

MATERIAL SUPPORTING THE AGENDA

Volume ~~B~~ XVIII b

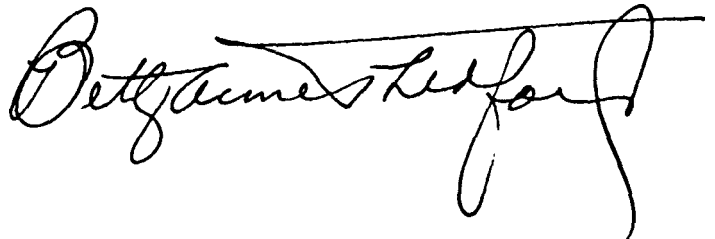
January 1971 - April 1971

This volume contains the Material Supporting the Agenda furnished to each member of the Board of Regents prior to the meetings held on January 29, March 12, and April 23, 1971.

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

- (1) white paper - for the documentation of all items that were presented before the deadline date
- (2) blue paper - all items submitted to the Executive Session of the Committee of the Whole and distributed only to the Regents, Chancellor, and Chancellor Emeritus
- (3) 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 maybe some people get copies and some do not get copies. If the Secretary were furnished a copy, then that material goes in the appropriate subject folder.





THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Material Supporting  
Agenda

Meeting Date: ..... April 23, 1971 .....

Meeting No.: ..... 689 .....

Name: ..... *Official Copy* .....

CALENDAR  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

April 23, 1971

Place: U. T. Austin  
Austin, Texas

Meeting Room: Main Building, Room 212

Friday, April 23, 1971. --The Board and the Committees will  
meet in the order set out below:

9:00 a. m. Executive Committee

Academic and Developmental Affairs Committee

Buildings and Grounds Committee

Medical Affairs Committee

Land and Investment Committee

Committee of the Whole

Meeting of the Board

12:00 noon - Lunch will be served in the Academic Center

Telephone Numbers:

**Offices:**

Board of Regents	471-1265
Chancellor LeMaistre	471-1434
Chancellor Emeritus Ransom	471-1741
Deputy Chancellor Walker	471-1743
President Jordan	471-1233

**Hotels:**

Sheraton Crest Inn	478-9611
Stephen F. Austin Hotel	476-4361
Villa Capri Motor Hotel	476-6171

**Airlines:**

Braniff International	476-4631
Continental	477-6716
Texas International	478-9585

# **Executive Committee**

EXECUTIVE COMMITTEE

Date: April 23, 1971  
Time: 9:00 a. m.  
Place: Main Building 212  
U. T. Austin

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## REPORT OF ITEMS SUBMITTED TO EXECUTIVE COMMITTEE

Since the last report of the Executive Committee on March 12, 1971, the following recommendations of the Administration were circulated to the Executive Committee and no exceptions to these items were registered. These items are herewith submitted for formal approval by the Executive Committee:

1. U. T. System: Refunding of Certain Outstanding Permanent University Fund Bonds (22-M-70A). --Subject to the Attorney General's Opinion as to the legality, Associate Deputy Chancellor Shelton recommends that he be granted authorization:
  - a. To proceed with the development of a definite refunding plan of certain outstanding Permanent University Fund Bonds issued prior to 1967 to be submitted to the Board of Regents for approval at the meeting on April 23, 1971;
  - b. To employ the firm of McCall, Parkhurst and Horton, as Bond Counsel; and
  - c. To possibly employ Mr. Sam Maclin as Consultant.
  
2. U. T. Austin: James Leonard Duncan Memorial Scholarship Fund - Sale of Residence at 2402 Marcy Drive, Big Spring, Texas (22-M-70C). -- It is recommended by System Administration that the following resolution be adopted with respect to the James Leonard Duncan Memorial Scholarship Fund at The University of Texas at Austin:

WHEREAS, The James Leonard Duncan Memorial Scholarship Fund at The University of Texas at Austin was created by the will of Bertha K. Brooks;

WHEREAS, The residence at 2402 Marcy Drive, Big Spring, Texas, was Mrs. Brooks former home and was included in her estate;

WHEREAS, An FHA appraisal of \$10,900 has been secured on this property, and

WHEREAS, A broker in Big Spring has advised the Board that an offer has been submitted for \$10,900 subject to obtaining an FHA loan in the amount of \$10,550 for this property:

BE IT RESOLVED, That the Associate Deputy Chancellor for Investments, Trusts and Lands be authorized to sell this residence for \$10,000 or better.

3. U. T. Austin: Exclusion from the Priority Period and Random Selection Processes for Physically Handicapped Applicants and Students Enrolled in the Brackenridge Hospital School of Nursing Taking Their Academic Work at U. T. Austin (23-M-70). --It is recommended by Chancellor LeMaistre that physically handicapped applicants and students enrolled in the Brackenridge Hospital School of Nursing taking their academic work at The University of Texas at Austin be excluded from the authorized enrollment control limitations and from the priority period thereof for the 1971-72 academic year.
  
4. U. T. Austin: Minutes of the Meeting of the Board of Directors of the Texas Union held February 25, 1971 (24-M-70). --The minutes of the meeting of the Board of Directors of the Texas Union at The University of Texas at Austin held February 25, 1971, were approved upon recommendation of System Administration and President ad interim Jordan.
  
5. U. T. Austin: Requirement of \$50 Tuition Deposit from Those Applicants Who Accept a Place in the Law School Entering Class or Who Enter with Transfer Credit from Another Institution (26-M-70). --It is recommended by the Administration that the School of Law at The University of Texas at Austin be authorized to require a \$50 tuition deposit from those applicants who accept a place in the Law School entering class or who enter with transfer credit from another institution effective with the Fall semester of 1971.
  
6. U. T. Austin: Minutes of the Meetings of the Board of Directors of Texas Student Publications, Inc. held January 27 and March 1, 1971 (27-M-70). --The minutes of the meetings of the Board of Directors of Texas Student Publications, Inc. at The University of Texas at Austin held January 27 and March 1, 1971, were reviewed. It is recommended that these minutes be formally approved by the Executive Committee in the form recommended by System Administration and President ad interim Jordan as set out below:

Minutes of Meeting held on January 27, 1971 - Approve with the exceptions of the following items:

Item IV - Next-to-last Paragraph. Proposal to distribute Summer Texan free of charge on U. T. Austin campus. No change in long-established practices should be made at this time pending the expiration of the TSP Charter.

Item XII - Appeal from Intermediate Appeals Committee on Cartoon. Although disapproval does not alter the fact that the cartoon has been published, it is recorded that the action is disapproved.

Item XIII - Increase in Number of Members on the Intermediate Appeals Committee. This item will not be recommended for approval until a formal recommendation for a change to the TSP Handbook is made by the TSP Board.

Item XV - The proposed TSP Charter is not approved but is forwarded for information only pending a review by U. T. Austin Administration.

Minutes of Meeting held on March 1, 1971 - Approve these minutes.

7. U. T. Dallas: Authorization to Accept a Grant from the Hoblitzelle Foundation to Purchase the Jesuit Library of St. Bonifacius, Minnesota (22-M-70D). --Upon recommendation of Acting President Johnson concurred in by Chancellor LeMaistre and President-elect Jordan, it is recommended that a grant of \$65,000 be accepted from the Hoblitzelle Foundation to The University of Texas at Dallas for the purchase of a library from the Jesuit College, St. Bonifacius, Minnesota.
8. M. D. Anderson: Estate of Naomi L. Woods - Ratification of Deed of Partition (22-M-70B). --It is recommended by Associate Deputy Chancellor Shelton that the deed of partition to the 26.5 acre tract be ratified whereby the 2.616 acres of land in the William Perkins Survey in Harris County, Texas, will vest in the Estate of Naomi L. Woods under her will for the benefit of The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston.
9. System Administration, U. T. Austin, Dallas Medical School, Galveston Medical Branch, and M. D. Anderson: Amendments to the 1970-71 Budgets (7-B-70). --Upon recommendation of the appropriate Institutional Head, concurred in by System Administration, it is recommended that the following amendments to the 1970-71 Budgets for The University of Texas System Administration, The University of Texas at Austin, The University of Texas Southwestern Medical School at Dallas, The University of Texas Medical Branch at Galveston, and The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston be approved (Pages 5 - 6 ).



Sources of Funds - Departmental Appropriations  
(Unless Otherwise Specified)

(All rates set out below are full time rates: salary rate indicates a 12 months' full time rate and academic rate indicates a 9 months' full time rate.)

The University of Texas System Administration

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
3.	Office of the Comptroller Transfer of Funds	From: Available University Fund Unappropriated Balance	To: Office of the Comptroller - Furniture and Equipment	
	Amount of Transfer	\$ 6,700	\$ 6,700	---

The University of Texas at Austin

31.	David S. Price Humanities Research Center	Coordinator of University Publications	Coordinator of University Publications	
	Salary Rate	\$ 13,600	\$ 16,100	3/1/71
	Source of Funds: Transfer from Available University Fund Unappropriated Balance			
32.	Physical Plant Transfer of Funds	From: Unappropriated Balance - General Funds	To: Physical Plant - Furniture and General Equipment Remodeling Offices at 2613 Wichita	\$36,000 <u>29,400</u>
	Amount of Transfer	\$ 65,400		<u>\$65,400</u>
33.	Auxiliary Enterprises - Jester Center Store Transfer of Funds	From: Unappropriated Balance - Jester Center Store	To: Jester Center Store - Other Expenses	
	Amount of Transfer	\$ 75,000	\$ 75,000	---

The University of Texas Southwestern Medical School at Dallas

9.	Auxiliary Enterprises- Student Supply Store Transfer of Funds	From: Unappropriated Balance - Student Supply Store	To: Student Supply Store - Equipment	
	Amount of Transfer	\$ 1,750	\$ 1,750	---

The University of Texas Medical Branch at Galveston

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
10.	Alice A. O'Donell Preventive Medicine and Community Health	Assistant Professor	Assistant Professor	
	Salary Rate	\$ 16,000	\$ 19,000	3/1/71
	Source of Funds: Unallocated Appropriations - Instructional			
11.	Ted P. Bond Physiology and Marine Biomedical Institute	Research Assistant Professor and Adjunct Member	Research Assistant Professor and Adjunct Member	
	Salary Rate	\$ 14,587	\$ 16,987	3/1/71
	Source of Funds: U. S. Department of Health, Education, and Welfare Grant			

The University of Texas M. D. Anderson Hospital and Tumor  
Institute at Houston

3.	A. Pidd Miller Pediatrics	Clinical Assistant Pediatrician (1/3 T)	Clinical Assistant Pediatrician (1/2 T)	
	Salary Rate (F.T.)	\$ 12,000	\$ 16,000	3/1/71
	Source of Funds: Reserve for Professional Salaries			

**Academic & Developmental Affairs  
Committee**

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE

Date: April 23, 1971

Time: Following the meeting of the Executive Committee

Place: Main Building, Room 212  
The University of Texas at Austin  
Austin, Texas

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1. U. T. System: Chancellor's Docket No. 47. --Chancellor's Docket No. 47 was mailed by the Secretary to each member of the Board of Regents on April 2, 1971. The ballots are to be returned by the close of business on April 20, 1971. If any item in the docket is excepted, the Secretary will report such at the meeting of the Academic and Developmental Affairs Committee; otherwise, according to the present procedure, the docket will be considered approved.

