, departments, or offices to whom the purchasing function has been specifically delegated, unless advance written authorization is obtained from the purchasing agent or the chief business officer for other persons to do so.

Sec. 4 Purchases of Supplies and Equipment.

- 4.1 Unless otherwise provided in these Rules and Regulations or specifically approved by the Board, the State Purchasing Act of 1957 shall govern the purchasing policies of the System.
- 4.2 Under the provisions of the State Purchasing Act of 1957, purchases of the following items may be made without approval of the Board of Control:
- (a) Supplies, materials, services, and equipment for resale.
 - (b) Supplies, materials, services, and equipment for Auxiliary Enterprises.
 - (c) Supplies, materials, services, and equipment for Organized Activities Relating to Educational Departments.
 - (d) Supplies, materials, services, and equipment purchased with gift and grant funds, including contract funds.

Sec. 5 Purchasing Procedures.

- 5.1 The official purchasing agent of each component institution shall promulgate procedures to facilitate and expedite the purchasing function. Such procedure shall be developed in accordance with sound business practices and applicable state law. Purchasing procedures shall be implemented only after review and approval of the chief business officer.
- 5.2 Closed or noncompetitive specifications shall not be used except in unusual instances clearly justified as being essential to efficient operating performance. Reports of all such exceptions shall be maintained by the chief business officer.

Sec. 6 Space Leases.

- 6.1 Space leases involving buildings and paid from State appropriations must, by law, be approved by the State Board of Control and may not extend beyond a ten-year period.

6.2 Proposals for space leases require the advance approval of the Vice Chancellor for Business Affairs [~~President of the System or his delegate~~]. Lease contracts drawn in accordance with such approval shall be executed by the Vice Chancellor for Business Affairs, or his delegate, [~~System Comptroller~~] and submitted for ratification by the Board through the institutional docket.

6.3 A proposal shall be approved and the lease completed prior to occupancy of any space for office, storage, or other purposes. The proposal must show type of space and purpose of its use, approximate number of square feet, location, whether janitor service and/or utilities will be furnished by the lessor, period of lease, and any other requirements.

Sec. 7 Purchases from Employees.--Purchases are not permitted from any officer or employee of the System unless the cost is less than that from any other known source and until approved by the component chief administrative officer, the Chancellor [~~President of the System~~], and the Board. Details of such transactions shall be reported in the dockets or Minutes of the Board.

CHAPTER V

PERSONNEL

Sec. 1 Classified Personnel.--The Policy of the Board on the Development and Coordination of the Classified Personnel Programs is and includes:

1.1 System Personnel Director.

The System Personnel Director serves as an administrative [a-staff] officer advising the Vice Chancellor for Business Affairs [President-of-the-System].

1.2 The development and coordination of the System-wide Classified Personnel Program.

1.21 The Classification Plan.

1.211 Coverage.--The Classified Plan of the System shall include all positions which do not entail significant instructional responsibilities or responsibilities for the administration of instructional or research organizations. The chief administrative officer or his delegate of each component institution shall determine the inclusiveness of the Classification Plan within this general definition.

1.212 Type of Plan.--Uniform use shall be made of the job grading procedure method of job evaluation. Job descriptions shall be prepared according to the Procedure for Writing Job Specifications provided by the System Personnel Office.

1.213 Job Titles.--Standardized job titles shall be used for similar job classes common to two or more of the component institutions in order that a particular job title shall describe similar work to the extent possible. Classes unique to a component institution shall have suitable descriptive titles.

1.214 Job Code.--A uniform job code shall be used to designate job classes.

- 1.215 Job Descriptions.--Standardized job descriptions shall be used for similar job titles common to two or more component institutions when practicable.
- 1.22 The Pay Plan.
 - 1.221 A uniform system of salary steps providing for an increase of approximately 3.4 percent, to the nearest dollar, above each preceding step shall be used for all pay plans. All salaries shall be on salary steps, or a fractional part thereof.
 - 1.222 A System-wide Personnel Pay Plan setting forth the salary ranges for each job classification shall be utilized encompassing the salary ranges reflected in the component unit pay plans.
 - 1.223 A classified employee appointed to a part-time paid teaching rank shall be paid at the rate applicable to each position.
 - 1.224 Salary ranges for each job classification shall be dependent upon the competitive labor market situation for each institution.
- 1.23 The Policies and Rules.
 - 1.231 Each institution shall operate its Classified Personnel Program under a policy statement covering the appointment, compensation, and working conditions of classified employees.
 - 1.232 Formal approval of the policies and rules developed by each institution was obtained from the Board at the time each program was formally adopted.
 - 1.233 Changes in the policies and rules require the approval of the chief administrative officer or his delegate, the System Personnel Director, and the Vice Chancellor for Business Affairs [~~President-of-the-System~~].
 - 1.234 Uniform policies shall be followed in providing vacation, sick leave, etc., within the limitations imposed by local operating conditions.
- 1.24 Approval of additions to and changes in the Classified Personnel Program.
 - 1.241 Formal approval of the Classification Plan and System-wide Personnel Pay Plan, including annual revision thereto, is obtained annually from the Board. Such approval shall be secured prior to the effective date of the plan.

- 1.242 Changes in the Classification Plan and System-wide Personnel Pay Plan involving the following require only the approval of the chief administrative officer or his delegate, the System Personnel Director, and the Vice Chancellor for Business Affairs [~~President-of-the-System~~].
- (a) Type A. Adjustment of a salary range in a component unit plan within the established System-wide salary range, which when approved, will not change the System-wide Personnel Pay Plan in any way.
 - (b) Type B. Adjustments to the component unit personnel pay plan, which when approved, will change the System-wide Personnel Pay Plan in some way.
 - (1) Deletion of Title
 - (2) Change in title only
 - (3) Change in code number only
 - (4) Addition of a title to a component unit pay plan that is in the System-wide Plan and the salary range requested is within the established System-wide salary range.
- 1.243 Changes in the Classification Plan and System-wide Personnel Pay Plan involving the following must have approval of the chief administrative officer or his delegate, the System Personnel Director, and the Vice Chancellor for Business Affairs [~~President-of-the-System~~]. In addition, such changes require ratification of the Board through the docket procedure.
- (a) The addition of a title to a component unit pay plan which is not included in the System-wide Plan.
 - (b) The addition of a title to a component unit pay plan which is included in the System-wide Plan, but the salary range being proposed is not within the established System-wide salary range.
 - (c) Adjustment of a salary range in a component unit pay plan that would change the established System-wide salary range.

- 1.25 Institutional Personnel Officer.
 - 1.251 The chief business officer of each institution shall designate an institutional personnel officer to be responsible for the development and operation of the Classified Personnel Program.
 - 1.252 Functional direction and help on technical personnel matters shall be provided each institutional personnel officer by the System Personnel Director.

Sec. 2 General Personnel.

- 2.1 Leave for Military Duty.
 - 2.11 A leave of absence not to exceed fifteen working days in any one calendar year is granted faculty or staff members who, as members of the National Guard or Official Militia of Texas or members of any of the Reserve Components of the Armed Forces, shall be engaged in authorized training or duty, ordered or authorized by proper authority. During such periods, the employee is absent without loss of efficiency rating, vacation time, or salary, and when relieved from military duty, is restored to the position and status he previously held.
 - 2.12 A leave of absence with full pay shall be provided any employee who is called to active duty with the National Guard by the Governor of Texas. Such leave shall in no way be charged against the employee's vacation or sick leave privileges.
 - 2.13 The chief business officer of each institution may prescribe forms and procedures for such leaves.
- 2.2 Maternity Leave
 - 2.21 Any employee, whether faculty, classified, or administrative, who expects to be, or who becomes temporarily disabled due to pregnancy, or a pregnancy related illness, may request and receive a leave of absence without pay for a "reasonable period" of time, provided the request is made under the following terms and conditions:
 - 2.22 If possible, the employee must notify the department head at least three (3) months prior to the beginning date for the maternity leave.
 - 2.23 The employee and the department head will submit a request to the chief administrative

officer through channels. The request will include a statement, from the department head, detailing the manner in which the responsibilities of the employee will be assumed. A statement encompassing the details of a maternity leave shall be entered in the remarks section of the appropriate personnel action form.

- 2.24 "Reasonable period," as used herein, shall normally not exceed six (6) months, provided the six (6) month period may be extended upon proper medical evidence.
- 2.25 Accrued sick leave and vacation leave shall be granted in conjunction with maternity leave and shall be governed by the current law and policy on sick leave and vacation leave. Also, vacation leave and sick leave do not accrue while on maternity leave.
- 2.26 An employee, returning from temporary disability leave, shall have the right to return to the former position or to a position of like nature and salary class.
- 2.27 The employee will furnish a statement from a duly licensed physician certifying that the employee is medically capable of resuming normal working duties.
- 2.28 In the case of faculty on maternity leave, the date for return to work will coincide with the beginning of the next semester, following the period of absence, if the chief administrative officer determines that such beginning date is necessary in order to obtain a temporary replacement or to maintain the integrity of the academic program of the institution.
- 2.29 A replacement may be provided on a temporary basis during the absence of an employee on maternity leave.

2.3 Overtime.

- 2.31 The schedule of activities shall be so organized that employees are not required to work in excess of established work periods except when operating necessities demand it. Any overtime services actually required must have the advance written approval of the chief administrative officer or the chief business officer, or both.
- 2.32 With the exception of professional medical personnel and bona fide executive, administrative, and professional positions, regular, full-time employees required to work in excess of forty hours per week shall be compensated for such overtime either:

- 2.321 By receiving equivalent time off during the same biennium in which the overtime was accrued. If possible, the equivalent time off should be granted within the same pay period in which the overtime was accrued; or
 - 2.322 In cases where granting compensatory time is impracticable, by receiving pay equivalent to one and one-half times the regular rate of pay.
 - 2.33 Compensatory time for those employees excepted from this provision, shall be determined by the chief administrative officer of the institution involved.
 - 2.34 Institutions paying overtime shall maintain a monthly record of overtime paid indicating the number of employees so compensated and the total amount paid.
- 2.4 Patent Policy.
- 2.41 Statement of Basic Philosophy and Objectives. While the discovery of patentable processes or inventions is not the primary objective of the System, for any such discoveries made, it is the objective of the Board to provide a patent policy which will encourage the development of such inventions for the best interest of the public, the inventor, and the sponsor whenever an invention occurs, and will permit the timely disclosure of any patentable discoveries, whether by patent, publication or both. The policy is further intended to protect the respective interests of all concerned by ensuring that the benefits of patents accrue to the public, to the inventor, to the System and to sponsors of specific research in varying degrees of protection, monetary return and recognition, as circumstances justify or require.
 - 2.42 General Policy.
 - 2.421 The patent policy as adopted shall apply to all persons employed by the component institutions of the System, to anyone using System facilities under the supervision of System personnel, and to postdoctoral and predoctoral fellows.
 - 2.422 It is the intent of this policy to permit staff members maximum freedom in respect to their findings, consistent with their obligations to the System. Any person affected by

- this policy who, as a result of his or her researches makes a discovery, other than on certain government or other sponsored research projects, where individual grant agreements provide otherwise, should retain the ultimate right to decide how it is to be made public--by publication, by patenting, or both.
- 2.423 Property rights in inventions will be based on the degree of System support, as hereinafter specified.
- 2.424 The System will provide patent review and management services either by its own staff, through a related Foundation, or by other means.
- 2.425 It is a basic policy of the System that patents be developed primarily to serve the public interest. This objective usually will require patent development by non-exclusive licensing but the public interest may best be promoted by the granting of a limited exclusive license or even an exclusive license for the period of the patent. These determinations will be recommended and made in accordance with the administrative procedures hereinafter set out and with the approval of the Board.
- 2.43 Institutional Patent Committees and System Patent Office.
- 2.431 Patent Committees: To help administer the patent policy at each component institution and to make recommendations to chief administrative officers for further referral to the Chancellor [President-of-the-System] and Board (in those cases when action by the Chancellor [President-of-the-System] and/or the Board is required), Institutional Patent Committees shall be established as directed by the Chancellor [President-of-the-System].
- 2.432 System Patent Office: To assist the Institutional Patent Committees to provide technical advise to individual faculty and staff members in patent matters, and to coordinate details in respect to patent procedures, a System Patent Office shall be established.
- 2.44 Classification of Discoveries by Source of Research Support.

- 2.441 The patentable idea has developed as a result of the individual's efforts on his own time, with no direct System support or use of System facilities.
- 2.442 The patentable idea has resulted from research performed by the individual on System time, with support by State funds, or using System facilities.
- 2.443 The patentable idea has resulted from research supported by a grant or contract with the Federal Government or any agency thereof, or with a non-profit foundation, or by a private gift to the System.
- 2.444 The patentable idea has resulted from research supported by commercial concerns or industry.
- 2.45 Property Rights and Obligations:
 - 2.451 Patentable ideas developed on an individual's own time and without direct System support or use of System facilities (see 2.441) are the exclusive property of the inventor, and the System has no interest in any patent obtained, and no claim to any profits resulting therefrom. Should the inventor choose to offer his invention to the System, the Institutional Patent Committee shall recommend as to whether the System should support and finance the patent application and manage the patent development. If the inventor makes his offer after obtaining the patent, the Institutional Patent Committee shall recommend as to whether the System should reimburse the inventor for his expenses in obtaining the patent. If the Patent Committee recommends and the invention is accepted for patent management by the System, the procedures to be followed and the rights of the parties shall be those set out in Subsection 2.4524 following.
 - 2.452 Patentable ideas resulting from research performed on System time, with support by State funds, or using System facilities (see 2.442).
 - 2.4521 The inventor may choose to publish the details of his research and not to patent.

2.4522 Before or after publishing, if the inventor decides to patent ideas resulting from research done on System time, with support by State funds, or using System facilities, he shall submit such ideas to the Institutional Patent Committee for determination of the System's interest. In those instances, however, where delay would jeopardize obtaining the patent, the inventor may, with the approval of the Chairman of the Institutional Patent Committee and the chief administrative officer, file the patent application prior to the Committee and administrative review provided in the following two subsections. If the request is granted, the inventor may proceed with the filing of his patent application pending the determination of the System's interest as provided therein; provided, however, that the inventor shall be reimbursed for his expenses in filing the patent application if the decision of the System is to assert and exploit its interests. The Chairman of the Institutional Patent Committee shall notify the System Patent Office of any such application.

2.4523 If the Institutional Patent Committee recommends that the System not assert and exploit its interest, and that recommendation is approved by the System Patent Officer and the Chancellor [~~President-of-the System~~], the inventor shall be notified within ninety (90) days of the date of submission that he is free to obtain and exploit a patent in his own right and the System shall not have any further rights, obligations or duties thereto. (In some instances, the Committee may elect to impose certain limitations or obligations, dependent upon the degree of System support.)

2.4524 If the System decides to patent and assert and exploit its interest, it shall proceed either through its own efforts or those of a patent agent to obtain and manage the patent. The division of royalties or other income, patenting and licensing costs first being recaptured, shall be as follows:
0-\$ 5,000/75% to Inventor
25% to System
5,000- 10,000/50% to Inventor
50% to System
above- 10,000/25% to Inventor
75% to System
The division of royalties and other income from patents managed by a patent agent will be controlled by the System's agreement with such agent, as approved by the Board. Any other deviation from this rule requires the prior approval of the Board.

2.453 Patentable ideas resulting from research supported by a grant or contract with the Federal Government, or an agency thereof, or with a non-profit foundation or by a private gift to the System (see 2.443).

2.4531 Administrative approval of application requests to, and acceptance of grants or contracts with, the Federal Government, or any agency thereof, or with a non-profit foundation or a private donor, implies a definite decision that the value to the System of receiving the grant or performing the contract outweighs the impact of any resulting change in the basic patent policy of the System.