2. U. T. System: Report on Institutional Tenure Policies. --

Chancellor LeMaistre reports that he has sent a questionnaire to all institution heads inquiring about tenure and promotion policies and practices in accordance with the Board directive at the March 12 meeting. Since the Rules and Regulations do not contain specific guidelines on the granting of tenure, several institutions have continued to follow institutional procedures established in past years before system-wide Rules and Regulations were adopted. The new institutions were requested in January 1970 to defer the development of institutional procedures until the Board had considered a more explicit system-wide policy. Nonetheless, Chancellor LeMaistre has requested information of what procedures the institutions are following now. If a report on the institutional responses is not possible at the April 23 meeting of the Board, it will be submitted at the June 4 meeting.

- 2a. U. T. System: Summer Institute for Teaching Effectiveness. --

Chancellor LeMaistre recommends that \$9,500 be appropriated to the U.T. System Administration from unappropriated balances from the Available University Fund to conduct a Teaching Effectiveness Institute for individuals in the U.T. System during the summer of 1971. The funds will be managed by and through U.T. Austin. This conference will be similar to the one held last summer, but the focus of this conference will be on instructing academic administrators in the institutions on how to structure and hold teaching effectiveness conferences on their own campuses. It is not possible for System-wide conferences to reach the numbers of faculty members who can benefit from them, and the intention is to use this conference to stimulate more such sessions on the campuses where larger numbers can be reached.

OFFICE OF THE BOARD OF REGENTS

MEMORANDUM

DATE April 16, 1971

TO: Regent Joe M. Kilgore  
FROM: Betty Anne Thedford  
SUBJECT: Chancellor's Docket No. 47

Please allow me to notify you that there has been a request that "Outside Employment" on Page M-10 of Chancellor's Docket No. 47 be referred to the Committee of the Whole for discussion.

T:bys

bXc: Regent Garrett

3. U. T. Austin: Proposed Increase in Student Services Fee and Allocation to Shuttle Bus Operation. --

*Handwritten signature/initials*

Chancellor LeMaistre recommends approval of President ad interim Jordan's recommendation that beginning with the Fall Semester, 1971, the amount of the Student Services Fee allocated to shuttle bus operations be increased from \$3.00 to \$5.00 per semester during the long term and increased from \$2.00 to \$5.00 during the twelve-week summer term to provide additional shuttle bus service to the campus and that the Student Service Fee schedule be revised accordingly.

This proposal is in accord with the need and desire for increased bus service expressed in the student referendum of March 17 and the recommendation of the Faculty-Student Shuttle Bus Committee.

In order to implement this change, it is recommended that the following Student Service Fee schedule be approved effective with the Fall Semester 1971:

	<u>Present Fee</u>	<u>Proposed Fee</u>
Each semester long session	\$19.00	\$21.00
Six-weeks summer term	6.50	8.00
Nine-weeks summer term	9.75	12.00
Twelve-weeks summer term	13.00	16.00

March 18, 1971

Mr. James Colvin  
Vice-President for Business Affairs  
University of Texas  
Austin, Texas

MAR 19 1971

Dear Mr. Colvin,

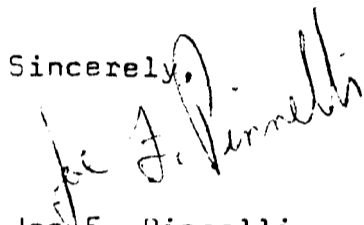
In the February Students' Association Shuttle Bus Committee meeting, it was decided that the present Shuttle service is far from adequate. It was also decided that we would approach the student body by means of a referendum to see if they were willing to increase the present fee paid for shuttle service.

Letter from Joe F. Pinnelli - Continued

We requested the Students' Association Assembly to pass a bill placing the referendum on the March seventeenth general election ballot. This the Assembly passed unanimously. On March 17, 1971 the student body voted overwhelmingly to increase the fee for more shuttle service.

In the March meeting the Shuttle Bus Committee moved that if the referendum passed, we would request to be placed on the Board of Regents' April twenty third agenda to propose an increase in the fee for shuttle service from \$1.00 to \$2.50 for each summer session and from \$3.50 to \$5.00 in the long term. We appreciate your assistance in this endeavor.

Sincerely,



Joe F. Pinnelli  
Chairman

THE UNIVERSITY OF TEXAS AT AUSTIN  
AUSTIN 78712

**MEMORANDUM**  
FROM  
VICE-PRESIDENT FOR BUSINESS AFFAIRS

TO: Dr. Bryce Jordan  
President ad interim

DATE: March 25, 1971

Subject: PROPOSED INCREASE IN STUDENT SERVICES FEE  
AND ALLOCATION TO SHUTTLE BUS OPERATION

At the Students' Association election held on March 17, there was a referendum question asking whether the students would be willing to pay an additional \$2.00 per semester to provide for additional shuttle bus service.

4,914 students voted to support the increase  
in fee.

2,068 students voted against increasing the fee.

1,125 students did not vote.



Letter from Mr. Colvin - Continued

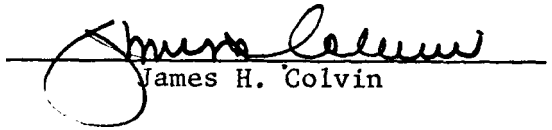
Based on this vote, the Faculty-Student Shuttle Bus Committee recommends that the amount of the Student Services Fee allocated to shuttle bus operations be increased from \$3.00 to \$5.00 per semester during the long term and increased from \$2.00 to \$5.00 during the twelve-week summer term. (See attached letter from Joe F. Pinnelli, Chairman of the Shuttle Bus Committee).


I concur in these recommendations and recommend that beginning with the Fall Semester 1971, the Student Services Fee be increased as shown:

	<u>Present Fee</u>	<u>Proposed Fee</u>
Each semester long session	\$19.00	\$21.00
Six-weeks summer term	6.50	8.00
Nine-weeks summer term	9.75	12.00
Twelve-weeks summer term	13.00	16.00

If you agree with these recommendations, please forward this to the Chancellor's Office with the request that it be included on the agenda for the April 23 Meeting of the Board of Regents.

JHC:ms  
Enclosure

  
James H. Colvin

Recommended:  
  
3/26/71

4. U. T. Austin: Appropriation of Funds for a Middle Eastern Studies Summer Program. --

Chancellor LeMaistre concurs in President ad interim Jordan's recommendation that \$21,150 from Retained Earnings - Campus Services be approved to assist in financing the Summer Moroccan Program for the Center for Middle Eastern Studies.

UT Austin has participated in a 5-member consortium of western universities on Middle Eastern Studies for the past four years, and the 1971 summer program was scheduled to be held on the UT Austin campus. Under this program in the past four years a number of UT Austin students have participated at no cost, all funding having been covered by the university sponsoring the program for the year and by the Federal Government. However, the Federal Government withdrew its support for the 1971 summer program in the United States after the consortium had agreed that it was UT Austin's turn to sponsor the program. The Federal Government provided instead approval for the use of surplus foreign exchange in Morocco for the summer program in that country. The foreign exchange will be used to cover most costs of the program abroad, including salaries, living expenses, and all travel. The only costs not covered are incidental administrative costs on the UT Austin campus and student tuition. Under the consortium for these summer programs, all costs have been borne by the institution sponsoring the summer program and the Federal Government. Therefore, UT Austin wishes to meet its obligations under this program, having participated in past years in summer programs supported by the University of Utah, the University of Washington, The University of California at Los Angeles, and the University of California at Berkeley.

Had the summer program been held on the UT Austin campus, it would have been two to three times more costly to UT Austin than holding it in Morocco. It is highly desirable to enable UT Austin to sponsor this year's summer program.

President ad interim Jordan's March 29 letter on this subject follows.

Charles A. LeMaistre, M. D.  
Chancellor  
The University of Texas System  
Commodore-Perry Building  
Austin, Texas

Dear Chancellor LeMaistre:

The Center for Middle Eastern Studies of UT Austin has, for the past four years, participated in the five-member Consortium of Western Universities in the sponsorship of a Summer Institute in Middle Eastern Studies. The University of Texas at Austin has benefited greatly from the Summer Institutes at virtually no cost, the Institute being supported by the Federal Government and the host university.

Letter from Dr. Jordan - Continued

Following the rotating program established by the Consortium, UT Austin has the responsibility for the 1971 Summer Institute. In the normal course of events, the program would have been conducted on the Austin campus. Our Center for Middle Eastern Studies has, in fact, already submitted a proposal to the appropriate officials in the U. S. Department of Health, Education, and Welfare (DHEW).

However, DHEW has now requested that a new proposal be prepared to take advantage of the excess foreign currency situation in Morocco. That means that the Federal Government will pay its share, but only if the funds are expended in Morocco against the excess currency available in that country. The foreign currency will be used to cover most costs of the program abroad. The only costs not covered are some administrative expenses and student tuition.

I feel that UT Austin should meet its obligations in the Consortium by paying those costs not funded through the foreign currency program. We have, in the past, benefited from programs funded by the Universities of Utah, Washington, California at Los Angeles, and California at Berkeley.

Therefore, I recommend that the amount of \$21,150 be approved to assist in funding the 1971 Summer Institute for Middle Eastern Studies to be conducted in Morocco, said funds to be appropriated from Retained Earnings-Campus Services.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryce Jordan", with a long horizontal flourish extending to the right.

Bryce Jordan  
President ad interim

BJ:da

5. U. T. Austin: Report on Reorganization of Arts and Sciences. --

Chancellor LeMaistre reports that the reorganization of Arts and Sciences, adopted by the Board on July 31, 1970, is being completed. The mechanics of the reorganization have been implemented, with records divided among all new units, arrangements made for advising and admissions by colleges, completion of catalog revisions, and the establishment of the Office of Provost of Arts and Sciences and the offices of the three new deans. By the time this report is distributed, two of the three new deans will have been appointed, and the third deanship will have been filled by a permanent appointment or an acting dean.

By May 1 the reorganization will be completed. There has been some delay in filling the new positions due to the selection process involving advisory committees and due to the fact that those persons appointed to the positions had already accepted teaching responsibilities for the spring semester.

6. U. T. Austin, U. T. El Paso and U. T. Arlington: Provisional Admission Program Report. --

In order to keep the Regents informed on the status of students admitted under the Provisional Admission Program, Chancellor LeMaistre submits the following report. Since the Provisional Admission Program was approved by the Regents, three classes have been admitted. The first class was admitted in the Spring of 1970, and after one year 1 of the 15 students admitted at UT Arlington is continuing; 6 of the 29 students admitted at UT Austin are continuing; and 79 of the 360 students admitted at UT El Paso are continuing. The second class has not yet completed a year, and the third class was just admitted during the Spring 1971 semester.

On the following page is the Summary Report:

THE UNIVERSITY OF TEXAS  
 Summary Report  
 Provisional Admission Program  
 Spring 1970 to date

Semester Report	Record	Entered Spring 1970			Entered Summer 1970			Entered Spring 1971			Entered Summer 1971			Entered Spring 1972		
		UTAr1	UTA	UTEP	UTAr1	UTA	UTEP	UTAr1	UTA	UTEP	UTAr1	UTA	UTEP	UTAr1	UTA	UTEP
NO. 1	Accepted	15	29	360	29	268	549	15	51	625						
	Enrolled	13	25	360	25	228	501	15	43	532						
	Completed semester	10	19	353	24	215	488									
	Eligible to re-enroll	2	10	120	12	144	207									
NO. 2	Subsequent Semesters -- Eligible to re-enroll	Summer 1970			Fall 1970			Summer 1971			Fall 1971					
	Re-enrolled	0	6	48	12	132	192									
	Completed semester	0	5	44	12	129	192									
	Subsequent Semesters -- Eligible to re-enroll	Fall 1970			Spring 1971			Fall 1971								
NO. 3	Re-enrolled	1	10	83	12	128	167									
	Completed semester	1	8	81												
NO. 4	Subsequent Semesters -- Eligible to re-enroll	Spring 1971			Summer 1971											
	Re-enrolled	2	7	81												
	Completed semester	1	6	79												
NO. 5	Subsequent Semesters -- Eligible to re-enroll	Summer 1971														
	Re-enrolled															
	Completed semester															

A & D - 9

7. U. T. El Paso: Building Needs for Projected Enrollment for the Next Five Years. --

In response to a Regental directive at the March 12 meeting, Deputy Chancellor Walker and Vice-Chancellor Ashworth have met with the U.T. El Paso administrative officers and outlined the expectations of the U.T. System Administration for a full report on future space needs in accordance with a phased construction schedule relating to enrollments and plans for growth and emphasis in academic programs. This report will evaluate the use of existing space, including consideration of possible conversions, and the utilization of all facilities.

When this material is received, it will be evaluated and may then be applied in the Office of Facilities Planning and Construction to develop a land-use plan for the long-range development of the institution. When this report is completed, it will be submitted to the Board.

8. U. T. Arlington: Request Permission for U. T. Arlington Student Congress President to Report on Referendum Related to Student Activity Fee. --

Chancellor LeMaistre concurs in President Harrison's request to permit the U.T. Arlington Student Congress President, Hugh Moore, to make a five-minute report to the Board on a student referendum on optional choices related to the student activity fee.

Since the Board fixed the Fall 1971 fee at U.T. Arlington at the January 29 meeting, this information may be considered by the U.T. Arlington administration for possible use not earlier than Fall 1972.

9. U. T. Arlington: Change of Name of Department of Foreign Languages. --

Chancellor LeMaistre concurs in President Harrison's recommendation that the U.T. Arlington Department of Foreign Languages be changed to the Department of Foreign Languages and Linguistics in order to reflect more accurately the work of the faculty members and offerings of that department. President Harrison's letter of recommendation follows.



The University of Texas at Arlington  
Arlington, Texas 76010

Office of the President

February 22, 1971

U.T.SYSTEM - ACADEMIC AFFAIRS	
REC'D FEB 24 1971	
TO _____	FOR INFO AND RETURN
TO _____	PLEASE ADVISE ME
TO _____	PLEASE HANDLE

Dr. Kenneth H. Ashworth  
Vice-Chancellor for Academic Affairs  
The University of Texas System  
Austin, Texas 78712

Dear Ken:

We have been requested to change the name of the Department of Foreign Languages to the Department of Foreign Languages and Linguistics. The department has received approval for the proposed change through the school and university curriculum committees and the Faculty Council. This title change would not affect the administrative structure of the department in any way since at present there are programs in both foreign languages and linguistics. The intent is to make the departmental name more descriptive of the offerings within the department.

If there is any additional information which I can supply concerning this proposed change, please feel free to call on me.

Sincerely yours,

A handwritten signature in cursive script that reads "Frank Harrison".

Frank Harrison  
President

FH:jf

10. U. T. Arlington: Authorization for Initiation of Photo-Identification Card for Students, Faculty, and Staff. --

Chancellor LeMaistre concurs in President Harrison's recommendation that a photo-identification card be initiated at U.T. Arlington for students, faculty, and staff beginning with the fall semester 1971. In order to cover the cost of the cards, authorization is requested to charge each recipient \$1 for such a card, which will be valid for all semesters during each fiscal year. Authorization is also requested for the administration at U.T. Arlington to receive bids and to award a contract to a qualified company for production of these identification cards.



# **Buildings & Grounds Committee**

BUILDINGS AND GROUNDS COMMITTEE

Date: April 23, 1971

Time: Following the meeting of the Academic and  
Developmental Affairs Committee

Place: Main Building, Room 212  
U. T. Austin  
Austin, Texas

Page  
B & G

U. T. AUSTIN

1. Appointment of Engineer for Utility Tunnel  
on Red River Street and Appropriation Therefor 2

2. Acceptance of Revised Annual Interest Grant  
No. 5-7-00390-0 for Engineering Teaching Center I 2

AUSTIN NURSING SCHOOL

3. Acceptance of Public Health Service Grant  
No. 1C05-CF-04065-01 for New Building 2

4. Approval of Final Plans and Specifications for  
Austin Nursing School Building 3

U. T. ARLINGTON

5. Approval of Final Plans and Specifications for  
Landscape Development, Increase in Fees, Appropriation  
Therefor, and Committee to Award Contract 3

DALLAS MEDICAL SCHOOL

6. Appropriation for Additional Water Main 3

7. Additional Appropriation for Relocation of Pipeline 3

HOUSTON MEDICAL SCHOOL

8. Acceptance of Public Health Service Grant  
No. 1C05-CF-04116-01 for Initial Facility 4

8a. Lease of 36,000 Square Feet of Space in Texas  
Medical Center, Inc. 4

G. S. B. S.

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Speech and Hearing Center Building, Texas Medical Center 4

HOUSTON MEDICAL SCHOOL, HOUSTON DENTAL BRANCH,  
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9. Development of a Central Service Facility 4a
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Proposals for Central Chilled Water and Steam Plant and  
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- PUBLIC HEALTH SCHOOL
11. Ratification of Award of Contracts to Stewart Office  
Supply Company and Rockford Furniture Associates for  
Furniture and Furnishings, Phase I Building 5

## BUILDINGS AND GROUNDS COMMITTEE

1. U. T. AUSTIN - APPOINTMENT OF B. SEGALL AS ENGINEER FOR UTILITY TUNNEL ON RED RIVER STREET.--In connection with the construction of the System-wide Nursing School at The University of Texas at Austin and other U. T. Austin buildings in the same area, it is necessary that a utility tunnel be constructed on Red River Street starting at 19th Street and running south as far as the Nursing School project. This tunnel would connect the Nursing School and any other future building projects in this area to the U. T. Austin Campus Distribution System. Also, when this new tunnel is put into operation, it will be possible to serve the Collections Deposit Library from the central source and discontinue use of the boiler and chilling units in the building.

The following recommendations are, therefore, made by President ad interim Jordan and System Administration:

- a. That B. Segall, Consulting Engineer, Austin, Texas, be appointed to prepare a study of the scope of this project and a cost estimate at a fee to be figured on an hourly basis not to exceed \$5,000.00.
- b. That an appropriation of \$5,000.00 be made to cover this fee from Permanent University Fund Bond proceeds.
- c. That B. Segall also be appointed to serve as Engineer on the project for the preparation of plans and specifications at a fee of 6% of the total project, with the fee paid to him for the original study to be applied on the 6% fee.

2. U. T. AUSTIN - ACCEPTANCE OF REVISED ANNUAL INTEREST GRANT NO. 5-7-00390-0 FOR ENGINEERING TEACHING CENTER I.--At the Regents' Meeting held January 29, 1971, Annual Interest Grant No. 5-7-00390-0 in the annual amount of \$135,008.00 for a period of thirty years was accepted by the Board. This grant was for the purpose of paying the excess of interest over and above a 3% interest rate on the portion of the Combined Fee Revenue Bonds to be issued at The University of Texas at Austin allocated to the construction of Engineering Teaching Center I at U. T. Austin, and was figured on an estimated interest rate of 7% on these bonds.