2.4532 The patent policy of the System is subject to, and thus amended and superseded by, the specific terms pertaining to patent rights included in Federal grants and contracts, or grants and contracts with non-profit foundations or private donors, to the extent of any conflict.

2.4533 In those instances where it is possible to negotiate System-wide

- patent agreements with the Federal agencies or non-profit foundations or private donors and thereby obtain more favorable treatment for the inventor and the System, every effort will be made to do so after consultation with the Institutional Patent Committees and the chief administrative officer.
- 2.454 Patentable ideas resulting from research supported by a grant or contract with commercial concerns and industry.
(see 2.444)
- 2.4541 The System recognizes the academic advantages which can come from close scientific cooperation between the research staffs of the System and the research staffs of industry.
- 2.4542 The provisions of joint research arrangements with industry shall take into account (a) the extent of the industrial participant's contribution of funds and other services, including unique knowledge; (b) the import of the joint effort to the research and educational program of the System; (c) the protection of the personal achievements of the System participant or participants; and (d) most importantly, the interests of the State and its citizens who provide basic fiscal support.
- 2.4543 Balancing the equities between these different interests may require the joint arrangement to contain provisions for (a) non-exclusive licensing; (b) granting exclusive information prior to publication or patent application; (c) royalty free non-exclusive license; (d) exclusive license for some limited period of time; (e) exclusive license for the life of the patent; or (f) such other provisions as will properly equate the equities involved, including the right of the System to terminate an exclusive license upon

failure of the industrial participant to develop or exploit the invention in a manner which will enhance the interests of the public.

2.4544 All such arrangements or contracts with industrial participants shall be approved in advance by the Institutional Patent Committee and recommended and approved by the chief administrative officer, the Chancellor [~~President-of-the-System~~], and the Board.

2.46 [~~2-4545~~] Any agreement altering the basic patent policy of the System as set out in the preceding sections shall have the advance approval of the Patent Committee, the chief administrative officer, the Chancellor [~~President-of-the-System~~], and the Board.

2.47 [~~2-46~~] University Income from Patents. The portion of the net income the System retains from royalty or other patent-related income shall be used first to defray the expenses of the System Patent Office, if any, and thereafter, as approved by the Board, for research purposes at the component institutions where the invention originated.

2.48 [~~2-47~~] Implementation of Revised Patent Policy. A Patent Procedures Manual shall be developed to provide more detail as to procedures to be followed under the various provisions of this policy.

Sec. 3 Certain Provisions in Current Appropriation Act.--The Rules and Regulations of the Board are subject to and shall comply with the provisions appearing in the current Appropriation Act, including the following pertaining to personnel:

3.1 Use of Alcoholic Beverages.--"None of the moneys appropriated under this Act shall be used for the payment of salaries to any employee who uses alcoholic beverages while on active duty. None of the funds appropriated under this Act for travel expenses may be expended for alcoholic beverages."

3.2 Advocating Overthrow of the Government.--"None of the funds appropriated to the agencies and institutions of higher education enumerated in this Act shall be expended in payment of salary or other compensation of any faculty member or employee who advocates the overthrow of the Government of the United States of America, or of any State, by force, violence or any other unlawful means."

Sec. 4 Employee Training, Education, and Development

- 4.1 The Texas State Employees Training Act of 1969, Chapter 283, Acts of the 61st Legislature, Regular Session, 1969 (Article 6252-11a, Vernon's Texas Civil Statutes), recognizes that the State departments and other State institutions, including the System, must develop a more comprehensive Training Program as an integral part of a successful personnel program. The System Personnel Director, as delegated by the Vice Chancellor for Business Affairs [President-of-the System], is responsible for promulgating the necessary policies and procedures for implementation of the State Employees Training Act, consistent with the guidelines already approved by the Governor of the State of Texas and the Regents' rules.
- 4.2 Through implementation of the State Employees Training Act, the System will provide programs that will greatly benefit most employees. In addition, the use of various types of training programs will also encourage the initiative of young, talented employees and stimulate and motivate less productive employees. Organized training programs will, moreover, help identify those employees who are willing to exercise their initiative and prove their performance and also find the areas where employees are resisting change and improved procedures and programs.
- 4.3 The following general objectives of the overall training effort will lead to the System's gaining more efficiency and economy in its overall personnel program:
 - 4.31 Developing well trained staffs, both professional and supportive;
 - 4.32 Assisting all employees toward achieving their highest potential usefulness;
 - 4.33 Motivating employees and stimulating a sense of participation and involvement;
 - 4.34 Insuring that the System receives a fair return on its investment in training and education.
- 4.4 The program elements for this general training program are:
 - 4.41 Identifying staff members who need staff development in order to determine the exact kind and scope of program needed;
 - 4.42 Training individuals for current assignments and developing them for future assignments, as a means of improving the quality and quantity of work done;
 - 4.43 Developing all supervisors to enable them to assume and discharge their primary responsibility for the maximum utilization of personnel,

- the training of their staff members, and the maintenance of sound employee relations;
- 4.44 Advising and assisting employees with respect to continuing education, and means by which they can improve their usefulness;
- 4.45 Evaluating all training and education activities to determine whether they have effectively met the needs of the System.
- 4.5 With these objectives and general program elements as a background, four specific training programs are established. The administration and implementation of the following training programs at each component is to be primarily the task and responsibility of the institutional personnel officer, with approval of the chief administrative officer. The System Personnel Director shall have the responsibility of coordinating all training programs through review and approval of training policies promulgated by the component institution.
- 4.6 College or University Degree Program.
- 4.61 Definition: This program will provide graduate or undergraduate level training leading to a degree. Basically, it provides for fulltime student enrollment and is to be for selected, qualified employees of the System. This program will be provided by the System on the basis of need of the System and to the extent funds are available.
- 4.62 Objectives: To provide a college or university education for qualified System employees specifically required in their area of employment.
- 4.63 Program Elements: This training is essentially of only one type: to provide full-time student enrollment in a graduate or undergraduate program leading to a degree.
- 4.64 Administration: Eligibility Requirements
- 4.641 Selected employees must have necessary academic qualifications to meet all entrance requirements of the college or university where training is provided.
- 4.642 Degree training must be directly related to an existing job or job series used by the System.
- 4.643 Selected employees must be scheduled for appointment to a job requiring the degree training on completion of schooling.
- 4.644 Selected employees must have been successfully evaluated as to competence and aptitude for training granted and recommended through the chief administrative officer and approved by the System Personnel Director.

- 4.645 Selected employees on educational stipend shall be considered as employees on official leave of absence while in student status. Vacation, sick leave, group insurances, and other benefits will be governed under appropriate rules regarding such official leaves of absence.
- 4.65 Administration: Obligations. Employees who receive financial assistance under this program from the System, in completion of either undergraduate or advanced degrees, will be obligated to fulfill the following terms and conditions:
- 4.651 An agreement to be bound by the rules and regulations contained herein and such other policies, rules, and procedures as may be promulgated by the System Personnel Director applicable to the college degree training program.
- 4.652 An agreement to return to the System as an employee upon graduation and attainment of the degree and to remain in the employment of the System for a period of time subsequent to his graduation that is proportionate either to the period of time the employee has received financial assistance to attend college or university or to the amount of financial assistance he has received.
- 4.653 An agreement to execute, as required by the System Personnel Director, a formal obligatory document between the System and the recipient of assistance under this program, to repay in a lump sum or such alternate arrangement as the System Personnel Director may prescribe, the amount of money expended by the System for the cost of such college education if the individual for any reason, except circumstances beyond his control, fails to complete the training or otherwise defaults in any provision of the agreement between the System and himself.
- 4.7 In-Service Training and Education Program.
- 4.71 Definition: This training and education is job-oriented training that is provided essentially within the System. It may include on-the-job training, training in preparation for job assignment, and continuing training programs that are basically job oriented.

- This program is for selected individual staff members and will be provided on the basis of need and to the extent funds are available.
- 4.72 Objectives: To equip an individual to perform a particular task within a particular situation and/or to equip the employee to deal with new technological and legal developments, to develop additional work capabilities, or increase his level of competence.
- 4.73 Program Elements: In-service training and education programs are divided into the following three principal categories:
- 4.731 Orientation serves the purpose of acquainting the employee to a new job situation. It does not include the development of skills for that particular job situation.
- 4.732 Basic Training for a Specific Task includes pre-employment and recruit type training involving job knowledge and/or the development of skills required for a specific task. It also includes training in supervisory and managerial skills.
- 4.733 Advanced In-Service Training includes the development of a higher level of skill, an increase in job knowledge, and instruction in new concepts and changing aspects of job responsibility.
- 4.74 Administration: Eligibility Requirements. It is a basic responsibility of the System to provide training as the individual situation may require. It is recognized that the need for some of these programs will vary according to skills required and the availability of pre-employment training. Manpower needs and the availability of skilled applicants may also be a determining factor. With this general background as reference, employees will be identified, selected, trained, and evaluated according to the needs of the System.
- 4.75 Administration: Obligations. The employee has an obligation to successfully complete the training program and should recognize that the System will use this type of training as a continuation of the selection process.
- 4.8 Out-of Agency Staff Development Program.
- 4.81 Definition: This program is to provide training through workshops, seminars, institutes, training sessions, extension courses, college or university courses (with or without academic credit), and other special programs or activities offered either within or outside

the State. Such programs must be of concentrated, precise content and designed to improve the individual's professional or technical knowledge in the performance of his present or prospective duties and responsibilities. This program is for selected individual staff members and will be provided on the basis of need of the System and to the extent funds are available.

- 4.82 Objectives: To improve and enhance the individual's professional and technical knowledge and ability in the performance of his present or prospective duties and responsibilities.
- 4.83 Program Elements: This program is generally the type that meets the following criteria: relatively short term; specific in content; and presented outside the employing agency.
- 4.84 Administration: Eligibility Requirements.
 - 4.841 Out-of-Agency Staff Development education and training authorized by the System will be conducted primarily for the benefit of the System.
 - 4.842 The training and education must be related to the employee's current or prospective duty assignment during the period of his participation.
 - 4.843 Such training and education must be approved by the chief administrative officer or someone delegated by him on recommendation of the head of the employing department or unit.
- 4.85 Administration: Obligations. Employees receiving Out-of Agency Staff Development authorized by the System will be obligated to fulfill such terms and conditions as the chief administrative officer may prescribe, compatible with the nature and extent of the training or education.

4.9 Internship Training Program.

- 4.91 Definition: Internship training is intended to provide the type of learning experience that can be obtained only through actual work experience. Internship programs will normally be of a longer duration than training mentioned under the headings of Out-of-Agency Staff Development and In-Service Training and Education. This training will be provided to those individuals selected under the standards listed below in 4.95, Eligibility Requirements. This training will be provided on the basis of need of the System and to the extent funds are available.
- 4.92 Objectives: This type of training and education has a broader objective than other types

of training in that it serves not only the System but also the State of Texas in the following ways:

- 4.921 It allows the System and/or the State of Texas to screen potential employees while simultaneously enjoying an advantageous recruiting position.
 - 4.922 It facilitates the infusion of new people and new ideas into the information interchange which is continually taking place between State government and the System.
 - 4.923 It will allow the System and/or the State to gain trained personnel who can carry a heavier work load in a relatively short period of time.
 - 4.924 Internship programs produce a work product, although this is not the justification for any internship program.
- 4.93 Program Elements: Type I Internships are those that are within the System for Non-Employees of the State.
- 4.931 Type I Internships are held with the System by persons who are not employed by the State or the System.
 - 4.932 Such internships relate to the educational program of the person serving the internship, which suggests that there will be a constant interchange and evaluation between both the System and the sponsor of the person's educational program.
 - 4.933 These internships should be initiated only to the extent that the System can provide a meaningful working role and learning experience.
 - 4.934 Type I Internships are not designed primarily to produce a work product. (Example: The employee of a private data processing equipment firm observing and being trained in the Data Processing Department of a component institution which serves as the training ground.)
- 4.94 Program Elements: Type II Internship Programs are for the State of Texas and/or System employees.
- 4.941 Type II(a) internships provide for the State of Texas to be the trainee represented by a person in the employ of a State agency other than the System. [Example: An employee of another state agency (State Auditor's Office) serving as an intern trainee with the System.]

- 4.942 Type II(b) internships provide for the State of Texas to be the trainee represented by a person in the employ of the System. A Type II(b) internship may be served either within the System or with another State agency. Employees on Type II(b) internship status should be considered as employees of the System as they would if they were physically present on the job.
(Example: An employee of a System component serving as an intern trainee at another System component or with another State agency, i.e., an accountant from a component business office serving as a trainee in the business office of another component or in the State Auditor's Office.)
- 4.943 The primary objective sought by both of the Type II Internship programs is for the trainee to gain skills from the training agency and to promote the ability of persons to work with broader situations and more competently in the multi-levels of administration of the State or the System.
- 4.944 A "No Proselyting" agreement should be secured in both of the Type II Internship programs.
- 4.95 Administration: Eligibility Requirements.
- 4.951 Internship education and training authorized by the System will be conducted primarily for the benefit of the System.
- 4.952 Internship training and education must be approved by the chief administrative officer or someone delegated by him on recommendation of the head of the employing department or unit.
- 4.96 Administration: Obligations.
- 4.961 Type I - No obligatory arrangement is required.
- 4.962 Type II - The following standards should be observed:
- 4.9621 The need for these programs will vary according to skills required and the availability of pre-employment training within the State of Texas and/or the System.
- 4.9622 The employee has an obligation to successfully complete the training program and should

recognize that the State of Texas and the System will use this type of training as a continuation of the selection process.

4.9623 Employees receiving internship training authorized by the System will be obligated to fulfill such terms and conditions as the System Personnel Director may prescribe, compatible with the nature and extent of the training or education.

Sec. 5 Other Regulations Concerning Personnel are Reported in the Rules and Regulations of the Board, Part One, as follows:

Physical Examination - Chapter III, Sec. 1.7

Employment of Aliens - Chapter III, Sec. 3

Indebtedness to the System or the State - Chapter III, Sec. 28

Appointment of Relative (Nepotism Rule) - Chapter III, Sec. 5

Holidays - Chapter III, Sec. 14

Vacation - Chapter III, Sec. 15

Sick Leave - Chapter III, Sec. 19

Leave for Jury Duty - Chapter III, Sec. 20

Absence from Usual and Regular Duties - Chapter III, Sec. 21

Leaves of Absence Without Pay - Chapter III, Sec. 16

Office Hours - Chapter III, Sec. 12

Outside Employment - Chapter III, Sec. 13

Acceptance of Money from Students - Chapter III, Sec. 26

Textbooks and Other Materials Prescribed for the Use of Students - Chapter III, Sec. 24

Institutional Employees as Students - Chapter III, Sec. 30

Power to Authorize Expenditures out of the System Funds - Chapter III, Sec. 27

Division of Salaries for Staff Engaged in Teaching and Non-teaching Activities - Chapter III, Sec. 18

Compensation for Correspondence and Extension Teaching of Full-time Staff Members - Chapter III, Sec. 23

Classified Personnel Systems - Chapter III, Sec. 2

Code of Ethics - Chapter III, Sec. 4

Tenure, Promotion, and Termination of Employment - Chapter III, Sec. 6

Retirement and Modified Service - Chapter III, Sec. 31

Faculty Development Leaves - Chapter III, Sec. 17

CHAPTER VI

STAFF BENEFITS

(Staff benefits may be subject to change by State and Federal Laws. Application in specific instances should be verified.)

Sec. 1. Teacher Retirement System.