The bonds as approved for issuance at the Regents' Meeting held January 29, 1971, carried an effective interest rate of 5.66872%. In order to adjust the grant to an amount which would cover the excess of interest over and above a 3% interest rate based on the actual effective interest rate of 5.66872%, the Department of Health, Education, and Welfare has issued Revised Annual Interest Grant No. 5-7-00390-0 in the annual amount of \$91,578.00 for a period of thirty years, or a total of \$2,747,340.00, which supersedes the original grant reported. It is recommended by President ad interim Jordan and System Administration that the Board accept the revised grant as outlined above.

3. AUSTIN NURSING SCHOOL - ACCEPTANCE OF PUBLIC HEALTH SERVICE GRANT NO. 1C05-CF-04065-01 FOR NEW BUILDING.--Notice has been received from the Department of Health, Education, and Welfare of the approval of Grant No. 1C05-CF-04065-01 in the amount of \$1,278,124.00, for assistance in the construction of a building to house The University of Texas Nursing School (System-wide) at Austin. It is recommended by Dean Willman and System Administration that this grant be accepted by the Board, and that the amount thereof be appropriated to the project.

4. AUSTIN NURSING SCHOOL - APPROVAL OF FINAL PLANS AND SPECIFICATIONS FOR AUSTIN NURSING SCHOOL BUILDING.--In accordance with authorization given at the Regents' meeting held April 17, 1970, working drawings and specifications for a building to house The University of Texas Nursing School (System-wide) at Austin have been prepared by the Project Architect, Merle A. Simpson. These final plans and specifications have been approved by Dean Willman and System Administration, and it is recommended that they be approved by the Board, with authorization to the Executive Director of the Office of Facilities Planning and Construction to advertise for bids to be presented to the Board or the Executive Committee for consideration at a later date. These plans and specifications cover a building of approximately 88,200 gross square feet at an estimated total project cost of \$2,400,000.00.

5. U. T. ARLINGTON - APPROVAL OF FINAL PLANS AND SPECIFICATIONS FOR LANDSCAPE DEVELOPMENT AND APPROPRIATION THEREFOR.--At the Regents' Meeting held March 12, 1971, authorization was given for Schrickel, Rollins, and Associates to prepare plans and specifications for landscape development of two sites at The University of Texas at Arlington for a fee not to exceed \$4,200.00, with a total estimated project cost of \$76,000.00. During preparation of these plans and specifications, a number of problems were encountered which were not anticipated and which have resulted in additional work for the Landscape Architects not included in the original fee. The following recommendations are, therefore, made by Vice-President Price, President Harrison, and System Administration:

a. That authorization be given to pay Schrickel, Rollins, and Associates a fee not to exceed \$6,500.00.

b. That the plans and specifications as prepared by Schrickel, Rollins, and Associates be approved by the Board, and that a Committee consisting of President Harrison, Mr. Lester E. Palmer, Deputy Chancellor Walker, Chancellor LeMaistre, Regent Erwin, and Chairman Peace be appointed to award a contract within the funds appropriated.

c. That an additional appropriation of \$74,000.00 be made to the project to cover a contract award, Architect's Fees, and miscellaneous expenses from Account No. 85-9799-9903 - U. T. Arlington - Unallocated Proceeds - Local Funds, \$5,000.00 having been appropriated at the meeting held March 12, 1971.

6. DALLAS MEDICAL SCHOOL - APPROPRIATION FOR ADDITIONAL WATER MAIN.--An additional water main along Medical Center Drive will be required to serve the new buildings at The University of Texas Southwestern Medical School at Dallas, Parkland Memorial Hospital, Forensic Science Institute, and Children's Medical Center. This project has been developed jointly by all units in the Medical Center, the Office of Facilities Planning and Construction, and the Dallas Water Department. The pro rata cost of the new main for the Dallas Medical School will be approximately \$42,000.00 out of a total project cost of approximately \$79,000.00. It is recommended by Dean Sprague and System Administration that an appropriation of \$42,000.00 be made from Permanent University Fund Bond proceeds to cover this pro rata cost of the new water main.

7. DALLAS MEDICAL SCHOOL - ADDITIONAL APPROPRIATION FOR RELOCATION OF PIPELINE.--At the Regents' Meeting held October 31, 1969, approval was given to execute a new easement to Sinclair Pipeline Company covering the new location of a pipeline which had to be moved because of construction on the Campus of The University of Texas Southwestern Medical School at Dallas, and an appropriation of \$16,000.00 was made from Dallas Medical School Unappropriated Balance to cover the estimated cost at that time of this relocation. With the lapse of more than a year's time, another estimate has now been made for the re-routing of this line, which comes to \$24,000.00, and it is, therefore, recommended by Dean Sprague and System Administration that an additional appropriation of \$8,000.00 be made from Dallas Medical School Plant Funds Unappropriated Balance to cover the latest estimated cost of the project.

8. HOUSTON MEDICAL SCHOOL - ACCEPTANCE OF PUBLIC HEALTH SERVICE GRANT NO. 1C05-CF-04116-01 FOR INITIAL FACILITY.--Notice has been received from the Department of Health, Education, and Welfare of the approval of Grant No. 1C05-CF-04116-01 in the amount of \$1,686,957.00 for assistance in the construction of the Initial Facility for The University of Texas Medical School at Houston. It is recommended by Dean Smythe and System Administration that this grant be accepted, and that the amount thereof be appropriated to the project.

At the October 23, 1970 meeting of the Board, final plans and specifications were approved and authorization given to the Executive Director of the Office of Facilities Planning and Construction to advertise for bids. As soon as federal granting agency clearance for advertising is received, we may proceed with advertising for bids.

8a. HOUSTON MEDICAL SCHOOL: LEASE OF 36,000 SQUARE FEET OF SPACE IN TEXAS MEDICAL CENTER, INC. (THIS ITEM WAS SUBMITTED TO THE EXECUTIVE COMMITTEE AS ITEM 25-M-70A). -- The Administration recommends that permission be granted to the appropriate officials to lease space in or adjacent to the Texas Medical Center, Inc. to provide classroom, office and laboratory space for the entering class of 32 medical students in June of 1971. The total amount of space requested is 36,000 square feet at a cost not to exceed sixty-one cents (61¢) per square foot per month which would include all costs of remodeling the space for the medical school use. The funds necessary to pay this rental are available in current Legislative appropriations. After the lease has been consummated through the State Board of Control the lessors will be reported to the Board.

*change*

8b. G. S. B. S. : LEASE OF 6080 SQUARE FEET OF SPACE IN HOUSTON SPEECH AND HEARING CENTER BUILDING, TEXAS MEDICAL CENTER (THIS ITEM WAS SUBMITTED TO THE EXECUTIVE COMMITTEE AS ITEM 25-M-70B). --It is recommended by the Administration that The University of Texas Graduate School of Biomedical Sciences be granted permission to negotiate a lease of 6080 square feet of space in the Houston Speech and Hearing Center Building for a four year period beginning April 1, 1971, for use of the Department of Neural Sciences.

The rental fee shall be approximately 44¢ per square foot per month including all utilities and custodial services. Previously, the Department of Neural Sciences has used the same space but it has been furnished by the Institute of Ophthalmology. The Institute of Ophthalmology is no longer able to furnish this space to G. S. B. S. without cost.

9. HOUSTON MEDICAL SCHOOL, HOUSTON DENTAL BRANCH, M. D. ANDERSON, G. S. B. S., PUBLIC HEALTH SCHOOL: DEVELOPMENT OF A CENTRAL SERVICE FACILITY. -- It is recommended that the Board of Regents authorize System Administration to develop a program for a Central Service Facility to serve all University of Texas component institutions located in Houston. Such program is to be prepared in cooperation with the Administrative Council of the Houston institutions. The program is to include the services which are to be centralized, type of facility to house the centralized functions, location, size, estimated cost, and a schedule for implementation. This program will be submitted to the Board of Regents at the June 4, 1971, meeting.

10. HOUSTON MEDICAL SCHOOL, HOUSTON DENTAL BRANCH, M.D. ANDERSON, G.S.B.S., PUBLIC HEALTH SCHOOL: RECOMMENDATION OF SPECIAL COMMITTEE TO CONSIDER PROPOSALS FOR CENTRAL CHILLED WATER AND STEAM PLANT AND CONTRACT WITH HOUSTON NATURAL GAS CORPORATION FOR SCHOOL OF PUBLIC HEALTH - PHASE I.--At the Board of Regents' meeting on May 6, 1967, the Board appointed a committee to review proposals received by the Texas Medical Center for construction, maintenance and operation of a Central Chilled Water and Steam Plant, including a distribution system to serve the various units in the Texas Medical Center. Also, the committee was to recommend approval of the most favorable proposal for The University of Texas at Houston and to inform the Medical Center of their recommendations. Subsequently, the committee reviewed the various proposals submitted to the Medical Center and recommended approval of the proposal submitted by Houston Natural Gas Corporation.

The School of Public Health -- Phase I, which is now under construction, is nearing completion and contracts have to be executed with Houston Natural Gas Corporation.

It is recommended that the Chairman of the Board be authorized to execute a proposed agreement with the Houston Natural Gas Corporation for the Steam and Chilled Water service at the same rates now charged to other units in the Texas Medical Center when said agreement has been approved as to form by a University attorney and as to subject matter by Deputy Chancellor Walker. The proposed agreement is to contain the maximum rates to be charged on a consumption basis. It is further provided that this agreement is for Phase I of the School of Public Health only and future connections of University facilities will be negotiated at that time. The proposed agreement herein recommended will be renegotiated to conform to any subsequent agreement.

11. PUBLIC HEALTH SCHOOL - RATIFICATION OF AWARD OF CONTRACTS TO STEWART OFFICE SUPPLY COMPANY AND ROCKFORD FURNITURE ASSOCIATES FOR FURNITURE AND FURNISHINGS, PHASE I BUILDING.--Bids on Furniture and Furnishings, Phase I Building, The University of Texas School of Public Health at Houston, were called for and were received, opened, and tabulated on February 17, 1971, as shown below:

	Base Bid "A"	Base Bid "B"	Base Bid "C"	Base Bid "D"	Base Bid "E"
Dallas Office Supply Company, Dallas, Texas	\$34,842.95	\$ No Bid	\$ No Bid	\$ No Bid	\$4,474.92
Educational and Insti- tutional Cooperative Service, Inc., Dallas, Texas	No Bid	23,345.62	No Bid	No Bid	No Bid
Estey Corporation, Red Bank, New Jersey	No Bid	No Bid	No Bid	No Bid	5,297.00
Rockford Furniture Associates, Austin, Texas	35,542.34	23,274.09	8,712.85	7,462.10	4,415.75
Stationers, Inc., Houston, Texas	No Bid	No Bid	11,226.60	9,653.00	No Bid
Stewart Office Supply Company, Dallas, Texas	33,970.09	No Bid	9,339.68	7,484.06	---
Wilson Stationery and Printing Com- pany, Houston, Texas	34,486.33	No Bid	9,152.74	7,856.19	No Bid

Each bidder submitted with his bid a bidder's bond in the amount of 5% of the greatest amount bid.

In accordance with authorization given by the Board at the meeting held January 29, 1971, the Committee appointed, consisting of Dean Stallones, Mr. Lester E. Palmer, Deputy Chancellor Walker, Regent Peace, and Chairman Erwin, awarded contracts to the low bidders, as follows:

Base Bid "A" (General Office Furniture) Stewart Office Supply Company, Dallas, Texas	\$33,970.09
Base Bid "B" (Office Chairs) Rockford Furniture Associates, Austin, Texas	23,274.09
Base Bid "C" (Classroom Seating) Rockford Furniture Associates, Austin, Texas	8,712.85
Base Bid "D" (Library Equipment) Rockford Furniture Associates, Austin, Texas	7,462.10
Base Bid "E" (Library Shelving) Rockford Furniture Associates, Austin, Texas	<u>4,415.75</u>
Total Contract Awards	<u>\$77,834.88</u>

It is recommended that the Board ratify the contract awards made by the Committee as shown above. The funds needed to cover these contract awards are available in the Allotment Account for the project.



EMERGENCY ITEMS  
BUILDINGS AND GROUNDS COMMITTEE

Date: April 23, 1971

Time: Following the meeting of the Academic and  
Developmental Affairs Committee

Place: Main Building, Room 212  
U. T. Austin  
Austin, Texas

Page  
B & G

U. T. AUSTIN

12. Award of Contract to Canyon Construction Company  
for Remodeling in Experimental Science Building for Depart-  
ment of Microbiology

7

U. T. EL PASO

13. Award of Contract to Burn Construction Company, Inc.,  
for Sanitary Sewer Relocation and Additional Appropriation  
Therefor

7

DALLAS MEDICAL SCHOOL

14. Award of Contract and Appropriation of Funds for  
Phase I Building Program

9

12. U. T. AUSTIN - AWARD OF CONTRACT TO CANYON CONSTRUCTION COMPANY FOR REMODELING IN EXPERIMENTAL SCIENCE BUILDING FOR DEPARTMENT OF MICROBIOLOGY.--In accordance with authorization given by the Board at the meeting held March 12, 1971, bids were called for and were received, opened, and tabulated on April 20, 1971, for Remodeling in Experimental Science Building for the Department of Microbiology at The University of Texas at Austin, as shown on the attached tabulation sheet. It is recommended by President ad interim Jordan and System Administration that a contract be awarded to the low bidder, Canyon Construction Company, Austin, Texas, as follows:

Base Bid	\$222,121.00
Add Alternate No. 1 (Change Laboratory tops from Colorlith to Colorceran)	<u>1,769.00</u>
	223,890.00
Deduct Alternate No. 4 (Deletion of North wall and ceiling of Corridor 501. and attic side partition)	<u>12,703.00</u>
Total Recommended Contract Award	<u>\$211,187.00</u>

This contract award plus Engineer's Fees thereon, movable equipment, and miscellaneous expenses is within the appropriation of \$250,000.00 made for this project.

*\$ 6500*

13. U. T. EL PASO - AWARD OF CONTRACT TO BURN CONSTRUCTION COMPANY, INC., FOR SANITARY SEWER RELOCATION AND ADDITIONAL APPROPRIATION THEREFOR.--At the Regents' Meeting held March 12, 1971, an appropriation of \$20,000.00 was approved for the purpose of relocating a Sanitary Sewer line in order to clear the site for the Fine Arts Complex at The University of Texas at El Paso. Bids for the relocation of this sanitary sewer were called for and were received, opened, and tabulated in the Office of the Vice-President for Business Affairs at U. T. El Paso on April 14, 1971, as shown below:

Bidder	Base Bid	Bidder's Bond
Burn Construction Company, Inc. Las Cruces, New Mexico	\$21,240.00	5%
Co-Con, Inc., Albuquerque, New Mexico	27,000.00	5%
McCormick Construction Company, Inc., El Paso, Texas	29,932.00	5%
McCracken Construction Company, El Paso, Texas	21,834.45	5%
Panhandle Construction Company, El Paso, Texas	21,378.00	5%

Although the low bid exceeds the appropriation made for this project, it is not believed that any changes could be made in the plans and specifications to reduce the cost, and, therefore, there would be no advantage to rebidding the project. It is, therefore, recommended by Vice-President Pennington, President Smiley, and System Administration that a contract award in the amount of \$21,240.00 be made to the low bidder, Burn Construction Company, Inc., Las Cruces, New Mexico, and that an additional appropriation of \$1,240.00 be made from U. T. El Paso Combined Fee Revenue Bonds to cover this contract award.

REMODELING IN EXPERIMENTAL SCIENCE BUILDING FOR DEPARTMENT OF MICROBIOLOGY  
THE UNIVERSITY OF TEXAS AT AUSTIN

Bids Received in the Office of Facilities Planning and Construction  
The University of Texas System, Austin, Texas, at 2:00 P. M., April 20, 1971

Bidder	Base Bid	Alt. No. 1 Add	Deduct Alternates										Completion Time
			No. 2	No. 3	No. 4	No. 5	No. 6	No. 7	No. 8	No. 9	No. 10	No. 11	
Air Conditioning, Inc., Austin, Texas	\$242,300	\$2,189	\$3,472	\$ 9,500	\$ 915	\$200	\$1,974	\$1,598	\$ 360	\$7,293	\$13,397	\$2,000	----
W. D. Anderson Company, Austin, Texas	248,609	1,281	3,927	10,550	2,881	500	2,458	1,000	1,470	3,344	16,975	3,702	12-16-71
C & H Construction Com- pany, Inc., Austin, Texas	242,663	1,321	5,683	10,000	2,480	290	1,693	1,018	220	3,832	15,635	1,961	Six Months
Canyon Construction Com- pany, Austin, Texas	222,121.	1,769	5,722	129	12,703	55	2,739	1,018	220	4,441	16,722	3,033	210 cal. days
Industrial Mechanical, Inc., San Antonio, Texas	237,000	2,100	5,700	9,000	1,400	300	1,900	1,400	660	2,400	12,200	1,900	Jan. 1, 1972
Nelson Construction Com- pany, Austin, Texas	224,380	1,376	6,588	12,132	3,498	617	2,826	1,150	345	3,270	20,900	4,257	180 cal. days
V. R. Wattinger Plumbing Company, Austin, Texas	261,000	2,000	3,600	9,100	850	200	1,700	1,600	400	7,000	12,800	1,800	180 days

Each bidder submitted with his bid a bidder's bond in the amount of 5% of the greatest amount bid

14. DALLAS MEDICAL SCHOOL - AWARD OF CONTRACT AND APPROPRIATION OF FUNDS FOR PHASE I BUILDING PROGRAM.--At the Regents' Meeting held March 12, 1971, the Regents were informed of the postponement of the receiving of bids on the Phase I Building Program at The University of Texas Southwestern Medical School at Dallas because of the proclamation issued by President Nixon suspending the provisions of the Davis-Bacon Act, and at this meeting a Committee, consisting of the Chairman of the Board, the Chairman of the Buildings and Grounds Committee, Chancellor LeMaistre, Deputy Chancellor Walker, and Mr. Lester E. Palmer, was appointed to award a contract for this project within the amount of funds available when the bids were received after the problems in connection with the Davis-Bacon Act were resolved. After the receipt of an Attorney General's opinion and the approval of the federal granting agency to proceed with the advertising for bids, bids were called for and were received, opened, and tabulated on April 20, 1971, as shown on the attached tabulation sheet.

The estimated project cost of this Phase I Building Program was \$32,323,995.00, but with the receipt of such a favorable construction bid, the total project cost is now estimated at \$29,300,000.00, covering approximately 627,786 gross square feet of space. The buildings included are Fred F. Florence Memorial Library and Biomedical Information Center, Basic Sciences Teaching Unit and Lecture Rooms, Academic and Administration Building, and Auditorium and Cafeteria.

The successful bidder must furnish the Office of Facilities Planning and Construction with a breakdown of costs as between the various buildings included in this lump sum bid for evaluation by the University and the federal granting agency. The University must receive approval from the federal granting agencies to award the contract; also the determination of the exact amount of each grant award must be established, since the lowest bid received is less than the estimated construction contract cost as outlined in the applications for the grants.

It is recommended by Dean Sprague and System Administration:

(1) That a contract be awarded to the low bidder, subject to the necessary approvals and grant determinations by the federal granting agencies.

(2) That an appropriation of \$28,303,500.00 be made to this project, \$996,500.00 having already been appropriated to cover Architect's Fees and miscellaneous expenses. The total project cost is made up as follows:

Construction Cost (Base Bid plus Alternate No. 14)	\$23,294,800.00
Furniture and Equipment	4,061,616.00
Architect's Fees and Administrative Expenses	<u>1,943,584.00</u>
Total	<u>\$29,300,000.00</u>

(3) That the appropriations be provided from private gifts in the amount of \$8,500,000.00 and the remainder from federal grants, as finally determined and Permanent University Fund Bond proceeds estimated not to exceed \$5,000,000.00, which is well within the amount previously allocated to these projects.