- 1.1 Effective September 1, 1977, there is only one class of membership in the Teacher Retirement System. The single class of membership includes those previously defined as "teacher" and "auxiliary" members.
- 1.2 Effective September 1, 1974, any employee of the System employed at least one-half time, whether paid on a monthly or hourly basis, and provided his employment will continue for a period of four and one-half (4-1/2) months cumulative within one (1) fiscal year, is eligible for and required by law to participate in the Teacher Retirement System, which became effective for teacher members September 1, 1937, and for auxiliary members September 1, 1949, except:
 - 1.21 persons eligible at those times who executed waivers within the period allowed by law and have not revoked such waiver if later permitted;
 - 1.22 members of the Employees Retirement System, about which information is given later; and
 - 1.23 participants under the Optional Retirement Program, about which information is given later.
 - 1.24 a person who may be for the first time employed at 60 years of age or older.
 - 1.25 a person who is solely employed by a public institution of higher education which requires as a condition of employment that the person be enrolled as a student in that institution.
- 1.3 An employee may purchase withdrawn service credit for any year in which he was employed for four and one-half (4-1/2) cumulative months by rendering service for two (2) subsequent consecutive creditable years or a period of continuous service equal to the length of absence and depositing an amount equal to the

deposits and dues he would have paid for each year of prior service credit, plus a reinstatement fee of five percent (5%) per annum up to redeposit or reinstatement, or both.

- 1.4 Annual membership dues in the Teacher Retirement System are \$5, which amount is deducted from the first salary payment in a fiscal year. Members contribute 6.65 percent of their salary up to and including \$25,000 per year, with the maximum contribution of \$1,662.50 per year which amount is deducted from the monthly salary payment. The contributions are sent monthly by the business offices to the Teacher Retirement System. Each year members receive a statement from the Teacher Retirement System, through the business offices, of their total contributions, plus accumulated interest through August 31 of the preceding year. The State contributes 7.5 percent of each member's salary, up to and including \$25,000 per year, with the maximum contribution of \$1,875 per year.
- 1.5 The annuity payable at retirement is based on the salary earned by the member. Annuity payments are based upon the average salary earned in the five highest years of creditable service, not to exceed \$25,000 of salary for any one year beginning September 1, 1969. Years of service for the period September 1, 1957, through August 31, 1969, have a maximum limit of \$8,400.
- 1.6 When a member leaves the employment that requires membership in the Teacher Retirement System, he or she may withdraw the amount of their contribution, plus accumulated interest, upon application, or he or she may leave the funds at interest for not more than five out of six consecutive years during which period he or she pays the annual membership dues. The performance of a period of active military duty by a member shall not be construed as absence from service; nor shall absence from service terminate membership if the member does not withdraw their accumulated contributions and has ten (10) or more years of creditable service, regardless of age, at or before the time he or she ceases employment that requires membership in the Teacher Retirement System.
- 1.7 If a member dies before retirement, his or her beneficiary, depending upon the relationship to the member, will be entitled to death benefit payments or survivor benefit payments, whichever renders the greater advantage to the beneficiary. If there is no beneficiary with an insurable interest, payment will be limited to the accumulated contributions plus interest standing to the account of the member with the Teacher Retirement System.

- 1.8 Eligibility for retirement benefits is as follows:
- 1.81 With ten years creditable service upon reaching age 65, member is entitled to retire with full benefits based on service rendered and salary earned. Members are entitled to minimum benefits of \$75 per month.
 - 1.82 With ten years creditable service upon reaching age 55, member is entitled to retire at reduced actuarial equivalent of benefit payable at age 65.
 - 1.83 With twenty years creditable service upon reaching age 60, member is entitled to retire with full benefits based on service rendered and salary earned. Members are entitled to minimum benefits of \$130 per month.
 - 1.84 With twenty years creditable service upon reaching age 55 or with thirty years creditable service at any age, member is entitled to retire with a percentage of the standard annuity designated by Teacher Retirement System tables.
- 1.9 Creditable service consists of prior service, former membership service, and current membership service. "Prior service" means service by such person as a teacher or auxiliary employee prior to (A) September 1, 1937, as relates to any person who became a member or who at any time on or before August 31, 1949, was eligible for membership in the Teacher Retirement System, or (B) September 1, 1949, as relates to any person who for the first time became eligible for membership in the Teacher Retirement System on or after September 1, 1949.
- 1.(10) Information pertaining to options under which retirement benefits may be drawn and to reciprocal service between the Teacher and Employees Retirement Systems, as well as other information, may be secured from the component institution business or personnel office, the System Personnel Office, or the Teacher Retirement System in Austin.
- 1.(11) Few employees of The University of Texas System are members of the Employees Retirement System because they are no longer eligible for initial membership in this system. Only those who were eligible between September 1, 1947, and August 31, 1949, and who did not waive membership as of September 1, 1947, are now members. Beginning September 1, 1949, new employees who would previously have been eligible for this plan became eligible for membership in the Teacher Retirement System. Contributions, membership fees, and benefits shall be in accordance with Article 6228a, V.T.C.S.

Sec. 2. Optional Retirement Program.

- 2.1 Pursuant to Chapter 729, Acts of the 60th Legislature, Regular Session, 1967 (Article 2922-li, Vernon's Texas Civil Statutes), as amended, the Board of the System has authorized:
- 2.11 The establishment of an Optional Retirement Program in lieu of active membership in Teacher Retirement System of Texas to become effective September 1, 1968.
 - 2.12 Any insurance or annuity company qualified and admitted to do business in this State to offer an Optional Retirement Plan to eligible employees of the System.
 - 2.13 The ceiling on both the employee's contribution and the State's matching contribution to the Optional Retirement Plan to be the same as is in effect for contributions to the Teacher Retirement System.
 - 2.14 Compliance with the terms and provisions of the Act, and further compliance with prescribed rules and regulations of the State Board of Insurance and the System.
- 2.2 Eligibility - The following types of employees are eligible to participate in the Optional Retirement Program:
- 2.21 All full-time faculty members appointed at least 4-1/2 months.
 - 2.22 All full-time administrative, research or professional personnel appointed for at least 4-1/2 months, excluding any person employed in a position which is in the classified personnel pay plan of a component institution of the University.
 - 2.23 A full-time person who enters the program and later reduces to part-time status will remain eligible for the Program.
 - 2.24 Any employee who becomes ineligible for the Optional Retirement Program, but is nevertheless eligible for Teacher Retirement, must rejoin Teacher Retirement [A.G.Op.No. M-647 (1970)].
- 2.3 Effective Date of Participation
- 2.31 Eligible employees in the System employed as of September 1, 1968, shall elect to participate in the Optional Retirement Program no later than the first day of August 1969. An eligible employee not exercising the option to participate in the Optional Retirement Program by August 1, 1969, is deemed to have chosen to continue membership in the Teacher Retirement System.

- 2.32 Eligible employees of the System employed September 2, 1968, or later, shall within ninety days following date of employment, elect to participate or not to participate in the Optional Retirement Plan. A person is automatically considered a member of the Teacher Retirement System Program unless he elects to participate in the Optional Retirement Program during the first ninety days of employment.
- 2.4 Contributions to Retirement Plan shall be as follows:
- 2.41 The Optional Retirement Act authorizes a salary ceiling for contributions equivalent to the Teacher Retirement System. This ceiling, effective September 1, 1977, is 6.65 percent of the salary ceiling of \$25,000 per year for employee contributions. This ceiling, effective September 1, 1977, is 7.5 percent of the salary ceiling of \$25,000 for employer contributions.
- 2.5 The Office of the Vice Chancellor for Business Affairs [~~President-of-the-System~~] will approve the companies authorized to offer to eligible employees an Optional Retirement Program in accordance with the Conditions and Procedures To Be Met By Insurance Carrier To Be Authorized To Write Annuity Contracts Under The Optional Retirement Program For The University of Texas System. The Conditions and Procedures will be issued by the Director, System Personnel Office, with the concurrence of the Office of General Counsel in accordance with Sections 51.351 through 51.358, Texas Education Code, Attorney General's Opinions, Internal Revenue Service Rulings, and other applicable federal and State laws and agency regulations.
- 2.6 The eligible member electing to participate in the Optional Retirement Plan shall elect the company he chooses if that company has been approved by the System.
- 2.7 There can only be one change in Optional Retirement Program carriers per year, and such change may be made on the first day of any month.
- 2.8 Application blanks of authorized insurance carriers will not be furnished by the component institutions because of the possible large number of insurance carriers that may be authorized under the program. It is the responsibility of each individual interested in participating in the Optional Retirement Program to contact the authorized insurance carrier of his choice for an application blank.

- 2.9 Optional Retirement programs provide for vesting of benefit rights after one year of participation in the program by the employee. Vesting is to be effective on the first day of employment after one year's participation in the program under the System. Participation may be with more than one approved carrier [A.G. Op. M-420 (1969)].

Sec. 3 Tax Deferred Annuities.

- 3.1 Under a plan approved by the Board, employees of the System may purchase 403(b) Tax Sheltered Annuities from Texas-licensed insurance companies.
- 3.2 An employee desiring to participate in this program may enter into an agreement with his component institution and designate a portion of his monthly gross compensation to be used by the component institution to purchase an annuity for the employee from the company selected by the employee. There can be only one change of Tax Sheltered Annuity Program carriers per year, and such change may be made on the first day of any month.
- 3.3 The chief business officer, or his delegate, of each component institution in the System is authorized to sign applications for annuities with the company requested by the employee. The payroll deduction method will be employed for the annuity payments and the amounts contracted for by the employees will be forwarded to each insurance company after the payroll reductions therefor.
- 3.4 The Office of the Vice Chancellor for Business Affairs [~~President of the System~~] will approve the companies authorized to offer to eligible employees a Tax Sheltered Annuity Program in accordance with the Conditions and Procedures to be Met by Insurance Carrier to be Authorized to Write Tax Sheltered Annuities for The University of Texas System. The Conditions and Procedures will be issued by the Office of the Vice Chancellor for Business Affairs [~~President of the System~~] with the concurrence of the Office of General Counsel in accordance with Article 6228a-5, Vernon's Texas Civil Statutes, Attorney General's Opinions, Internal Revenue Service Rulings, other applicable federal and State laws and agency regulations.

Sec. 4 Group Hospitalization and Medical Benefit Plan.

- 4.1 A System-wide contract is in effect to provide group hospitalization and medical insurance coverage on an

optional basis for employees of all component institutions of the System subject to approval of the Chancellor [~~President-of-the-System~~] and the Board.

- 4.2 Any employee employed at least one-half time or more is eligible for coverage. An insured employee's spouse and unmarried children between the ages of 19 and 25 may also be covered.
- 4.3 Employees may enroll within 60 days after they become eligible for coverage. Employees who do not enroll within 60 days may then do so only during the annual enrollment period.
- 4.4 The anniversary date of the contract is September 1 of each year. The annual enrollment period will fall during the month of September.
- 4.5 The contract offers three benefit schedules that provide each employee with options to determine the most suitable plan consistent with his income. The premium rates for coverage depend on the plan selected by the employee and the number of persons in the family to be covered.
- 4.6 Under the In-Patient and Out-of-Hospital portions of the contract, specified percentages of costs are provided for under the three plans.
- 4.7 An insurance continuation provision is available for employees who leave the employment of the System or who retire.

Sec. 5 Group Term Life Insurance.

- 5.1 The System carries a master group term life insurance policy, applicable to all component institutions, with the Aetna Life Insurance Company for a "One Year Term Plan." Premiums are payable monthly by payroll deduction and increase with each year of age. The program is optional and is available to any employee employed at least one-half time or more; new employees are notified of their eligibility by the personnel office at the time of employment.
- 5.2 The amount of insurance available is based on a schedule that may not exceed two times annual earnings with a maximum of \$100,000 or 200% of annual compensation, whichever is the lesser amount. The amount of insurance for any employee who does not elect to change to the new schedule will continue to conform to the Insurance Table in effect prior to

to September 1, 1975. Annual earnings for academic personnel shall be the nine-month or twelve-month academic rate as applicable. Annual earnings for nonteaching personnel shall be the twelve-month rate. When an employee classification changes, due to increase or decrease in earnings, including Modified Service, the amount of insurance will be adjusted on the annual renewal date (January 1) following the date of the change provided the employee is available for work.

- 5.3 No medical examination is required if application is made for insurance within 60 days from date of employment. After the 60-day period, an "Evidence of Insurability" form, prepared by the company and available through the personnel office, is required. No medical examination is required if this form is accepted by the company after review, but, if it is not accepted, the applicant must have a medical examination at his expense.
- 5.4 Beneficiaries are designated by the policyholders on the application forms and may be changed during the life of the policy upon application to the business office or personnel offices. Each policyholder receives a certificate issued by the company and transmitted through the business office or personnel office.
- 5.5 A policyholder who is less than 60 years of age and who becomes permanently and totally disabled may receive benefits not to exceed 50% of the maximum amount in the two times earnings schedule of benefits. Insurance coverage in excess of the aforementioned amount may be retained for estate purposes with automatic premium waiver. There are no disability benefits after age 60.
- 5.6 Benefits at death are payable according to one of several options. Upon notification of the death of a policyholder, the personnel office assists in the preparation of the required records to be sent to the company.
- 5.7 Participation in the Group Life Insurance Program automatically terminates when employment terminates unless (1) the policyholder retires under the provisions of the Teacher Retirement System, the Optional Retirement Program, or the Employees Retirement System with at least 10 years of coverage under the insurance; (2) the policyholder has attained 62 years of age with at least 10 years of coverage under the insurance; or (3) the policyholder converts the group

policy into one for regular individual life insurance. When an employee retires, the amount of insurance will be reduced to \$5,000 or the amount in force immediately prior to retirement, whichever is less, provided the employee has been insured continuously during the 10 years prior to retirement.

- 5.8 The life insurance will cease at the end of the last policy month for which a contribution was made except that if death should occur within thirty-one days thereafter, the death benefits will be payable. Within this thirty-one day period, by making application and paying the first premium to the Aetna Life Insurance Company, one may convert his Group Life Insurance to an individual life insurance policy on any regular Whole Life or Endowment Plan. This individual policy will be issued without medical examination at the Insurance Company's regular rates.

Sec. 6 Supplemental Cash Value Paid-Up at Age 65 Life Insurance Plan.

- 6.1 Supplemental Group Cash Value Paid-Up at Age 65 Life Insurance was made available to employees of the System by a rider to the group term life insurance master policy with the Aetna Life Insurance Company. Premiums remain level and are based on the age of the insured at the time he enrolls or, if he increases coverage, his age at the time he changes the amount of insurance. The program is optional and is available to any employee insured under the maximum (two times annual earnings) group term life insurance who has not attained age 65. In order to be eligible for group term life insurance, an individual must be employed at least one-half time or more. New employees are notified of their eligibility at the time of employment. The plan became effective initially April 1, 1972.
- 6.2 The amount of insurance available is based on a schedule of annual earnings and is in units of \$5,000, \$10,000, or \$15,000. Annual earnings for academic personnel shall be the nine month or twelve month rate, as applicable. Annual earnings for nonacademic personnel shall be the twelve month rate. For personnel paid on an hourly basis, the annual earnings shall be the hourly rate times 2,080 hours. When an employee becomes eligible for a greater amount of insurance, a new request form must be completed, and coverage will become effective on the annual renewal date, April 1, of this plan.
- 6.3 No medical examination is required if application is made for insurance within sixty (60) days from date of employment. After sixty (60) days the insurance

company will require that the employee furnish evidence of insurability at his own expense before he can obtain the insurance.