*which we  
have  
received*

*ask Mr. E.*

*Robert Walker JEP*

PHASE ONE BUILDING PROGRAM  
THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL SCHOOL AT DALLAS

Bids Received at the Skillern Student Union Building  
The University of Texas Southwestern Medical School at Dallas  
at 2:00 P. M., Central Standard Time, April 20, 1971

	J. W. Bateson Company, Inc., and Centex Corporation, a Joint Venture, DBA J. W. Bateson Company, Dallas, Texas	T. C. Bateson Construc- tion Company and Bateson-Cheves Construc- tion Company, a Joint Venture, Dallas, Texas	Blount Brothers Corpora- tion, Montgomery, Alabama	H. A. Lott, Inc., Houston, Texas	Manhattan Construc- tion Company, Dallas, Texas	Robert E. McKee, Inc., Dallas, Texas
Base Bid	\$26,788,000.00	\$25,376,000.00	\$25,713,000.00	\$25,935,000.00	\$27,072,600.00	\$23,195,000.00
Alt. No. 1, Deduct	115,000.00	110,000.00	80,000.00	110,000.00	137,000.00	117,100.00
Alt. No. 2, Deduct	215,000.00	264,000.00	180,000.00	250,000.00	190,000.00	279,700.00
Alt. No. 3, Deduct	30,000.00	35,000.00	30,000.00	37,000.00	41,000.00	42,500.00
Alt. No. 4, Deduct	85,000.00	90,000.00	70,000.00	83,000.00	108,000.00	84,800.00
Alt. No. 5, Deduct	3,100.00	3,000.00	2,000.00	No Bid	3,000.00	3,550.00
Alt. No. 6, Deduct	45,000.00	35,000.00	15,000.00	25,000.00	21,000.00	36,900.00
Alt. No. 7, Deduct	153,000.00	134,000.00	85,000.00	132,000.00	140,000.00	148,100.00
Alt. No. 8, Deduct	39,000.00	32,000.00	30,000.00	35,000.00	38,000.00	66,600.00
Alt. No. 9, Deduct	26,000.00	29,000.00	22,000.00	31,000.00	29,000.00	38,400.00
Alt. No. 10, Deduct	35,000.00	34,000.00	25,000.00	35,000.00	33,000.00	34,600.00
Alt. No. 11, Deduct	139,000.00	140,000.00	100,000.00	147,000.00	150,000.00	114,400.00
Alt. No. 12, Deduct	28,000.00	35,000.00	20,000.00	28,000.00	No Bid	28,150.00
Alt. No. 13, Deduct	4,400.00	2,000.00	50,000.00	10,000.00	No Bid	5,500.00
Alt. No. 14, Add	79,000.00	103,000.00	115,000.00	85,000.00	100,000.00	99,800.00
Alt. No. 15	+ 77,400.00	+ 97,000.00	+ 112,000.00	+ 81,000.00	+ 96,000.00	- 5,650.00

Each bidder submitted with his bid a bidder's bond in the amount of 5% of the greatest amount bid.

## **Medical Affairs Committee**

MEDICAL AFFAIRS COMMITTEE

Date: April 23, 1971

Time: Following the meeting of the Buildings and Grounds Committee

Place: Main Building, Room 212  
U. T. Austin  
Austin, Texas

	<u>Page</u> <u>MED</u>
1. Houston Medical School: Authorized Agent for Tax-Free Alcohol	1
2. Houston Dental Branch: Authorization to Establish a Certificate Program for Dental Assistants	2

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1. Houston Medical School: Authorized Agent for Tax-Free Alcohol Permits. --

Chancellor LeMaistre concurs in the request of Dean Cheves Smythe that the Board of Regents approve the standard resolution which would authorize Mr. C. R. Richardson, Associate Dean for Business Affairs, to sign all appropriate documents required in connection with tax-free alcohol permits.

March 23, 1971

CHANCELLOR'S OFFICE U. of T.

Acknowledged..... File.....

REC'D MAR 24 1971

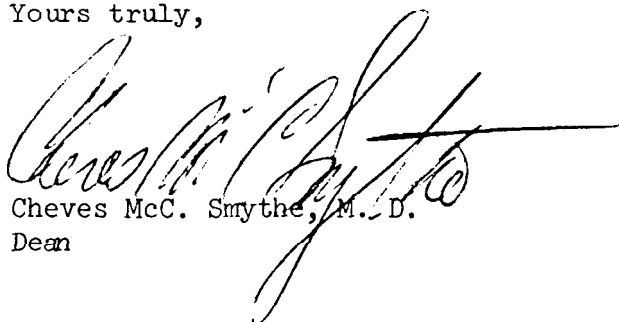
To.....For Info and Return  
To..... Please Advise Me  
To..... Please Handle

Dr. Charles A. LeMaistre  
Chancellor  
The University of Texas System  
P. O. Drawer 7969  
Austin, Texas 78712

Dear Dr. LeMaistre:

As an adenda item for the Board of Regents meeting to be held in Galveston on April 23, 1971, I would like to request that Mr. C. R. Richardson, Associate Dean for Business Affairs, be authorized to sign all documents required in connection with tax-free alcohol permits.

Yours truly,

  
Cheves McC. Smythe, M. D.  
Dean

/egg

2. Houston Dental Branch: Authorization to Establish a Certificate Program for Dental Assistants. --

Chancellor LeMaistre recommends that, pursuant to a request from Dean John Victor Olson, the U.T. Houston Dental Branch be authorized to establish a certificate program for dental assistants. It appears that the Board of Regents in 1945 intended for the Dental Branch in Houston to offer programs in the dental auxiliaries when it authorized the establishment of a "College of Dental Nursing." Currently the Dental Branch offers a diploma program for dental hygienists but has never established a program for dental assistants because it participated for several years in the offering of such a program with the Veterans Administration Hospital in Houston.

The VA Hospital now intends to discontinue its program for dental assistants, and it is desirable for the Dental Branch to continue this program in its own facilities. No new courses will be introduced since the Dental Branch is already teaching the courses for the program at the VA Hospital. The need for additional dental assistants is increasing, and the Council on Dental Education of the American Dental Association now requires that, for accreditation purposes, dental schools must provide instruction to dental students in working with dental assistants and other dental auxiliaries.

A copy of Dean Olson's letter outlining the history and the proposed program is included. If the Board of Regents authorizes the establishment of this new program, a formal request will be submitted to the Coordinating Board.

MAR 27 1970

THE UNIVERSITY OF TEXAS AT HOUSTON  
DENTAL BRANCH  
6516 JOHN FREEMAN AVENUE  
TEXAS MEDICAL CENTER

P. O. BOX 20068  
HOUSTON, TEXAS 77025

OFFICE OF THE DEAN

March 23, 1971

Dr. William H. Knisely  
Vice Chancellor for Health Affairs  
The University of Texas System  
P. O. Drawer 7969  
Austin, Texas 78712

Dear Dr. Knisely:

On March 24, 1945, the Board of Regents of The University of Texas System approved the following resolution:

That the Dental Branch be maintained in Houston and be moved to an adequate location on the grounds of the Texas Medical Center; that in connection with the School of Dentistry there be established and maintained a College of

MED - 2



Dental Nursing, a Post-Graduate and Graduate School of Dentistry and Stomatology and an Institute of Orthodontics; and that the Board will exert its full power and energy toward the proper housing, equipment and operation of these schools in such a way as to make them of the first class.

Three types of auxiliary personnel are used by the dental profession in the United States. The dental hygienist, licensed or registered under the state practice act, which varies somewhat in various states; the dental assistant, who has no legal status to this date but is subject to the laws prescribed in each state for the practice of dentistry; and the dental laboratory technician, who may work in a dental office or a commercial laboratory and who generally has no legal status.

Under the provisions of the aforementioned resolution of the Board of Regents, the School of Dental Hygiene was established and in 1952, the Legislature enacted the law by which dental hygienists were licensed to practice their profession in the State under the supervision of a dentist.

We wish to establish a training program for dental assisting within the purview of The University of Texas Dental Branch at Houston with a certificate issued to those who complete the requirements of the program.

We have cooperated with the Veterans Administration Hospital in Houston in the operation of a dental assisting program since October, 1968. The Veterans Administration Hospital is discontinuing their program and we at the Dental Branch desire to carry it on as a project of our own.

This one year training program as it now exists is listed below and we would expect to continue this program here at the Dental Branch with only minor modifications:

The objective of this course is to provide a recommended program and pattern for those who are interested in increasing their knowledge and skills. A further objective is to prepare the dental assistant for the examination for certification that is given by the Certifying Board of the American Dental Assistants Association. This is a nine month organized course of study that is designed for the dental assistant who is presently employed or for anyone who wishes to become a dental assistant. It is provided to help improve the status of the dental assistant in the profession.

The subject matter is presented so as to teach dental assistants their responsibilities to the dental profession, and to the public. Emphasis is placed on the philosophy and attitudes toward work assignments. Also, consideration is given to a background in the sciences, as well as a working knowledge of dental materials, which the average dental assistants need to perform their duties effectively.

#### REQUIREMENTS FOR ADMISSION

Selection of students will be based upon their fulfillment of the following requirements:

- A. Academic - Students admitted to the program should have a high school diploma or equivalent education.
- B. Personality and Appearance - The prospective student should have a pleasing personality, a sincere interest in people, and the ability to get along with them. Neatness of dress, correct posture, and a clear and pleasant voice are important.

- C. Physical - Applicants should be at least 17 years of age and in good mental, physical, and oral health, and of average height and weight. Applicants should submit statements from a physician and a dentist attesting to general and oral health and ability to perform the duties which training demands.
- D. Reliability - The applicant must have high personal standards of conduct, integrity, and dependability. Letters of recommendation from High School principal, counselors, or teachers will be helpful in evaluating the applicant.

#### DESCRIPTION OF COURSES

##### A. Oral Anatomy

1. Teach students basic structure surrounding the teeth.
2. Formation of deciduous and permanent teeth, basic tooth anatomy and how to apply this when carving a tooth structure.

##### B. Radiology

Consists of developing and mounting x-rays, filing, demonstration and clinical practice.

##### C. Nutrition

The role of a well balanced diet on dental health.

##### D. Bacteriology

Relationship bacteriology has to dental health; technique demonstrations when dealing with microbiological problems that may arise in a dental office.

##### E. Prosthetics

Conferences and demonstrations in the uses of prosthetic materials. Also, instruction in the use of instruments and equipment necessary for prosthetic cases whether they be fixed or movable.

##### F. Dental Administration

Consists of instruction in the management of a dental office such as giving appointments, records, bank deposits, requisitions for supplies and filing.

##### G. Oral Surgery

Includes instruction on the different instruments used in surgery, how to use them, and how to assist the dentist in oral surgery operations.

##### H. Oral Pathology

Instruction in the different diseases of the oral cavity, their causes and effects.

##### I. Physiology

Instruction in the function of living organisms or their parts.

##### J. Pedodontics

Instruction dealing with the teeth and oral conditions of children and a background for the better understanding of child behavior and management in the dental office.

K. Orthodontics

Basic instruction in the techniques and procedures of orthodontics through conferences and demonstrations.

L. Periodontics

Instruction in the different procedures and techniques used in the treatment of periodontics. Also familiarizing the students with the instruments.

M. Oral Hygiene

Instruction on the importance of personal hygiene and its relationship with auxiliary personnel.

N. First Aid

Teaching students by way of demonstrations how to recognize an emergency and how to handle such in dental office.

O. Operative Dentistry

Instruction in the different dental materials and how to work with them. Care of the dental instruments and how to assist in this department.

P. Public Health

Instruction in the basic principles of Public Health and how to apply these principles to dental health program. Importance of educating the public with respect to dentistry.

Q. Clinical Practice

Practical experience in clinical procedures.

R. Histology

Study of the structures and composition of the tissues.

S. Sterilization

Instruction by way of demonstrations and conferences on the proper sterilization of dental instruments. Different methods and equipment used in sterilization.

T. Oral Terminology

Instruction in terms and names used in the practice of dentistry.

U. Dental History

Familiarizing the students with development of dentistry over the years to the present time.

V. Professionalism

Instruction and the importance of professional conduct, personal appearance and manners.

W. English

Instruction in conversational English.

X. Pharmacology and Therapeutics

Consists of instruction in the general principles of pharmacology and therapeutics.

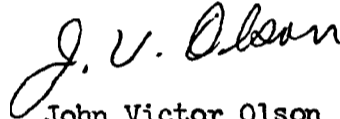
The dental school has had for a number of years a grant from the United States Public Health Service to train dental students to work with dental assistants and other dental auxiliaries. This grant will be terminated in two years as a result of a policy decision of the United States Public Health Service (This applies to all dental schools). In the meantime the Council on Dental Education of the American Dental Association, the accrediting agency for all dental schools in the USA has added to its requirements for accreditation of dental schools that dental students be trained to work with dental auxiliaries including working with dental assistants. The institution of this training program (dental assisting) in our school will greatly facilitate our meeting the accreditation standards required in this area. This program will also help meet the needs of the dental profession for trained dental assistants.

One additional reason for establishing this program is the need to expand the duties of the dental auxiliaries. Due to the anticipation of a greatly increased demand for dental treatment because of third party payment etc., the dental profession is searching for methods of increasing the potential of the available dental manpower. The most promising of the possible methods seems to be the delegation of additional duties to auxiliary personnel. By having programs in both dental hygiene and dental assisting we will be in an excellent position to further the study of the most useful methods of expanding the auxiliary duties to improve the productivity of the dental profession.

It is our desire to present this program to the April 23, 1971 meeting of the Board of Regents and request your advice concerning presentation both to the Board of Regents and the Coordinating Board.

Should additional information be needed, please call us at your convenience.

Sincerely,



John Victor Olson  
Dean

JVO:gg

# **Land & Investment Committee**

LAND AND INVESTMENT COMMITTEE

Date : April 23, 1971  
Time : Following the meeting of the Medical Affairs Committee  
Place : Main Building, Room 212  
U. T. Austin  
Austin, Texas

PERMANENT UNIVERSITY FUND

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PERMANENT UNIVERSITY FUND - INVESTMENT MATTERS.--

1. REPORT ON CLEARANCE OF MONIES TO PERMANENT UNIVERSITY FUND AND AVAILABLE FUND.--The Auditor, Oil and Gas Production, reports the following with respect to monies cleared by the General Land Office to the Permanent University and Available University Fund for the current fiscal year through March, 1971, as follows:

	February and March, 1971	Cumulative This Fiscal Year	Cumulative Preceding Fiscal Year (Averaged)
<u>Permanent University Fund</u>			
Royalty - Oil	\$ 2,824,794.11	\$ 9,396,566.30	\$ 8,710,946.23
Gas - Regular	474,666.39	1,434,093.98	801,048.99
- F. P. C.	.98	24,772.13	61,024.04
Water	17,768.44	62,251.15	65,090.20
Salt Brine	1,607.13	6,851.40	7,124.81
Rental on Mineral Leases	4,092.74	132,080.04	172,116.42
Rental on Water Contracts	100.00	2,861.47	16,357.67
Rental on Brine Contracts	200.00	200.00	116.69
Amendments and Extensions of Mineral Leases	-0-	350,584.78	133,715.19
	<u>3,323,229.79</u>	<u>11,410,261.25</u>	<u>9,967,540.24</u>
Bonuses, Mineral Lease Sales (actual)	-0-	1,407,000.00	1,736,500.00
Total - Permanent University Fund	<u>3,323,229.79</u>	<u>12,817,261.25</u>	<u>11,704,040.24</u>
<u>Available University Fund</u>			
Rental on Easements	26,475.22	93,319.35	108,297.00
Interest on Easements and Royalty	77.12	646.16	3,512.74
Correction Fees-Easements	-0-	-0-	-0-
Transfer and Relinquishment Fees	133.69	4,530.02	5,949.23
Total - Available University Fund	<u>26,686.03</u>	<u>98,495.53</u>	<u>117,758.97</u>
Total - Permanent and Available University Funds	<u>\$ 3,349,915.82</u>	<u>\$12,915,756.78</u>	<u>\$11,821,799.21</u>
<u>Oil and Gas Development - March 31, 1971</u>			
Acreage Under Lease	575,777		
Number of Producing Acres	322,211		
Number of Producing Leases	1,425		



PERMANENT UNIVERSITY FUND - INVESTMENT MATTERS.--

2. RECOMMENDATION RE ADDITIONS TO APPROVED BROKERS LIST.--  
The Associate Deputy Chancellor for Investments, Trusts and Lands, joined by Mr. Bynum, Investment Officer, recommends that the following firms be added to the approved broker list:

Weeden & Co., San Francisco, California  
F. S. Smithers & Co., New York, New York  
Auchincloss, Parker & Redpath, Washington, D. C.  
Oppenheimer & Co., New York, New York  
J. S. Strauss & Co., San Francisco, California  
Blyth & Co., Inc., New York, New York

3. RECOMMENDATION RE ADDITIONS TO LIST OF COMPANIES WHOSE STOCKS ARE APPROVED FOR INVESTMENT.--The Associate Deputy Chancellor for Investments, Trusts and Lands, joined by Mr. Bynum, Investment Officer, recommends the addition of the following companies to the approved list:

Banks

First Florida Bancorp  
Bank of New York  
Baystate Corporation  
Fidelity Corporation of Pennsylvania  
First Wisconsin Bankshares  
Harris Trust and Savings  
Maryland National Corporation  
North Carolina Bancorp  
Pittsburg National Corp  
United Virginia Bankshares  
Virginia Commonwealth Bankshares  
Southeast Bancorp  
General Bancshares  
Lincoln First Bank Corp  
First National Holding Co. of Atlanta  
First Union National Bancorp

Utilities

Arizona Public Service  
Kansas Gas and Electric  
Consolidated Natural Gas  
Central Louisiana Electric  
Connecticut Gas and Electric  
Continental Telephone  
Hawaiian Electric  
Houston Natural Gas  
Idaho Power  
International Utilities  
Kansas City Power and Light  
Kansas Power and Light  
Kentucky Utilities

Utilities (continued)

Lone Star Gas  
Northern Indiana Public Service  
Panhandle Eastern  
Public Service of Colorado  
Public Service of New Hampshire  
Rochester Telephone  
United Utilities  
Rochester Gas and Electric

Industrials

Borg-Warner Corp.  
Champion Spark Plug Co.  
Monroe Auto Equipment  
Fruehauf Corp.  
Flintkote Co.  
Masonite Co.  
General Portland Cement  
Dart Industries  
PPG  
Anchor Hocking Corp.  
International Flavors & Fragrances  
Jim Walter Corp.  
FNMA  
Eli Lilly & Co.  
Miles Laboratories, Inc.  
Hoover Ball & Bearing Co.  
American Express  
Transamerica Corp.  
Genesco, Inc.  
Ralston Purina Co.  
Dr. Pepper Co.  
Gerber Products Co.  
Heinz, H. J. Co.  
Hershey Foods Corp.  
Bucyrus-Erie Co.  
Clark Equipment Co.  
Universal Oil Products  
Dayton-Hudson Corp.  
Burlington Industries  
Consolidated Freightways  
Nielsen, A. C. Co.  
Burns, Wm. J. International Detective Agency

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

LEASES AND EASEMENTS.--It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands that the following applications for various leases, easements, and material source permits on University Lands be approved. All have been approved as to form and as to content by the appropriate officials.

4. EASEMENTS AND SURFACE LEASES

All easements and surface leases are at the standard rates; are on the University's standard forms; and payment has been received in advance, unless otherwise stated.