- 6.4 If an employee elects a lesser amount of insurance than annual earnings permit, or does not take an insurance increase that he is eligible for, he will be unable to elect an additional amount of insurance, regardless of the circumstances, without evidence of insurability. No medical examination is required if evidence of insurability is accepted by the company after review, but if it is not accepted, the applicant must have a medical examination at his own expense.
- 6.5 Beneficiaries are designated by the insured on the application forms and may be changed during the life of the policy upon application to the business or personnel offices. Each insured receives a certificate issued by the company and transmitted through the business office or personnel office.
- 6.6 The Plan provides employees with the option, upon retirement at age 65, to elect either the cash value of the policy or life insurance protection after age 65 that is paid-up, and requires no further premium payments. If an employee leaves the System prior to retirement, he has the option of electing the cash value of the policy or taking his paid-up insurance with him.
- 6.7 A waiver of premium is provided for an insured who becomes totally and permanently disabled before age sixty (60). Provided disability has lasted nine months and proofs of disability are accepted, contributions will cease and no further contributions will be required as long as the employee remains disabled.
- 6.8 Benefits at death are payable to the beneficiary in lump sums or in regular installments. Upon notification of death of an insured, the personnel officer assists in the preparation of the required records to be sent to the insurance company.
- 6.9 Participation in this plan terminates when the employee terminates unless the insured retires under bona-fide retirement provisions of the Teacher Retirement System, the Employee's Retirement System, or the Optional Retirement Program. A person may continue to keep the coverage, however, during a period of temporary lay-off or official leave of absence by paying a sufficient amount in advance through the business office of the appropriate component institution to cover contributions that will become due during the period of leave.

- 6.(10) The life insurance under this plan will cease at the end of the last policy month for which a contribution was made, except, that if death should occur within 31 days thereafter, the death benefits will be payable. Within this 31-day period, by making application and paying the first premium to the Aetna Life Insurance Company, one may convert a part of his cash value insurance to an individual life insurance policy or any regular whole life or endowment plan. The part that is convertible is the difference between the amount of insurance in force and the amount of paid-up insurance available in accordance with the non-forfeiture provision of the plan. The premiums will be based on the age of the insured at the time of conversion.
- 6.(11) When an employee terminates and he does not wish to convert to another insurance plan, he may elect to withdraw the cash value or keep the amount of paid-up insurance he is entitled to without making another premium payment. Cash value is available only upon termination of employment.
- 6.(12) The insured employee may not borrow against the cash value of his policy.

Sec. 7 Group Long Term Disability Income Insurance.

- 7.1 The System carries a master group long term disability income insurance policy, covering all component institutions, with the Aetna Life Insurance Company. Premiums are payable monthly by payroll deduction, and the rate applies to the monthly rate of basic earnings of each covered employee regardless of age. The program is optional and is available to any employee employed at least one-half time or more. New employees are notified of their eligibility by the personnel office at the time of employment. The plan became effective initially on October 1, 1965.
- 7.2 Monthly rate of basic earnings is the rate in effect on the March 1 before the start of an individual's disability. Furthermore, monthly rate of basic earnings is defined as 1/9 of the base rate for academic personnel paid on a nine-month basis and 1/12 of the base annual rate for non-teaching employees or any other person paid on a twelve-month basis. In no case shall monthly rate of basic earnings exceed \$4,166.66 per month. All premiums and benefits are payable 12 months per year.
- 7.3 The plan guarantees benefits of 65% of the monthly rate of pay up to maximum monthly benefits of

\$2,708.33 per month, and any extra compensation is excluded. The plan will pay all of the 65% guarantee if the insured is not eligible for "other income benefits." If he is eligible for "other income benefits," the plan will add to the total of "other income benefits" to make up this 65% guarantee. In general, the plan counts as "other income benefits" any wages, salary, or other remuneration a person might receive from his component institution, or from any other employer, while he is eligible for income benefits from the plan. Also counted are any disability benefits payable under any law or under any plan sponsored by the System.

- 7.4 Covered employees will be eligible for the first income payment from the plan after having been "totally disabled" throughout a qualifying period of 90 days. Payments will be made as of the end of each calendar month. Benefits continue to be paid as long as a person is "totally disabled"; however, all income payments will stop when a person recovers, dies, or reaches age 65, whichever happens first.
- 7.5 No medical examination is required if application is made for insurance within 60 days from date of employment. After the 60-day period, an "Evidence of Insurability" form prepared by the company and available through the personnel office is required. No medical examination is required if this form is accepted by the company after review, but, if it is not so accepted, the applicant must have a medical examination at his expense.
- 7.6 Each policyholder receives a certificate issued by the company which is prepared and transmitted through the business office or personnel office.
- 7.7 The insurance of any employee under this policy shall terminate at the earliest time specified below:
- 7.71 Upon discontinuance of the policy.
 - 7.72 At the end of a policy month during which the employee's employment with the System in the classes eligible for the insurance terminates.
 - 7.73 On the date the employee attains the age of 65 years.
- 7.8 A person may continue to keep the coverage during periods of official Leave of Absence upon the direct payment of premiums through the business office of the appropriate component institution.

Sec. 8 Group Accident Insurance.

- 8.1 Group Accident Insurance was made available to employees of the System by a rider to the Long Term Disability Insurance Master Policy with the Aetna Life Insurance Company. The Group Accident Plan became effective February 1, 1968, and is available to any employee under age 70 employed at least one-half time or more. Eligible employees can join the plan either during the first 60 days of their employment or during an annual enrollment period in December of each year for coverage effective February 1.
- 8.2 Coverage under the Group Accident Plan is provided to insure against accidental death (in such areas as travel by automobile and travel on an aircraft being used solely for the transportation of passengers, and the coverage is extended to travel outside of the United States). The death benefit is also provided if an individual becomes totally disabled while insured before age 60 as a result of an accident of the type covered by the plan. Scheduled dismemberment benefits are also provided for specified losses.
- 8.3 The amount of coverage that may be selected ranges in multiples of \$10,000 from the minimum of \$20,000 to the maximum of \$200,000; however, no eligible employee may select an amount of coverage that exceeds 10 times his annual salary (for academic personnel the 12-month equivalent of their 9-month contract salary is used in computing the maximum amount of coverage allowable). Employees who select coverage for themselves may also take coverage for their spouses in an amount between \$10,000 up to a maximum of 50 percent of the amount actually taken for themselves. Unmarried children under age 19 are automatically covered for \$1,000 from the spouse's coverage, unless waived by the employee. Also, unmarried children 19 years of age and over who are regularly attending school and depend solely upon the employee for support are eligible as dependents until their 23rd birthday.

Sec. 9 Workers' Compensation Insurance.

- 9.1 The Workers' Compensation Insurance Program is on a System-wide, self-insuring basis, financed by setting aside not more than 2 percent of the annual payroll of covered employees, and provides certain benefits for injuries sustained on the job. These benefits include payments for reasonable medical aid, hospitalization, etc.; total or partial incapacity; specific losses; and death.
- 9.2 The System Personnel Director, with the cooperation and assistance of other appropriate officials of the

System or its component institutions, investigates accidents and injuries, and endeavors to develop, publish, and enforce safety rules and regulations. His office keeps a complete record of all injuries on the job and is responsible for reporting them to the Industrial Accident Board. His office is responsible for the System-wide coordination of occupational safety and health activities, and for administration and enforcement of state and national laws and standards applicable to occupational safety and health.

- 9.3 All employees whose names appear on the payrolls are eligible.
- 9.4 Eligible employees who do not wish coverage may waive all rights to the benefits at the time of appointment. However, the waiver may be revoked at any time during continuous employment.
- 9.5 The institution shall give notice to all workers that such insurance has been provided.
- 9.6 The percentage of annual payroll, within the 2 percent mentioned in Subsection 9.1 above, is approved by the Board, and the amount is set aside from available appropriation other than itemized salary appropriations. Institutional chief business officers shall prepare and send to the System Personnel Director a monthly report of covered employees showing the source of their salaries and a check and/or state warrant for the amount due. These checks will be deposited in a depository bank and the State Comptroller will be requested to transfer the amounts due on payrolls paid from State funds to the Workers' Compensation Insurance Fund.
- 9.7 The System shall furnish such medical aid, hospital services, and medicines as may reasonably be required at the time of the injury, and at any time thereafter to cure and relieve the injured employee from the effects naturally resulting from the injury.
- 9.71 Each employee shall have the right to select or choose the persons or facilities to furnish medical aid, chiropractic, osteopathic, podiatric, hospital and nursing services.
- 9.72 Excessive charges or unreasonable expenses for services can be appealed to the Industrial Accident Board by the System.
- 9.73 Although the employee has the right to select or choose the person or facilities to furnish reasonable treatment, each component institution may provide guidance in that choice, if

the employee desires, by referring the injured employee to reputable specialists or general practitioners, depending on the nature of the injury.

- 9.8 The supervisor of a covered employee who is injured during the course of employment must file a complete report with the supervisor of the Workers' Compensation Insurance Office whether or not time is lost from work. If time is lost, a supplemental report is filed when the employee returns to work. When the time lost is over 60 days, this report is filed at the end of each 60-day period. The same form is used if the employee is disabled later due to the original injury. In the event of death of the injured employee, the form is filed immediately.
- 9.9 The employees' supervisors are also responsible for keeping in close touch with injured employees and their attending physicians and investigating medical attention to see that unnecessary aid and visits are avoided. They approve the statement from the physician as to services rendered although not actual charges for treatment.
- 9.(10) A covered employee disabled from work due to an on-the-job injury may remain on the payroll until his earned vacation and sick leave are exhausted or may request use of any reasonable portion thereof, during which time full medical benefits will remain available. Should an employee continue to remain disabled from work after earned vacation and sick leave are exhausted, provided such accrued leave totals seven days or more, there will be no waiting period before weekly compensation benefits accrue. Employees who have no sick leave or vacation accrued will be subject to a 7-day waiting period, for which they will be compensated in the event disability lasts 28 days or more. Vacation and sick leave used due to an on-the-job injury, are not charged against holidays, weekends, or other authorized days off.
- 9.(11) The weekly compensation benefit for a covered employee injured in the course of his work is equal to $66 \frac{2}{3}$ percent of the average weekly earnings for the 12 months immediately preceding injury, though not more nor less than the amount set forth in Article 8306, Section 29, Vernon's Texas Civil Statutes. Compensation to an employee on less than a full work day basis is not more than $66 \frac{2}{3}$ percent of his average weekly earnings, with the same maximum as the amount set forth in Article 8306, Section 29, Vernon's Texas Civil Statutes. Benefits may be paid for no longer than 401 weeks from date of removal from payroll for

total incapacity and no longer than 300 weeks for partial incapacity for work. For specific injuries, the supervisor has information available on request concerning benefits for specific injuries such as the loss of a hand or eye. In case of death, benefits shall be the same as those provided in Article 8306, Section 8, Vernon's Texas Civil Statutes.

- 9.(12) Payment for medical aid, hospitalization and compensation is through the System Personnel Office.
- 9.(13) The System Personnel Office shall issue an annual report through proper channels to the Chancellor [~~President-of-the-System~~] and to the Secretary to the Board for the information of the members of the Board which shall include at least the following information for each component institution: the total claims and number of days lost, total compensation and medical benefits paid, receipts, and total expenditures including allocation of overhead. The report shall also include the balance in the fund at the beginning of the fiscal year, total receipts including interest, total disbursements, and balance in the fund at the end of the fiscal year.

Sec. 10 Unemployment Compensation Program.

- 10.1 The System Unemployment Compensation Program, effective January 1, 1972, and thereafter, is administered on a System-wide basis. Under the program, certain weekly benefits are payable to former employees who were separated from employment with the System under conditions specified in the Texas Unemployment Compensation Act and are unable to find suitable employment. Two methods of funding the cost of approved claims for such former employees will be in effect, as follows:

10.11 For former employees whose salaries were paid from State General Revenue Funds, the cost of approved claims charge-backs are paid by the State Comptroller as provided in the current State General Appropriation Act. Initially, the Texas Employment Commission (TEC) pays approved claims and, quarterly, notifies the State Comptroller's Office and the appropriate System component institution of the claims amounts paid by individual. TEC bills the State Comptroller's Office, which makes payments to TEC from State General Revenue Funds appropriated for this purpose. Administration of claims, periodic reporting of salaries paid, and other aspects of administering the program

- for employees whose salaries are paid out of State General Revenue are the same as for those whose salaries are not paid out of State General Revenue, except that the assessments provided in Subsection 10.4 are not applied to salaries paid from State General Revenue Funds, or such other exceptions as are deemed by the System Personnel Director to be necessary for effective administration.
- 10.12 For former employees whose salaries were paid from funds other than State General Revenue, the cost of approved claims chargebacks is paid initially by the State Comptroller as specified under 10.11 above. Quarterly, or periodically as otherwise required by the State Comptroller, the System, by check made payable to the State Comptroller, reimburses the State General Revenue Fund from the System Unemployment Compensation Insurance Fund, a self-insurance fund described in Subsection 10.4.
- 10.2 The System Personnel Director, working in close cooperation with the System Comptroller and other appropriate officials of the System and its component institutions, is responsible for:
- 10.21 Administering the Unemployment Compensation Program for all employees of the System, with the assistance of appropriate institutional officials.
- 10.22 Determining the System's official position regarding claims protests in questionable cases, and assisting component officials in protest hearings.
- 10.23 Representing the institutions in all cases where claims are appealed to Appeals Tribunal or Commission Review and assisting the State Attorney General as required in representing the System with institutional participation in all cases in court actions provided for in the law.
- 10.24 Establishing and maintaining such additional policies and procedures as are necessary for the effective administration of the program as provided under existing statutes and these Rules and Regulations, including requirements for employee separation and claims administration, informing affected personnel about the Unemployment Compensation Program, and analyzing statistical data as needed.
- 10.25 Administering the Unemployment Compensation Insurance Fund and all policies and procedures necessary to bring about effective fund

- management and loss control for the Unemployment Compensation Program.
- 10.26 Maintaining records of all claims filed and paid, all chargebacks, and other records necessary to separate approved claims information applicable to student employment and extending such record-keeping to any additional group(s) of employees for which such analysis may be deemed by the System Personnel Director to be necessary for effective administration, including records necessary to determine individual "benefit ratios" consistent with provisions in the Texas Unemployment Compensation Act under Subsection 10.6 for each of the following categories of fund sources:
- 10.261 State General Revenue
- 10.262 Other than State General Revenue
- 10.27 Assuring that upon adequate notice, sufficient fiscal information will be available to determine a benefit ratio for each of the following categories of funding sources:
- (a) Organized Research (including contract research and services)
 - (b) Educational Service Agreements (including training grants)
 - (c) Organized Activities Related to Educational Departments (including hospitals and clinics)
 - (d) Auxiliary Enterprises
 - (e) All Other
- 10.3 All services performed in the employ of the System are deemed to constitute employment and are provided for under the Unemployment Compensation Program. However, benefits based on service in an instructional, research, or principal administrative capacity are not payable between two contractual periods of service, as specified in the Texas Unemployment Compensation Act.
- 10.4 The System-wide Unemployment Compensation Insurance Fund is established January 1, 1972, to accumulate necessary funds to pay reimbursements to the State Comptroller for claims of former employees whose salaries were not paid out of State General Revenue Funds. Sources of all salaries other than State General Revenue are charged an assessment beginning on the effective date and each month or payroll period thereafter. Checks covering these charges will be forwarded monthly to the System Personnel Director for deposit in the Unemployment Compensation Insurance Fund. Following the close of each calendar

quarter, or such other reporting period as may be deemed by the System Personnel Director to be necessary for effective administration, institutional chief business officers will prepare and send to the System Personnel Office reports itemizing by employees the salaries reported to the TEC and the amounts of such salaries subject to assessment. The reported assessable salaries will be reconciled to the checks submitted monthly in payment of the assessments. The reports will also contain such other information as may be required for effective reporting. In instances in which amounts may be due the Unemployment Compensation Insurance Fund from the State Comptroller for adjustments on claims paid, assessments, or as otherwise deemed necessary by the institutional chief business officers for effective and commensurate allocation of assessments or approved claims chargebacks, the State Comptroller is requested to issue a State warrant for the amount due.

- 10.5 Separate and apart from all other System monies or funds, an Unemployment Compensation Fund, administered under the same custodianship as other monies administered by the System, is established and maintained in one or more regular depositories of the System, secured by collateral in accordance with state statutory requirements. The fund consists of all assessments collected, all interest earned on deposits of any monies in the fund, and all other monies received for the fund from any other source. Investments or time deposits of such funds will be in accordance with regular System policies. This fund is designated as a "revolving fund" under the "University of Texas Central Services Account" provision of the current General Appropriation Act. Expenditures from the Unemployment Compensation Insurance Fund are restricted to direct costs: payments and chargebacks of approved Unemployment Compensation claims, and System administrative costs not to exceed five percent per year of the balance in the fund at the beginning of each preceding year. The administrative costs will be identified and charged as direct cost to the Unemployment Compensation Program consistent with procedures for other similar benefits programs operated by The University of Texas System. Such direct cost charges will be supported by a payroll distribution system in accordance with Federal Management Circular 73-8, Section J.7. A financial report will be prepared and submitted annually to the Board of Regents summarizing the transactions and balances of the Unemployment Compensation Insurance Fund for the fiscal year.

- 10.6 The System Unemployment Compensation Insurance Fund operates under principles agreed upon between The University of Texas System and the Department of Health, Education and Welfare, and includes the following procedures:
- 10.61 Assessment rates determined in accordance with 10.621 below will be applied to salaries and wages up to the maximum salary base which conforms to provisions of Federal and State Unemployment Insurance legislation.
 - 10.62 The University will review all available data on loss experience and levels of funds within six months after the end of the year. Based upon such review and projections of anticipated future activities and costs, a calculation of the rate to be charged in the following fiscal year will be submitted to the Department of Health, Education and Welfare.
 - 10.621 Rates will be calculated to fulfill the following objectives:
 - (a) To maintain the fund balances within a range of \$1,215,000 to \$1,755,000,
 - (b) To provide minimal fluctuations in Fund balances from year to year, and
 - (c) To provide maximum rate stability consistent with the first two objectives.
 - 10.622 The above objectives are expected to permit considerable flexibility in rate determination by the University. However, formal rate negotiations may be required upon determination by DHEW that a prospective rate is inconsistent with such objectives.
 - 10.63 A single assessment rate is charged to all affected fund sources on a nondiscriminatory basis throughout the System.
- 10.7 In the event that the amount in the Unemployment Compensation Insurance Fund is fully depleted and further reimbursement payments create a deficit in the fund, at the end of any month, such deficit will be recovered by additional emergency assessments which the component institutions will fund by distribution of the costs to all accounts based upon the covered wages which had been charged to the accounts during the month and paid from funds other than State General Revenue.

10.8 The System Personnel Office will issue an annual report to include separate reporting of income and disbursements by institution, fund categories, and such other information as may be deemed necessary for effective administration.

Sec. 11 Social Security (Old Age and Survivors Insurance).

11.1 As an employer, the System complies with the relevant provisions of the Social Security Act. All employees are required to participate in the Federal Social Security Program as a condition of employment.

Sec. 12 Deferred Compensation Plan.

12.1 As an employer, the System complies with the relevant provisions of Senate Bill 872, 63rd Legislature, Regular Session, which authorized the Deferred Compensation Plan for public employees (Article 6252-3b, Vernon's Texas Civil Statutes).

12.2 The State Comptroller is the administrator of the program. The System Administration has been authorized by the Board to develop administrative and fiscal procedures for operation of the program.

Sec. 13 Premium Sharing.

13.1 The System provides each full-time employee with the full amount of Premium Sharing specified in the current Appropriations Bill, for payment of certain group insurance premiums. Employees appointed half-time or more, but less than full-time, are provided an amount of Premium Sharing which is proportionate to the percentage of time employed.

13.2 Each employee employed half-time or more will automatically be covered under a basic plan of insurance effective September 1, 1977, or on the first date of employment following that date. Each such employee may elect optional coverages within 60 days of the automatic coverage date, or waive at any time subsequent to the automatic coverage date. Only those employees who do not elect optional coverages shall be provided automatic coverages. The total premium for the basic coverages provided under the automatic coverage plan shall not exceed the amount of the employer contributions to which the employee is entitled.

Sec. 14 U.S. Savings Bonds.

14.1 The System provides each employee with the opportunity to participate in the purchase of U.S. Savings Bonds by payroll deduction.

CHAPTER VII

PHYSICAL PROPERTIES

Sec. 1 Except as otherwise specifically authorized, property of the System shall be used only for official business. Only library books and other items of similar nature of well-established use may be used for the personal benefit or pleasure of employees. The chief administrative officer of each component institution shall designate a property manager.

Sec. 2 Inventories.

2.1 An actual physical inventory of property of the System shall be made each fiscal year in accordance with the State Property Act, as amended (Article 6252-6, Vernon's Texas Civil Statutes), and in compliance with appropriate regulations issued thereunder. The chief business officer of each component institution shall issue the necessary implementing instructions.

2.2 Department heads are responsible for all System property in their care and for the taking of the inventory on the prescribed record forms.

2.3 Inventories as of August 31 include all equipment on hand as defined by the State Board of Control under the State Property Act. Items that are worn out or discarded shall be deleted in accordance with the regulations of the State Board of Control.

Sec. 3 Motor Vehicles.

3.1 Any motor vehicles permitted under State law to be owned and operated by the System shall be used only on official business. Each vehicle shall carry an inscription on both sides as prescribed by law.

3.2 As required by statutes, a daily report shall be prepared by the person using the vehicle on the forms approved by the State Auditor and shall be filed within ten days in a central location designated by the chief business officer.

- 3.3 The operators of System-owned vehicles must hold, at their expense, an appropriate operator's license for the type of vehicle operated.
- 3.4 System-owned vehicles are subject to the compulsory inspection required by law.
- 3.5 It shall be the obligation of the chief business officer of each of the component institutions to see that all employees who are required to drive System-owned vehicles are fully informed of their personal responsibility and liability for their negligent operation.
- 3.6 Each component institution shall be cognizant of and render reports on operation of motor vehicles as required by current appropriations bill.

Sec. 4 Insurance on Property of the System.

- 4.1 The following types of insurance coverage shall be maintained on a System-wide basis:
 - Fire and Extended Coverage Insurance
 - Boiler and Machinery Insurance
 - Blanket Position (Fidelity) Bond
 - Money and Securities Insurance
 - Motor Vehicle Liability Insurance on State Owned Vehicles
] may be one policy
- 4.2 The terms of the policies covering the risks indicated above are negotiated by the Vice Chancellor for Business Affairs [~~Vice-President-for-Operations~~] in accordance with procedures approved by the Chancellor [~~President-of-the-System~~] and the Board.
- 4.3 When it is necessary or advisable to insure risks on a basis other than System-wide, insurance policies covering such risks shall be approved by the Vice Chancellor for Business Affairs [~~Vice-President for-Operations~~] on an individual basis upon recommendation by the chief business officer of the component institution affected.
- 4.4 At the time a loss occurs applicable to either System-wide or individual insurance policies, the Vice Chancellor for Business Affairs [~~Vice-President for-Operations~~] shall be notified by the chief business officer, and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board.

- Sec. 5 Safe and Vault Combinations.--The combinations to all vaults and safes used by component institutions shall be filed under seal with the chief business officer.
- Sec. 6 Police and Security Officers.
- 6.1 Police and other security officers are employed at the component institutions to protect and safeguard the property of the institution.
- 6.2 Employees shall cooperate in the security program by exercising caution to safeguard the equipment and supplies in their offices.
- Sec. 7 Telephones.--The director of physical plant, or the chief business officer, shall be responsible for the installation of telephones and the administration of all telephone facilities. Personal toll calls shall not be charged to institutional telephones. Charges for telephones and toll calls shall be under the supervision of the persons named above.
- Sec. 8 Disposal of Property of the System.
- 8.1 Whenever any item of equipment becomes obsolete or useless for the needs and purposes of the department concerned, a written report of such fact shall be made to the chief business officer. Upon receipt of such report, it shall be the responsibility of the chief business officer to determine whether or not such item of equipment is needed by any other department and, if so, to transfer and assign the equipment to such department.
- 8.2 If the chief business officer shall determine that the equipment is not needed for any department and that it is not practicable to store the equipment for possible future use, he shall proceed to sell the item concerned.
- 8.3 For items of little value or limited use where sale on competitive bids is not practicable, the chief business officer shall have the authority to dispose of the property on the basis of negotiated bids in amounts under \$2,000.
- 8.4 Sale of property estimated to bring \$2,000 or more shall be made on a basis of competitive bids.
- 8.5 Sales in amount of \$10,000 or more shall be approved in advance by the Chancellor [~~President-of-the System~~] and ratified by the Board through the institutional docket.

8.6 Sales to U. T. Employees.--Sealed bid sales of surplus equipment or abandoned property may be made to employees of the System or of any of its component institutions only after authorization by the chief administrative officer and approval of the Chancellor [~~President-of-the-System~~]. Such sales shall be reported in the institutional docket.

8.61 The authorization and reporting requirements in Section 8.6 are not required for public auction sales of surplus equipment or abandoned property to employees of the System.

Sec. 9 Transfer of Property.--Property may be transferred from one State agency to another when it becomes surplus. Such transfers from one component institution to another, or from a component institution to another State agency shall have the advance approval of the chief business officer concerned and shall be reported to the chief administrative officer. The chief business officer or his delegate shall advise departments and administrative offices as to the procedure to be followed in disposing of or acquiring property by this means.

Sec. 10 Disposition of Abandoned and Unclaimed Personal Property.--Abandoned and unclaimed personal property of every kind, except vehicles and drugs, which is not being held as evidence to be used in a pending criminal case which shall remain in the custody of any component institution property manager [~~department~~] for a period of sixty (60) [~~ninety-(90)~~] days [~~without-being-claimed-or-reclaimed-by-the-owner, whether-known-or-not,~~] will be [~~transferred-to-the-component institution's-designated-Property-Manager-to-be~~] disposed of in the following manner:

10.1 The designated Property Manager shall mail a notice to the last known address of the owner of such property with certificate of mailing [~~by-certified-mail~~], if the owner is known, if the owner is unknown, then the Property Manager shall cause to be published once in the student newspaper, and [~~then~~] in a paper of general circulation in the county in which the institution is located, such notice shall contain the description of the property held, the name of the owner if known, the name and address of the officer holding the property [~~a-statement-that-if-the-owner-does-not-claim-such-property~~] within sixty (60) [~~ninety-(90)~~] days from the date of publication, such property will be sold, and the date and place of such sale.

10.2 All personal property which remains unclaimed at the expiration of sixty (60) [~~ninety-(90)~~] days

from the date of publication of the notice required by letter with Certificate of Mailing [~~Section 10-17 or from the date of service by certified mail~~], if the owner was known, shall be deemed to be abandoned and may be sold.

- 10.3 The designated Property Manager shall sell the property which has been abandoned to the highest bidder at public sale; the Property Manager may decline the highest bid and reoffer such property for sale, if he considers such bid insufficient; he need not offer any property for sale, if, in his opinion, the probable cost of sale is in excess of the value of the property; the designated Property Manager shall deposit all proceeds of the sale into a fund which shall be designated for this purpose.
- 10.4 Any person claiming an interest in any property delivered to the designated Property Manager, which has been presumed abandoned and sold under the provisions of this section, shall be allowed to file a claim to such property with the designated Property Manager on forms and through procedures prescribed by the Property Manager; upon approval of such claim by the designated Property Manager, the owner may recover the proceeds of such sale after deducting the reasonable expense of keeping such property and the cost of the sale.
- 10.5 Proceeds of the sale, which remain unclaimed, may be used by the institution for student scholarships.
- 10.6 Vehicles, which are abandoned and unclaimed, will be disposed of in accordance with Article 6687-9 of Vernon's Texas Civil Statutes as hereafter amended.
- 10.7 Drugs in the possession of any component institutional police department will be disposed of in the manner prescribed by Article 4476-14, Section 8, of the Texas Dangerous Drugs Act and by Article 4476-15, Section 5.08, of the Texas Controlled Substances Act, or as hereafter amended.

CHAPTER VIII

PHYSICAL PLANT IMPROVEMENTS

Sec. 1 New Building Construction Exceeding the Amount of \$50,000 [\$5,000] per Project.

- 1.1 After the Board approves the construction of new buildings, the procedures shall be as follows:
 - 1.11 The Institutional Building Advisory Committee shall hold necessary hearings and make proper investigations to translate the approved academic program into priorities for new construction, with suggestions as to total project area and function, and make such recommendations to the chief administrative officer.
 - 1.12 The Institutional Building Advisory Committee shall be relieved of further direct responsibility whenever a building contract is awarded, but shall be available for consultation as the building progresses, as requested by the chief administrative officer, the Chancellor [~~President-of-the System~~], or his delegate, and the project architect.
 - 1.13 New projects shall be submitted to the Board for approval, including proposed funding, upon recommendation of the chief administrative officer, the Chancellor [~~President of-the-System~~], or his delegate.
- 1.2 Project Development.
 - 1.21 The Board will employ a project architect for each new major building project at all component institutions.
 - 1.22 The chief administrative officer may appoint according to the Institutional Handbook of Operating Procedure an Ad Hoc Project Building Committee composed of but not limited to representatives of the departments or divisions that will occupy the building. The committee shall work with the Office of Facilities Planning and Construction to prepare a detailed program of the needs for each project.

- 1.23 The chairman of the Institutional Building Advisory Committee, or his delegate, shall be an ex officio member of each Ad Hoc Project Building Committee.
- 1.24 The project architect shall be given the detailed program and will work in conjunction with the Office of Facilities Planning and Construction to prepare preliminary plans, exterior design, outline specifications, cost estimates, etc., which shall be submitted to the Board for approval upon the recommendation of the institutional head, the Chancellor [~~President-of-the-System~~], or his delegate.
- 1.25 After approval of the preliminary plans, the Board shall authorize the preparation of the working drawings and specifications. In the preparation of the final plans and specifications, the project architect shall work with the Ad Hoc Project Building Committee and the Office of Facilities Planning and Construction.
- 1.26 The final working drawings and specifications shall be submitted to the Board for approval upon the recommendation of the institutional head, the Chancellor [~~President-of-the-System~~], or his delegate.
- 1.3 Bidding and Construction Phase of Project.
- 1.31 After the Board approves the final plans and specifications, the Board shall authorize the Office of Facilities Planning and Construction to advertise for bids. Advertisements for bids for buildings shall be in accordance with State law and shall be published for four consecutive weeks unless the urgency, limited scope of work, or economy, as determined by the Chancellor [~~President-of-the-System~~], shall justify a lesser period of time.
- 1.32 The Chancellor [~~President-of-the-System~~], or his delegate, shall receive and open bids, with the project architect and others, tabulate and study such bids, and make recommendations to the Board.
- 1.33 The Board will award the contracts for all work in excess of the amounts of \$50,000 [~~\$5,000~~] for new construction and \$80,000 [~~\$50,000~~] for major remodeling/repair projects. The contract will be signed by the contractor(s) involved and the Chairman of the Board and approved by the Board in accordance with law.

- 1.331 In the event the lowest bidder is found to be not responsible, or other facts and circumstances necessitate award of contract to other than the lowest bidder, the bidder(s) submitting proposal(s) lower than the bidder to whom award is proposed shall be notified of the Board's proposed decision for award.
- 1.332 If the lowest bidder fails to timely state his protest of such award and requests to present evidence, the Board's proposed award will be final.
- 1.333 If the lowest bidder timely files notice of protest, the Board will hear the protest or will delegate to the Chancellor [~~President-of-the System~~] the authority to appoint a Hearing Officer who shall promptly convene and conduct a hearing and subsequently prepare and submit a report of his findings through the Chancellor [~~President-of-the-System~~] to the Board. The Board shall make a final decision based upon the records of the hearing before the Hearing Officer.
- 1.334 The contract documents will be prepared by the Project Architect and approved by the Chancellor [~~President of-the-System~~], or his delegate, and the General Counsel for the System, or his delegate, before submission to the Chairman of the Board.
- 1.335 At the time contracts are awarded, additional appropriations will be made if required.
- 1.34 The Chancellor [~~President-of-the-System~~], or his delegate, shall approve contractor's estimates, sign change orders, and provide general supervision of all new construction. He shall advise the Board if developments during construction require additional funds or other decisions of the Board.
- 1.35 The Chancellor [~~President-of-the-System~~], or his delegate, shall inspect the completed building and recommend final acceptance and final payment.

Sec. 2 New Building Construction Involving Less than \$50,000 [~~\$57,000~~] per Project.--New construction that involves a total expenditure of \$50,000 [~~\$57,000~~] or less per project may be handled at the component institution. Necessary funds must have been

approved through the proper procedure. In each case, the project must have been approved by the director of physical plant, the chief business officer, and the chief administrative officer of the institution involved[7], and the Vice Chancellor for Business Affairs.

Sec. 3 Minor Repairs and Remodeling and Improvements other than Buildings.--Minor repairs and remodeling of the physical plant and construction of improvements other than buildings involving proposed expenditures of less than \$80,000 [~~\$50,000~~] per project shall be made under the supervision of the director of physical plant and the chief business officer at the component institutions, with the prior approval of the chief administrative officer[7] and the Vice Chancellor for Business Affairs provided that necessary funds have been approved through proper procedure.

Sec. 4 Major Repairs and Remodeling and Improvements other than Buildings.

4.1 Any repair or remodeling project of the Physical Plant and construction of improvements other than buildings involving an estimated expenditure of \$80,000 [~~\$50,000~~] or more shall be deemed a construction project.

4.2 Unless otherwise approved by the Board, the procedures and regulations pertaining to new building construction shall apply to major repairs and remodeling projects.

Sec. 5 Professional Services.--Each component institution is authorized to make use of architects, engineers, and other professional services up to a maximum cost of \$7,500 [~~\$3,000~~] with the approval of the Chancellor [~~President of the System~~] on recommendation of the chief business officer.

Sec. 6 Constitutional and Legislative Restrictions.

6.1 Section 18, Article VII, of the Texas Constitution requires approval by the Legislature, or an agency designated by the Legislature, prior to the construction of physical improvements financed by bonds authorized under this section at the component institutions other than The University of Texas at Austin and at El Paso.

6.2 Under the provisions of the current Appropriation Bill, prior to the allocation, expenditure or encumbrance of any funds provided under the authority of Article VII, Sections 17 and 18, of the Texas Constitution, for individual building construction projects costing in excess of Twenty-five Thousand Dollars (\$25,000), other than classroom, library

and laboratory building projects. Notice of intent shall be filed with the Legislative Budget Board and the Governor's Budget Office.

- 6.3 New construction projects not otherwise authorized by law, in excess of \$100,000 and all major repair and rehabilitation projects in excess of \$100,000, must be approved by the Coordinating Board, Texas College and University System, as to purpose and gross dimensions. Format for submission will be as prescribed by the Coordinating Board. Submission will be prepared by the component institution, in consultation with and assisted by the Office of Facilities Planning and Construction, if necessary, and forwarded to System Administration for review, approval and handling of submission. It is the objective to submit the necessary documents to the Coordinating Board when the project scope and estimated cost are sufficiently defined to meet the Coordinating Board's requirements for approval. Normally, submission will be made when the Board approves preliminary plans and specifications and the related cost estimate.

Sec. 7 Modification of Bids.

- 7.1 No bid shall be changed, amended, or modified by telegram or otherwise after it has been submitted or filed in response to an advertisement for bids in connection with the construction or erection of permanent improvements at any of the component institutions of the System under Article 2593, Revised Civil Statutes of Texas, 1925.
- 7.2 The substance of this requirement shall be stated in the advertisement for such bids; provided, however, that this requirement shall not be construed to prohibit the submission of filing of more than one separate and independent bid by any bidder.

Sec. 8 Institutional Building Advisory Committees.

- 8.1 At each of the component institutions there shall be an institutional building advisory committee.
- 8.2 The committee shall be appointed by the chief administrative officer in the same manner as other institution-wide committees are appointed.
- 8.3 The composition of the institutional building advisory committee shall be set forth in the Institutional Handbook of Operating Procedure of each component institution.

8.4 The Vice Chancellor for Business Affairs [~~President of-the-System~~], or his delegate, and the chief business officer of the institution shall be ex officio members of such committees.

CHAPTER IX

MATTERS RELATING TO
~~[THE-OFFICE-OF]~~ INVESTMENTS,
TRUSTS AND LANDS

Sec. 1 Authorizations re Sales, Assignments, Conveyances, Receipt
of Property and Proxies.

- 1.1 Authority to Purchase, Exchange, and Sell Securities for and on Behalf of the Permanent University Fund of The University of Texas (hereinafter sometimes referred to as "PUF") and the Board.--The Chancellor [~~President-of-the System-or-his-delegate~~], the Vice Chancellor for Business Affairs, and [~~or~~] the Executive Director for Investments[7] and Trusts [~~and-Lands,-or-the-investment-officer,~~] are each authorized to purchase, exchange and sell any and all securities for and on behalf of the PUF or the Board, and to execute any and all documents necessary to the consummation of any purchases or exchanges.
- 1.2 Authority to Assign and Transfer Securities Held by the PUF and the Board of the System.--The Chancellor [~~President-of-the-System~~], the Vice Chancellor for Business Affairs, and the Executive Director for Investments[7] and Trusts [~~and-Lands-or-any-trust-officer~~] may each assign and transfer any and all securities of any description[7] whatever, and execute any and all documents necessary to the consummation of any sale, assignment or transfer of any securities registered in the name of the PUF or the Board, or in any other form of registration of such securities held for the account of the PUF or the Board in whatever manner, including all fiduciary capacities, and including those registered in the names of trusts or foundations managed and controlled by said Board.
- 1.3 Authority to Execute Instruments Relating to Land and Mineral Interests.--The Chairman of the Board, the Vice-Chairman, the Chancellor [~~President-of-the System~~], the Vice Chancellor for Business Affairs, and the Vice Chancellor for Lands Management [~~Executive-Director-for-Investments,-Trusts-and Lands~~] are each authorized to execute conveyances, deeds, surface and/or mineral leases, easements, rights of way, oil and gas division orders, and transfer orders, geophysical and material source

permits, water contracts, pooling and unitization agreements and any other instruments as may be necessary or appropriate from time to time, relating to the handling, management, control, and disposition of any real estate or mineral interests held or controlled by the Board as a part of the PUF or as a part of any trust or special fund.

1.4 Authority to Receive and Collect Money and/or Property.--The Chancellor [~~President of the System~~], the Vice Chancellor for Business Affairs, and the Executive Director for Investments [7] and Trusts [~~and Bands, or any trust officer~~] are each authorized and empowered to ask, demand, collect, recover, and receive any and all sums of money, debts, dues, rights, property, effects, or demands, whatever, due, payable, or belonging, or that may become due, payable, or belonging to any of the above funds, from any person or persons, whatever, and to execute any and all necessary or proper receipts, releases, and discharges therefor.

1.5 Authority to Execute Proxies.--The Chancellor, [~~President of the System~~] the Vice Chancellor for Business Affairs, and [or] the Executive Director for Investments [7] and Trusts [~~and Bands, or any trust officer, or the director of stock research~~] are each authorized to execute proxies within the approved investment policies.

Sec. 2 Investment Policy for PUF.

2.1 Investments Authorized for Purchase.

- 2.11 Bonds of the United States, the State of Texas or counties of said State, or in school bonds of municipalities, or in bonds of any city of said State, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments, thereto.
- 2.12 Bonds or other obligations issued, insured, or guaranteed in any manner by the United States Government or any of its agencies.
- 2.13 Bonds, debentures, or obligations, and preferred and common stocks issued by corporations, associations, or other institutions.
- 2.14 Convertible securities, of all kinds, issued by corporations on the approved list.

2.2 Standards as to Quality.

- 2.21 Corporate Stocks:
 - 2.211 Stocks eligible for purchase shall be restricted to stocks of companies

- incorporated within the United States which have paid dividends for five (5) consecutive years or longer immediately prior to the date of purchase.
- 2.212 Except for bank and insurance shares, stock must be listed upon an exchange registered with the Securities and Exchange Commission or its successors.
- 2.213 Common stocks and convertible securities are eligible for purchase if they are issued by corporations which have been approved by the Board.
- 2.22 Corporate Obligations and Preferred Stocks: Corporate Bonds and Preferred Stocks must be rated "A" or better by Moody's Investors Service, Inc., or by Standard and Poor's Corporation. Bonds or preferred stocks offered by private placement and not rated may be purchased if in the opinion of the University's Investment Counsel they are of "A" quality or better. Commercial Paper must be rated in the two highest quality classes by Moody's Investors Service, Inc., or Standard and Poor's Corporation to be eligible for purchase.
- 2.23 FHA Mortgage Loans:
- 2.231 Loan Standards:
- 2.2311 The security for the loans shall be single family, owner occupied residences (including Row or Town Houses) of good design and construction, in good condition, and comparable in value to other homes in the neighborhood.
- 2.2312 Borrower must have a good credit rating and have adequate income to support the loan.
- 2.2313 Loans shall be for \$10,000 or more and shall be fully insured by the FHA to the maximum extent permitted under the law.
- 2.2314 Title and hazard insurance policies, written by companies acceptable to the Board, shall be furnished with respect to each loan purchased. Hazard insurance policies must be written by companies having a Best's rating of A-BBB or better.

- 2.2315 No loan shall be purchased from any Seller-servicer until a formal contract has been entered into with such Seller-servicer on a form approved by the Board.
- 2.232 Minimum standards for Seller-servicers from which FHA loans are purchased:
- 2.2321 The Seller-servicer must be an approved FHA Mortgagee, and must have satisfactory credit rating, and an unimpaired capital and surplus of at least \$250,000.
- 2.2322 It must have been actively engaged for at least five years in the mortgage loan business, and except for commercial banks, the mortgage loan business must be its principal business, and must have a capable and experienced organization, together with the necessary equipment to furnish timely accountings on a block basis.
- 2.2323 It must be servicing at least \$25,000,000 of loans, and its clients (other than Federal National Mortgage Association) must include at least three institutional investors, and must have a capability of producing not less than \$1,000,000 per year in FHA loans.
- 2.2324 It must carry a Mortgage Bankers Blanket Bond in an amount not less than \$250,000.
- 2.233 Implementation of FHA Mortgage Loan Purchase program: The Chancellor [President-of-the-System], the Vice Chancellor for Business Affairs, and the Executive Director for Investments[7] and Trusts [and-Lands-or-any-trust officer,7] are each authorized:
- 2.2331 To recommend the Seller-servicers with which Purchase and Servicing Agreements should be made, and after approval by the Board, to execute the Purchase and Servicing Agreements on the approved forms.
- 2.2332 To perform such acts and execute such documents as may be necessary

from time to time in carrying out the provisions of any such Purchase and Servicing Agreement, including authority to accept or reject loans tendered under such agreements, to execute releases of the liens securing any loan or loans when paid in full, and to execute assignments of any notes and liens when appropriate to do so.

2.2333 To take any and all steps as may be considered necessary or advisable to protect the interest of the PUF in event of default occurring with respect to any FHA Insured First Mortgage note held by such Fund. Not by way of limitation, but by way of illustration only, such authority shall include power to acquire title on behalf of the Board to the property securing any such note, by Trustees sale, foreclosure, or otherwise; to execute on behalf of the Board the necessary deed conveying the properties so acquired to the Federal Housing Administration; to handle any properties so acquired pending conveyance to the Federal Housing Administration; and to incur and pay such reasonable expenses as may be necessary in the acquisition and care of any such properties.

2.3 Diversification.

- 2.31 Not more than 5% of the voting stock of any one (1) corporation shall be owned at any given time by the PUF.
- 2.32 Not more than 1% of the book value of the PUF shall be invested at any given time in securities issued by any one (1) corporation.

2.4 Standard of Care.

- 2.41 Prudent Man Rule: In making or retaining each and all investments for the PUF, and in management, purchase, and sale of such investments from time to time, there shall be exercised the judgment and care under the circumstances then prevailing that men of ordinary prudence, discretion, and intelligence exercise in the management of their

own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income therefrom as well as the probable safety of their capital.

2.5 Policies with Respect to Stock Rights, Fractional Shares, and Proxies.

- 2.51 As a general rule, stock rights received are to be exercised. In each instance, exercise or sale of the rights is to be made at the discretion of the Chancellor, ~~[President-of-the-System]~~ the Vice Chancellor for Business Affairs or the Executive Director for Investments[7] and Trusts [and-Bands].
- 2.52 As a general rule, fractional shares received from stock dividends, etc., are to be sold. In each instance, the decision to round out fractional shares or to sell will be made by the Chancellor, ~~[President-of-the-System]~~ the Vice Chancellor for Business Affairs or the Executive Director for Investments[7] and Trusts [and-Bands].
- 2.53 As a general rule voting stocks held are to be voted by returning proxies to present management. When the Executive Director for Investments[7] and Trusts [and-Bands] determines that a vote with management would not be in the shareholder's best financial interest, or when a proposal under consideration is of a social nature, the matter will be referred to the Chancellor [President-of-the-System] or, in his absence, to the Chairman of the Land and Investment Committee.

2.6 Implementation of Policies.

- 2.61 Approved List. A list of companies whose stocks are considered suitable for purchase or retention shall, after consultation with the Staff Investment Committee, the Investment Counsel, and the Investment Advisory Committee, be submitted by the Chancellor ~~[President-of-the-System]~~, the Vice Chancellor for Business Affairs, or the Executive Director for Investments[7] and Trusts [and-Bands] for approval by the Board through the Regents' Land and Investment Committee. This list will be reviewed annually.
- 2.62 Authority regarding purchase and sale of securities. Within the limitations of these Rules and Regulations, the Chancellor ~~[President-of-the-System]~~, the Vice Chancellor for Business Affairs, or the Executive Director

for Investments[7] and Trusts [~~and-Lands~~] is authorized to buy, sell or exchange, from time to time, securities issued by the companies within the approved list, provided that sales in any one calendar month of stocks owned shall not exceed 2 1/2% of the book value of the PUF. With the approval of the Chairman of the Land and Investment Committee, or the Chairman of the Board, the Chancellor [~~President-of the-System~~], the Vice Chancellor for Business Affairs, or the Executive Director for Investments[7] and Trusts [~~and-Lands~~] may sell stocks in excess of 2 1/2%, but not in excess of 5%, of the value of the PUF. Sales of stocks in any one month in excess of 5% of the value of the PUF require prior approval of the Board.

2.63 Exchange of Bonds. The Chancellor [~~President of-the-System~~], the Vice Chancellor for Business Affairs, or the Executive Director for Investments[7] and Trusts [~~and-Lands~~] is authorized to exchange bonds owned from time to time, on a par for par basis (with such cash adjustments as may be required) for other eligible bonds or obligations. In any such exchange the cost of the bonds exchanged out (plus or minus the cash adjustment involved) shall be carried forward as the cost of the bonds or obligations acquired, even though the sale and purchase may be effected through different brokers.

2.64 Advice of Investment Advisory Committee.-- The Chancellor [~~President-of-the-System~~], the Vice Chancellor for Business Affairs, or the Executive Director for Investments[7] and Trusts [~~and-Lands~~] shall seek the advice and counsel of the Investment Advisory Committee at its regular quarterly meetings on all of the major matters involving the PUF.

2.65 Reports of purchases, sales, and exchanges of Investments.--All purchases, sales, and exchanges of investments shall be reported for ratification by the Board through the Regents' Land and Investment Committee at each meeting of the Board.

Sec. 3 Investment Policy for Trust and Special Funds.

3.1 Investments authorized for purchase:

3.11 Unless otherwise limited by the terms of the instrument by which the fund was created, trust and special funds under the control of the Board shall be invested and reinvested in

such securities and investments as are permitted by the Texas Trust Act as legal investments for funds held by trustees.

3.12 Except as broadened by the foregoing Section 3.11, the general statement of policies outlined in Section 2 with respect to the PUF shall likewise apply to the investment and management of any trust or special funds under the control of the Board.

3.2 Implementation of Policies.--The provisions of Section 2.6 with respect to the implementation of policies for the investment and management of the PUF shall likewise apply to trust and special funds, provided that approval of the Board shall be required before any stock is purchased which is not on the approved list.

Sec. 4 Investment Policy for Common Trust Fund.--The policies for the investment and management of funds for the System Common Trust Fund shall be the same as those outlined in Section 3 with respect to trust and special funds.

Sec. 5 Staff Investment Committee.

5.1 Membership.--The Staff Investment Committee shall consist of the Chancellor [~~President-of-the-System~~], the Vice Chancellor for Business Affairs, the Executive Director for Investments[7] and Trusts [~~and-Bands~~], the investment officer, and such other members as may be designated from time to time by the Chancellor [~~President-of-the-System~~] or the Vice Chancellor for Business Affairs [~~Executive Director-for-Investments7-Trusts-and-Bands~~].

5.2 Duties.--The Staff Investment Committee shall cooperate and advise with the Chancellor [~~President-of-the-System~~], the Vice Chancellor for Business Affairs or the Executive Director for Investments[7] and Trusts [~~and-Bands~~] on matters relating to the management of investments for which he is responsible.

Sec. 6 Investment Advisory Committee.--The Investment Advisory Committee is and has been established in order to assist and advise the Chancellor, [~~President-of-the-System~~] the Vice Chancellor for Business Affairs, and the Executive Director for Investments[7] and Trusts [~~and-Bands~~] with respect to matters relating to the management of investments for which said Executive Director is responsible. The following rules shall apply to such Committee:

6.1 Membership.--Five members of the Committee shall be selected because of their particular qualifications

and experience in the field of investments, including experience in bond and corporate stock investments.

6.2 Selection Procedure.--Appointments to such Committee shall be made by the Board after recommendation by the Chancellor [~~President-of-the-System-or-the Executive-Director-for-Investments,-Trusts-and-Lands~~].

6.3 Term of Office.--Each member shall serve a five year term on a rotating basis, with the term of one member expiring each August 31.

6.4 Meetings.--Meetings shall be held quarterly and at such other dates as may be considered advisable by the Chancellor [~~President-of-the-System-or-the Executive-Director-for-Investments,-Trusts-and-Lands~~].

Sec. 7 Investment Transactions: Sales, purchases and exchanges shall be effected through investment dealers or brokers in accordance with normal investment practices, if, in the judgment of the Chancellor, [~~President-of-the-System~~] the Vice Chancellor for Business Affairs or the Executive Director for Investments [~~7~~] and Trusts [~~and-Lands~~], these services will produce the maximum benefit to the System.

CHAPTER X

AUXILIARY ENTERPRISES

- Sec. 1 Auxiliary Enterprises are those operated primarily for service to students and staff. Such enterprises are expected to be self-supporting. Examples of such enterprises are residence halls, dining halls, student hospitals, student unions, bookstores, and any activities supported from fees collected as Student Activities Fees, whether such fees are optional or mandatory.
- Sec. 2 Annual budgets for these activities shall be prepared and submitted through regular administrative channels, and expenditures shall be within budgets approved by administrative officials and the Board. Income of Auxiliary Enterprises is not deposited with the State Treasurer, however, and any balances or deficits at the end of a fiscal year may be reappropriated for the succeeding year.
- Sec. 3 With the exception of intercollegiate athletic departments, to which the general and special provisions of the Appropriation Bill do not apply, the same regulations and applicable laws shall govern as apply to the budgeting and expenditure of general funds unless otherwise specifically authorized. The Board, upon recommendation of appropriate administrative officials, approves the regulations for the management and operation of athletic departments.
- Sec. 4 Rentals and related policies and rates for dormitories and housing facilities shall be approved in advance by the chief administrative officer, the Chancellor [~~President-of-the System~~], and the Board.
- Sec. 5 Rules and regulations for the administration of dormitories, other housing facilities, dining halls, and other eating facilities, shall be promulgated by administrative officials and the chief administrative officer at the institution concerned.
- Sec. 6 The money values of meals, lodging, and other services the employees are authorized to receive in lieu of additional wages or salary, are recommended to the chief administrative officer by the chief business officer and approved by the Chancellor [~~President-of-the-System~~] and the Board.
- Sec. 7 Statutory Provisions Currently in Effect.--Auxiliary Budgets shall comply with statutory provisions and rider provisions of current Appropriation Bill.

Sec. 8 Student Publications (The University of Texas at Austin).

- 8.1 All assets of the former Texas Student Publications, Inc., now vested in the Board of the System shall be delivered to, and recorded in the accounting records of, The University of Texas at Austin, to be used for the maintenance and support of student publications as an auxiliary enterprise of The University of Texas at Austin. The recording, budgeting and expenditure of these assets will be in accordance with the Rules and Regulations for the management of this type of funds and account.
- 8.2 The day-to-day operations of student publications on the campus of The University of Texas at Austin are under the control and jurisdiction of a Publishing Board, constituted as hereinafter set out. The Publishing Board shall transact all business connected with student publications on the campus of The University of Texas at Austin, pursuant to these Rules and Regulations.
- 8.3 The Publishing Board is responsible for the issuance, publication, and distribution of the student publications on the campus of The University of Texas at Austin. Such publications presently consist of The Daily Texan, The Summer Texan, The Texas Ranger Magazine, Cactus, Peregrinus, Texas Engineering and Science Magazine, and Riata. The Publishing Board may authorize other publications.
- 8.4 The Publishing Board shall consist of eleven voting members, composed as follows:
- (1) Four undergraduate students out of the Journalism Department of The University of Texas at Austin elected (two to be elected in even-numbered years and two to be elected in odd-numbered years after the initial election; at the initial election under these rules all four shall be elected with provision for staggered terms as hereinafter set out) by those students certified by the chairman of such department as being journalism majors. Said election is to be held at least three weeks before the spring government election each year pursuant to the rules established by the Publishing Board. No student shall be eligible to be a candidate for a position on the Publishing Board unless he has completed or will have completed by the end of the spring semester in which the election is held twelve hours of journalism courses; is in good standing

(not on scholastic probation); and has completed at least one semester in residence in the long term at The University of Texas at Austin. The eligibility of a candidate must be certified to by the Chairman of the Department of Journalism prior to the time of said election.

- (2) Two undergraduate students elected at large from the student body of The University of Texas at Austin (one to be elected in even-numbered years and one to be elected in odd-numbered years after the initial election; at the first election under these rules both shall be elected with provision for staggered terms as hereinafter set out) at the same time as the editor of The Daily Texan pursuant to Subsection 8.(10) of this section. If the President of the Students' Association is not one of the students elected at the election, then the President of the Students' Association shall serve as an ex officio member of the Publishing Board without vote.
- (3) Two members of the faculty out of the voting faculty of the Department of Journalism and one member of the faculty out of the voting faculty of the College of Business Administration, all three to be appointed directly by the chief administrative officer of The University of Texas at Austin.
- (4) Two professional newspapermen appointed by the chief administrative officer of The University of Texas at Austin.

8.5 Voting members of the Publishing Board shall serve a term of two years beginning June 1 of each calendar year. However, in order to provide staggered terms, the following procedure shall be used concerning the first Publishing Board selected under this section, to take office June 1, 1972.

- (1) The four journalism students elected from the Department of Journalism shall draw lots in the presence of a quorum of the Publishing Board to determine which two shall serve initial terms of one year and which two shall serve initial terms of two years.
- (2) The two undergraduate students elected at large from the student body of The University of Texas at Austin shall draw lots in the presence of a quorum of the Publishing Board to determine which one shall serve an initial term of one year and which one shall serve on initial term of two years.

- (3) The chief administrative officer of The University of Texas at Austin shall appoint one of the faculty out of the Department of Journalism for an initial term of one year, and he shall appoint the other journalism faculty member for an initial term of two years. The chief administrative officer of The University of Texas at Austin shall appoint the remaining faculty member for an initial term of two years.
- (4) The chief administrative officer of The University of Texas at Austin shall appoint one of the professional newspapermen for an initial term of one year, and shall appoint the other professional newspaperman for an initial term of two years.
- 8.6 Should any voting member or members of the Publishing Board resign, become ineligible, or for any other reason fail to serve, the chief administrative officer of The University of Texas at Austin shall, after consultation with the Publishing Board, select a successor or successors to fill the unexpired term.
- 8.7 In addition to the aforementioned voting members of the Publishing Board, the following persons shall serve as ex officio, nonvoting members: the Dean of Students or his representative; the Editorial Manager of The Daily Texan; the General Manager of the publications; the Editor and Managing Editor of The Daily Texan; and the student editors of all other publications published by the Publishing Board.
- 8.8 The number and method of selection of the Publishing Board may be changed only by amendment to these rules.
- 8.9 The officers of the Publishing Board shall be a President, a Vice President, and a Secretary and such other officers as the Publishing Board may from time to time find necessary to carry on the business of the publications. Officers shall be elected from among the voting members of the Publishing Board at the first meeting after June 1 of each year. Officers' terms shall be for one year, but a person is eligible to serve one additional one-year term.
- 8.(10) At least three weeks prior to the spring student government elections there shall be a student publications election on the campus of The University of Texas at Austin. At such election there shall be elected the Editor of The Daily Texan by the students of The University of Texas at Austin, but voting members of the Board shall appoint the Editor of The Daily Texan in the case of a vacancy. The

eligibility of a candidate for Editor of The Daily Texan must be certified to by the Publishing Board on standards set out in their Handbook prior to the time of said election. The Publishing Board shall set out in its Handbook the conditions under which said elections may be held, including length of the campaign. The Editor of The Daily Texan shall serve for a term of one year beginning June 1. There shall also be elected at this election the two student members of the Publishing Board (one student to be elected each year after the first spring election) as provided in Subsection 8.4(2).

- 8.(11) In the performance of all of its duties and in the exercise of all of its powers the Publishing Board shall be subject to the direction of the Regents' Rules and Regulations. The Publishing Board shall conduct its meetings in strict adherence to Roberts' Rules of Order.
- 8.(12) There shall be an Executive Committee of the Publishing Board to be composed of three faculty members and two journalism students to be elected by the Publishing Board from its membership.
- 8.(13) The Executive Committee shall appoint a General Manager who shall be selected annually during the month of May for the fiscal year beginning September 1. The Executive Committee shall determine the compensation of the General Manager. The duties of the General Manager shall be prescribed by the Executive Committee, subject to basic policies set forth by the Publishing Board. The Editorial Manager(s) will be appointed by the Executive Committee, subject to basic policies set forth by the Publishing Board. The Executive Committee shall determine compensation of the Editorial Manager(s). The Editorial Manager of The Daily Texan shall be authorized to coordinate the activities between The Daily Texan and the Department of Journalism so as to secure the most effective use of the journalism laboratories and classes in the preparation of material for The Daily Texan. The Executive Committee shall fix the compensation of all editorial workers on student publications, subject to the final approval of the Publishing Board. The Executive Committee shall appoint and fill all vacancies for Editor and Managing Editor of every publication, except The Daily Texan, and shall fix their compensation subject to final approval of the Publishing Board at its next regular meeting.
- 8.(14) The Executive Committee is authorized to implement, and is responsible for implementation of, the

policies of the Publishing Board between meetings of the Publishing Board.

- 8.(15) A definitive relationship between the Department of Journalism of The University of Texas at Austin and The Daily Texan published by the Publishing Board must exist. Accordingly, the chief administrative officer of The University of Texas at Austin shall promulgate an operating procedure to establish this relationship. The operating procedure may be amended from time to time by mutual agreement between the Department of Journalism, through its chairman, and the Publishing Board, with the concurrence of the chief administrative officer of The University of Texas at Austin. In the event the Chairman of the Department and the Board of Directors are unable to agree on amendments, the chief administrative officer of The University of Texas at Austin shall make the final decision.
- 8.(16) There shall be established within the Publishing Board a Review Committee which shall be composed of one member of the journalism faculty, one journalism student, and one professional newspaperman. Such members are to be elected by the Publishing Board out of its membership. All appeals on material withheld from publication by the Editorial Manager, or respective publications supervisors, shall be considered by the Review Committee within 24 hours of the action. A decision of the Review Committee may be appealed to the Publishing Board, but seven affirmative votes of the Publishing Board are required to overrule said decision of the Review Committee. In all such matters, the actions of the Publishing Board shall be final and complete without review outside the Publishing Board.
- 8.(17) It shall be the duty of the Publishing Board to furnish on request to the chief administrative officer of The University of Texas at Austin, the Chancellor [~~President-of-the-System~~], and the Board of Regents [~~the-System~~], within two weeks of such request, any special reports requested by such officials.
- 8.(18) At least eighteen copies of the minutes of all meetings of the Publishing Board shall be delivered promptly to the chief administrative officer of The University of Texas at Austin for distribution to the Chancellor [~~President-of-the-System~~], the Vice Chancellor for Academic Affairs [~~Vice-President-for Academic-Affairs~~], the members of the Board, the Secretary to the Board, and such members of The

University of Texas at Austin administration as the chief administrative officer of The University of Texas at Austin may direct. No action of the Publishing Board shall have any force or effect unless included in the minutes and until it has been approved by the chief administrative officer of The University of Texas at Austin, except actions of the Publishing Board pertaining to decisions of the Review Committee, and except as to actions of the Publishing Board with respect to the appointment, discipline, or removal of editors, which actions need only be reported in the minutes for information, but are not reviewable outside the Publishing Board.

- 8.(19) No budget or budget amendment adopted by the Publishing Board shall have any force or effect until such budget or budget amendment has been approved by the Board.
- 8.(20) No expenditure shall be made by the Publishing Board unless it is made in accordance with and pursuant to a budget item that has been previously adopted by the Publishing Board and approved by the Board.
- 8.(21) Within 90 days following the close of each fiscal year, the chief administrative officer of The University of Texas at Austin shall be furnished for distribution to the Chancellor [~~President-of-the System~~] and to the members of the Board, the Secretary to the Board, and to such members of The University of Texas at Austin administration as the chief administrative officer of The University of Texas at Austin may direct, at least fifteen copies of a complete audit of the fiscal year.
- 8.(22) All employees, editors, editorial workers, and staff members employed to work on student publications under the control and jurisdiction of the Publishing Board, including all employees of the former corporation known as Texas Student Publications, Inc., holding office or employed as of the effective date of this section of these rules and regulations shall continue in office or employment (unless disciplined or removed from office in accordance with this section) at the same wage rates and under the same terms of their current office or employment (unless changed by the Publishing Board in accordance with this section).
- 8.(23) Subject to Subsection 8.22 of this section, the Publishing Board shall have the authority: (1) to appoint the Managing Editor of The Daily Texan, from among qualified students; (2) to take

disciplinary action against the employees, editors, editorial workers, and staff members of student publications, including the removal from office after due notice, for a violation of the policies of the Publishing Board or for nonperformance of duties; such removal shall require a majority vote (action of the Publishing Board in the matter of the appointment discipline, and removal of editors shall be final and complete); provided, however, that no action taken by the Publishing Board with respect to the employment, dismissal, salary, or duties and responsibilities of either the General Manager or the Editorial Manager(s) shall have any force or effect until it has been approved by the Board; and (3) to determine the character and policies of all student publications.

- 8.(24) Since all funds utilized in the operations of student publications are under the direct control of an agency of the university. The Publishing Board, the Vice President for Business Affairs of The University of Texas at Austin, and the director of The University of Texas at Austin Personnel Office shall immediately make arrangements for assuring that all appropriate personnel are placed under the budgetary and personnel regulations applicable to other University of Texas at Austin employees.
- 8.(25) The Publishing Board shall promulgate and implement a handbook which shall contain the operating policies of the Publishing Board.
- 8.(26) As an interim measure, to assure the uninterrupted operation of student publications on the campus of The University of Texas at Austin, the chief administrative officer of The University of Texas at Austin shall appoint two journalism faculty members, one college of business administration faculty member, two professional newspapermen, and six students, who shall serve only until June 1, 1972, when a Publishing Board selected under procedures set out in this section will take office. This interim board will arrange for the election of the Editor of The Daily Texan and Publishing Board members as required under Subsections 8.4 and 8.(10) for the new year of offices beginning June 1, 1972.

Sec. 9 The Texas Union (The University of Texas at Austin).

- 9.1 Subject to all relevant provisions of the Rules and Regulations of the Board of Regents and the rules

regulations of The University of Texas at Austin, the Board of Directors of the Texas Union shall recommend to the chief administrative officer of The University of Texas at Austin rules, regulations, and procedures regarding the operation and use of the Texas Union, shall review the Texas Union Budget, shall advise the chief administrative officer in the appointment of the Union Director and shall be involved in the future development of the Texas Union. The Texas Union is designed to provide facilities, services and programs for the students, faculty and staff of The University of Texas at Austin, including the coordination of beneficial co-curricular activities of students and faculty members, programs for intellectual, social, cultural and recreational development, for the promotion of genuine democracy, for the cultivation of a more intelligent interest in and deeper affection for The University of Texas at Austin.

9.2 The Board of Directors of the Texas Union shall consist of nine voting members: Six students and three faculty members. The Dean of Students, or his/her delegate, the Secretary of the Board of Directors, and the Union Director shall be ex officio members without vote.

9.21 The faculty members shall be appointed by the chief administrative officer for three-year overlapping terms, one to be appointed each year. New faculty member appointments shall become effective on May first of each year.

9.22 The six student members of the Board shall be as follows: the President of the Students' Association, the Coordinator of the Texas Union Program Council, and four other students to be appointed for two-year overlapping terms. The four non-ex officio student members shall be registered for at least six semester hours during each long session semester of service and shall be selected as follows: A public announcement of Union Board vacancies shall be published in The Daily Texan and an interview process shall be conducted by the Executive Officers of the Students' Association, or by the appropriate committee of the Students' Association. Appointments shall be ratified by a 2/3 vote of the Student Senate. New student appointments shall become effective on May first of each year.

- 9.3 The officers of the Board of Directors of the Texas Union shall be as follows: Chairman; Vice-Chairman; Secretary; and Union Director. The Chairman shall be elected each year from the student membership of the Board of Directors by the voting members of the Board. In order to qualify for election as Chairman, a student shall have at least one year's experience on either the Texas Union Program Council or the Board of Directors. The Vice-Chairman shall be the President of the Students' Association, and the Secretary and the Union Director shall be elected by the voting members of the Board of Directors. The officers of the Board of Directors shall perform the usual duties of their respective offices.
- 9.31 The Chairman shall be elected each year to serve a term to extend from the first official Board meeting of the Fall Semester until May 15th.
- 9.32 An Interim Chairman shall be elected each year to serve a term from May 15th until the first official Board meeting of the following Fall Semester. The Interim Chairman shall have the same qualifications as the Chairman.
- 9.4 The Board of Directors may, at its discretion, authorize any three voting members of the Board to serve as an executive committee acting for the Board of Directors between meetings, but only during the period from May 15th until the first day of registration for the fall semester, or during official UT semester break or holiday periods. All actions taken by the Executive Committee are subject to later ratification by the Board of Directors.
- 9.5 At least two copies of the minutes of all meetings of the Board of Directors and the Executive Committee shall be delivered promptly to the chief administrative officer of The University of Texas at Austin. No budget or budget amendment adopted by the Board of Directors of the Texas Union, or of any committee or subcommittee of such Board, shall have any force or effect until such budget or budget amendment has been approved by the Board of Regents.
- 9.6 No expenditure shall be made by the Board of Directors of the Texas Union, unless it is made in accordance with and pursuant to a budget item which has previously been adopted by the Board of Directors of the Texas Union and approved by the Board of Regents.
- 9.7 Within ninety days following the close of each fiscal year of the Texas Union, there shall be furnished to

the chief administrative officer of The University of Texas at Austin for distribution to the Chancellor [~~President-of-the-System~~], to the members of the Board of Regents, to the Secretary to the Board of Regents, and to such other members of the administration as the chief administrative officer of The University of Texas at Austin may direct, at least 15 copies of a complete audit of the fiscal affairs of the Texas Union during the preceding fiscal year.

- 9.8 The Board of Directors of the Texas Union shall meet at least once a month during each Long Session, setting its own date for meetings. formulating its own rules of procedure, setting up and appointing such committees as it may deem necessary and desirable for the proper use of the facilities of the Union Building, and exercising all powers not specifically assigned herein.
- 9.9 The Union Director shall serve as chief executive official in the Union Building. The Board of Directors of the Texas Union shall recommend annually on June 1 through the chief administrative officer of The University of Texas at Austin to the Chancellor [~~President-of-the-System~~] and the Board of Regents the appointment of the Union Director. His term of service shall extend from September 1 through the following August 31. The Union Director shall have the responsibility for the day-to-day operation of the Union Building and its programs or activities. He shall be charged with coordinating the various functions of the Building and the interests of the various groups served by the Building. The Union Director shall consult with the Texas Union Board of Directors regarding the appointment of appropriate staff members. He shall employ, supervise, and direct the work of all subordinate employees. The Union Director shall be a member of all committees without vote. On May 1 annually he shall make a complete report to the Board of Directors of the Texas Union covering the activities in the Union Building. The report shall be transmitted through the chief administrative officer of The University of Texas at Austin to the Chancellor [~~President-of-the-System~~], to the Board of Regents, to the Secretary to the Board of Regents, and to such other members of the administration as the chief administrative officer of The University of Texas at Austin may direct. The Union Director shall perform such additional services as may be required by the Board of Directors and approved by the Board of Regents.

- 9.(10) While various parts and facilities of the Union Building are reserved primarily for the general use of students and faculty, provision is made by extending the use of portions of the Building to special groups for their exclusive use when this can be done in such manner as not to interfere with the regular program of the Union, and in such cases a rental price may be charged. However, when persons, groups, or organizations officially designated by the chief administrative officer of The University of Texas at Austin, by the Chancellor [~~President-of-the-System~~], or by the Board of Regents as guests of the University desire to use the facilities of the Union, such privilege shall be granted and shall be granted without cost to the guest group. It is understood, of course, that all requests for the use of the facilities of the Union shall be subject to the principle that prior reservations will be respected, and for that reason requests for the use of the Building or any part of it should be made as early as possible.
- 9.(11) Notwithstanding any other provision of this section, every action of the Board of Directors of the Texas Union, and every action of any committee or sub-committee of such board, shall be reviewed by the chief administrative officer of The University of Texas at Austin and the chief administrative officer of The University of Texas at Austin may approve, reverse, or modify each such action. After reviewing the minutes of the Board of Directors, the chief administrative officer of The University of Texas at Austin shall deliver to the Chancellor [~~President-of the-System~~] two copies of such minutes and a copy of the action, if any, taken by the chief administrative officer with regard to the approval, modification, or reversal of any action of the Board of Directors. Nothing in this section shall be deemed to limit or restrict the authority of the Board of Regents.

Sec. 10 Intercollegiate Athletics Council for Men (The University of Texas at Austin)
~~Athletics-Council-(The-University-of-Texas-at-Austin)-~~

- 10.1 The Intercollegiate Athletics Council for Men at The University of Texas at Austin shall be composed of nine voting members as follows: a student of the University, an ex-student of the University, two regental appointees, and five members of the General Faculty of the University.

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~~At least two copies of the minutes of all meetings of the Athletics Council at The University of Texas at Austin shall be delivered promptly to the chief administrative officer of The University of Texas at Austin. No budget or budget amendment adopted by the Athletics Council, or of any committee or subcommittee of such Council, shall have any force or effect until such budget or budget amendment has been approved by the Board.~~

10.11 The student member of the Council shall be appointed by the chief administrative officer of the University to a one-year term which shall begin at the start of the Fall Term.

10.12 The ex-student member of the Council shall be appointed by the Ex-Students Association of the University to a one-year term which shall begin at the start of the Fall Term.

10.13 The two regental appointees shall be appointed by the Board of Regents to four-year staggered terms which shall begin at the start of the appropriate Fall Terms. One such appointment shall be made in each even-numbered year.

10.14 The chief administrative officer of the University shall appoint a member of the General Faculty as a member and chairman of the Council for an indefinite term with the appointee to serve both as a member and as the chairman of the Council at the pleasure of the chief administrative officer. The chairman of the Council shall also serve as the University's representative in the Southwest Athletic Conference.

10.15 The chief administrative officer of the University shall appoint four members of the General Faculty to four-year staggered terms on the Council, with one such faculty member appointed each year. Each four-year term shall begin at the start of the appropriate Fall Term.

10.16 Each member of the Council shall continue to serve until his or her successor has been appointed, and each member may be reappointed to one or more additional terms.

10.2 At least two copies of the minutes of all meetings of the Council shall be delivered promptly to the chief administrative officer of the University. No budget or budget amendment adopted by the Council, or of any committee or subcommittee or such Council, shall have any force or effect until such budget or budget amendment has been approved by the Board of Regents.

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The chief administrative officer of t[he] University [of-Texas-at-Austin] shall review the minutes of all meetings of the [Athletics] Council and may subsequently approve, reverse, or modify any action therein. After reviewing the minutes of a meeting of the [Athletics] Council, the chief administrative officer of t[he] University [of-Texas-at-Austin] shall deliver to the Chancellor [President] of the System two copies of such minutes and a copy of the action, if any, taken by the chief administrative officer with regard to the approval, modification, or reversal of any action of the [Athletics] Council. Nothing in this section shall be deemed to limit or restrict the authority of the Board of Regents.

Sec. 11 Employment of a Students' Attorney.

- 11.1 If an attorney is retained in any manner by a component institution or by a Students' Association or other agency of student government at any component institution of the System to serve as a students' attorney, said attorney shall not act as counsel of record nor represent any student, faculty member, or staff member, or any group of combination of students, faculty members, or staff members, or System Administration or any component institution of the System:
- 11.11 In any matter that required an administrative decision to be made by any officer, committee, board, or agency of a component institution of the System, the System, or the Board.
- 11.12 At any stage of any criminal proceeding in any federal, state, county, or local court.
- 11.13 At any stage of any civil proceeding in any federal, state, county, or local court where such proceeding is directly or indirectly against or antagonistic to the interest of the System or any component institution thereof, or against or antagonistic to the interests of any person who is sued in his official capacity as an officer of the System or any component institution thereof.
- 11.2 Any contract or agreement for legal services entered into by a Students' Association or other agency of student government or other agency of a component institution with an attorney whose remuneration will be paid from funds under the control and management of the Board, including

funds from student fees whether mandatory or optional, is expressly subject to the applicable provisions of the Regents' Rules and Regulations, including, but not limited to, the foregoing provisions of this Section 11 and the following:

Section 8.7[8] of Chapter I of Part One;
Section 1.1 of Chapter III of Part One;
Section 1.3 of Chapter III of Part One;
Section 11 of Chapter III of Part One;
Section 5.15 of Chapter VI of Part One; and
Section 5.21 of Chapter VI of Part One.

CHAPTER XI

CONTRACTS AND GRANTS FOR RESEARCH, TRAINING, AND EDUCATIONAL SERVICES, INCLUDING INSTITUTIONAL SUPPORT GRANTS

- Sec. 1 Contracts, grants, and agreements from or with outside agencies for research, training, and educational services, including institutional support grants, (except as provided in Subsection 1.1 below) shall be approved by the chief administrative officer and ratified by the Board via the institutional dockets.
- 1.1 Contracts or agreements with foreign governments, agencies thereof, and with institutions, enterprises or individuals subject to the jurisdiction of foreign governments, shall be submitted to System Administration for prior review sufficiently in advance of effective date for prior approval of the Board, if such prior approval is deemed appropriate by the ~~[Office of]~~ General Counsel and the Chancellor ~~[President of the System]~~.
- 1.2 The Office of the Chancellor ~~[President of the System]~~ will issue special instructions for those contracts and grants requiring special approvals other than as provided in this section.
- 1.3 Funds shall not be encumbered or expended under any contract or grant prior to the approval of the contract or grant as indicated above.
- 1.4 Institutional support grants include NSF Institutional Grants for Science, NIH General Research Support Grants, Health Professions Education Improvement and/or Capitation Grant Programs, and other such grants awarded on a formula basis rather than a budgeted project basis.
- Sec. 2 Proposals for such contracts, grants and agreements, whether with government agencies, industry, foundations, or other private granting agencies, shall be initiated by the faculty member (or other appropriate official who will direct the work) and shall be approved by designated administrative officials, including the chief administrative officer. These proposals will receive such System Administration review and approval as directed by the Chancellor.~~[President~~

~~of-the-System.---Proposals-to-private-foundations-for-support should-be-forwarded-via-the-Office-of-the-System-Comptroller to-the-Chancellor-for-further-approval.]~~ The chief business officer at each component institution is responsible for the business aspects of the proposals.

- Sec. 3 Copies of contracts, grants, and agreements specified in Section 1 of this chapter shall be filed with the Secretary to the Board, together with a copy of the proposal or application, if any, that resulted in the contract, grant, or agreement.
- Sec. 4 Detailed budgets are generally included in the proposals that result in a contract or grant for a specific research, training, or educational project, and expenditures should conform to such budgets, unless amended by authorized procedures. For those institutional or "formula" type grants identified in Subsection 1.3 of Section 1 of this chapter, a proposed budget must be submitted to the Office of the Chancellor [~~President-of-the-System~~] for review, approval, and submission to the Board.
- Sec. 5 Proposals as to overhead rates and specialized rates for fringe benefits, computers, and other facilities chargeable to cost-reimbursement contracts and other government contracts and grants shall be worked out in preliminary form by the chief business officer concerned and shall be reviewed and approved by the System Comptroller before being submitted. Subject to approval of the Vice Chancellor for Business Affairs [~~President-of-the-System~~], the System Comptroller shall negotiate all such rates for the component institutions of the System.
- Sec. 6 Information as to overhead and specialized rates applicable to the type of contract, grant or agreement to be entered into shall be secured from the System Comptroller via the business officers and/or the appropriate research administration officer.
- Sec. 7 To the extent that indirect cost recoveries from the application of overhead rates are derived from use charges for buildings, other improvements, or equipment, the funds so derived shall be designated for renewals and replacements of plant fund assets or for other purposes specified and approved in the budgetary processes as related to the indirect cost recoveries.