No.	Company	Type of Permit	County	Location (Block #)	Distance or Area	Period	Consideration
3234	Warren Petroleum Corporation	Pipe Line	Winkler	21	513 rds various sized	2/1/71 - 1/31/81	\$ 647.40
3235	El Paso Natural Gas Company (renewal of 1580 and 1584)	Pipe Line	Andrews	1 & 9	38.909 rds various sized	6/1/71 - 5/31/81	50.00 (Min.)
3236	Texas Electric Service Company (renewal of 1559)	Power Line	Ward Crane  Ector Andrews	16 30, 31 & 35 35 11	1,440.68 rds	3/1/71 - 2/28/81	864.41
3237	El Paso Natural Gas Company	Pipe Line	Andrews	9	8.97 rds 2-3/8 inch	3/1/71 - 2/28/81	50.00 (Min.)
3238	El Paso Natural Gas Company (renewal of 1598)	Pipe Line	Andrews	1 & 9	527.769 4-1/2 inch	8/1/71 - 7/31/81	343.05
3239	El Paso Natural Gas Company	Pipe Line	Hudspeth	G, H, I, J, K & L	11,629 rds 20 inch	3/1/71 - 2/28/81	23,258.00

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Easements and Surface Leases - Continued --

No.	Company	Type of Permit	County	Location (Block #)	Distance or Area	Period	Consideration
3240	Shell Pipe Line Corporation (renewal of 1582)	Pipe Line	Andrews	1	179 rds 6-5/8 inch	5/1/71 - 4/30/81	\$ 232.70
3241	Texas Electric Service Company (renewal of 1573)	Power Line	Andrews Crane Ward	9, 11 & 13 31 16	843.40 rds	4/1/71 - 3/31/81	506.04
3242	El Paso Natural Gas Company	Pipe Line	Andrews	1	18 rds 4-1/2 inch	3/1/71 - 2/28/81	50.00 (Min.)
3243	ARCO Pipe Line Company (renewal of 1583)	Surface Lease (Tower Site)	Crockett	41	5.165 acres	6/1/71 - 5/31/81	1,000.00*
3244	Intratex Gas Company	Pipe Line	Ward	16	740 rds 6 inch	4/1/71 - 3/31/81	962.00
3245	Phillips Petroleum Company	Pipe Line	Andrews	13 & 14	211.8 rds various sized	3/1/71 - 2/28/81	137.67

5. ASSIGNMENT OF EASEMENT

No.	Assignor	Assignee	Type of Permit	County	Location (Block #)	Area	Period	Consideration
1842	Leonard Latch, et al	T. D. Skelton and Byron M. McKnight	Surface Lease (Water Injection Plant Site)	Andrews	14	5 acres	3/10/71 - 1/31/74	50.00**

\*Full Consideration

\*\*Assignment Fee

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

6. REVIEW OF POLICIES RELATING TO MANAGEMENT OF THE SURFACE OF UNIVERSITY LANDS.--At the meeting of the Regents on March 12, 1971, it was suggested that a review of policies relating to the various aspects of the management of the surface of University Lands should be made to the Board. There follows a statement of the current policies with respect to these matters. The latest revisions were made at the meeting of the Regents on September 12, 1969, and became effective October 1, 1969.

Surface Leasing Policies on West Texas Lands

Effective October 1, 1969

1. Length of Grazing Lease--Five years, with a five-year extension at an increased rental.
2. Conditions of Extension--The extension will be effective only if lessee completes a range conservation and/or a ranch improvement program outlined under the terms of the lease. The Land Agent, a representative of SCS, and the grazing lessee will evaluate and determine what conservation and improvement programs are needed on the lease. All programs must be completed during the first five years of the lease with range management in effect the full 10 years. If the lessee at any time during the term of the lease does not show good faith and follow diligently the programs outlined, the University after proper notification and at its option will have the right to terminate this lease.
3. Renewal of Grazing Lease--If lessee has practiced good range management and conservation and is willing to enter into such additional programs as will be outlined in the lease, he, his heirs, devisees, or assigns will be given first preference of renewal at a renegotiated price. However, it will be understood that the University shall not be obligated in any way to renew the lease.
4. Rental Rates--Rental rates will be based on the number of animal units the lease is capable of carrying as determined by Land Agent (currently \$15.00 per animal unit per year).
5. Livestock Limits--The University will set the stocking rate of animal units allowed on each lease. If lessee chooses to run more livestock than the allowed rate and the excess rate does not harm range conditions, he may do so by requesting in writing and receiving permission in writing from the Land Agent. For this privilege, he will pay the University \$2.00 per animal unit per month for all stock in excess of the allowed rate.
6. Pasturing Stock Other than Own--A lessee after requesting in writing and receiving permission in writing from the Land Agent will be allowed to pasture stock other than his own for a period not to exceed 6 months. Under no conditions will a lessee be allowed to sublet his grazing lease.
7. Size and Number of Leases--There shall be no restrictions on the size of a grazing lease or the number of leases held by a family, partnership or similar entity. No lease shall be divided unless each will be an economic operating unit.

8. Limitations Regarding Lessees--In renewing, assigning or making new grazing leases, all things being equal, preference shall be given to Texas residents.
9. Farming--Irrigated farming shall be permitted in those areas where water does not have commercial priority or where water is being drained from under University lands. Provision shall be made in the grazing lease form to permit separation of irrigated land from the basic grazing lease without permission of the lessee. No dry land farming will be permitted on University lands without first requesting in writing and receiving permission in writing from the Land Agent. Lands removed from the grazing lease for farming purposes will be subject to additional rental.
10. Oil Fields--At the discretion of the Land Agent, grazing areas containing a sizable oil field shall be removed from the basic grazing lease. All grazing leases are subject to the development and prospecting for oil and gas or other minerals, also to the issuance by lessor of easements and rights-of-way.
11. Damage Payments--Parties, other than grazing lessees, conducting operations on the leased premises shall pay for damages due to such operations in accordance with the Damage Schedule attached hereto, and made a part hereof. Payments for such damages shall be paid and handled in the manner set out therein.
12. Improvements--The University will require a lessee to maintain ranch improvements at his own expense. All improvements on University lands are the property of the University.
13. Ingress and Egress--The University will be allowed to authorize its oil, gas and mineral lessees, geophysical exploration and other permittees the right of ingress and egress over land adjacent to University land owned or controlled by University lessees.
14. Hunting Rights--The lessee shall have the right to control hunting on his grazing lease, provided that the University shall be entitled to one-half of any consideration received for hunting. Where such consideration is received, annual reports and payments shall be made to the Land Agent.
15. Assignment of Grazing Lease--Assignment of a grazing lease requires written permission of the University, with the University to receive one-half of any bonus paid by assignee.
16. Records--When requested to do so by the University, records shall be maintained and reports shall be furnished to the Land Agent by the lessee as to the number, ages and type of livestock grazed on the lease and as to such other matters as may be considered necessary or appropriate.

#### Damage Schedule

Effective October 1, 1969

#### 1. Guidelines for Operating under This Schedule.

All monies due for damages (except those attributable to acts of negligence) on

lands leased to a grazing lessee, pursuant to this schedule of damages, shall be paid to the University for the account of the lessee of the land on which the damage was incurred. All funds so received shall be handled as set out below in Paragraph III.

The payment of the standard damage rates does not in any way limit the liability of a company or operator in an action at law for any damages caused by reason of acts of negligence. Compensation for acts of negligence, such as loss or injury to livestock or excessive grass damage, shall be paid directly to the grazing lessee. In the event of a disagreement between the grazing lessee and operator, the University will arbitrate and fix damage payments.

No fence shall be cut or cattle guards installed without permission of the University Land Agent and Oil Field Supervisor.

All operators must notify Land Agent and Oil Field Supervisor and grazing lessee before any operations begin.

All standard damage payments or correspondence concerning this schedule shall be mailed to:

Mr. Billy Carr  
University Land Agent and Oil Field Supervisor  
Post Office Drawer 553  
Midland, Texas 79701

A. Well Locations (As permitted by Railroad Commission)

	Rates	
	Effective 10-1-69	1966
1. 14,000 feet or less, per location	\$150.00	\$100.00
2. In excess of 14,000 feet, per location	300.00	100.00
3. Re-entry (No charge until expiration or release of lease, then rates shown under 1 and 2 are to be followed.)		

The above rates include space for tank batteries.

4. Skidding of rig, prorated per mile	100.00	50.00
5. New road construction, prorated per mile	100.00	50.00

B. Pipe Line Construction (OD diameters)

1. Water and fuel lines used for drilling purposes	\$ 0.25	\$ 0.10
2. Unburied lines, per rod	0.40	0.25
3. Lines under 6 inches, per rod	0.60	0.50
4. Lines 6 inches and under 12 inches, per rod	0.80	.50-.75
5. Lines 12 inches or over, per rod	1.00	0.75
6. Removal of buried lines, per rod	0.40	---

C. Power and Telephone Line Construction

1. Single pole, per mile	\$ 60.00	\$ 50.00
2. Buried cables, per mile	60.00	50.00

3. H-Frame or steel tower, per mile	\$100.00	\$ 50.00
4. Removal of line, per mile	40.00	---
5. Removal of buried cable, per rod	0.40	---

D. Material Source Permits and Road Access Use

1. Per entry and use of access road (Before caliche can be removed, permission must be obtained from the University Land Agent and Oil Field Supervisor or his representative, and at his request pits must be levelled in an acceptable manner.)	\$ 50.00	\$ 50.00
--	----------	----------

II. Geophysical Operations

A. Damage Payments for Geophysical Operations shall be as follows:

1. Gravity meter and magnetometer survey operations, per crew, per day	\$ 20.00	\$ 10.00
2. Single shot (reflection or refraction shooting), per shot hole	10.00	10.00
3. Seismic weight-dropping, vibrators, Dinoseis operations per mile (Maximum payment per day \$150.00)	75.00	(per day) 25.00
4. Shooting crews per mile (Maximum payment per day \$300.00)	150.00	(per shot hole pattern)

B. Damage Payments for Geophysical Operations in Hudspeth and El Paso Counties or which do not come under the above classifications will be negotiated.

III. Damage Program

- A. All payments for damages per Paragraph 11 of Surface Leasing Policies effective October 1, 1969, to be made to The University of Texas System, as Agent for the lessee.
- B. A separate account will be maintained for damage payments received for each lessee. (Lessee will be notified of all payments received, as they are received.)
- C. Annually, as of October 1, each lessee shall be permitted to withdraw funds from his account in accordance with the following principles:
1. Withdrawals shall be permitted, up to the total in the account, equal to the total amount actually expended



by the lessee subsequent to October 1, 1969, for ranch or range improvements on the leased premises, reduced by the amount theretofore withdrawn from his account.

2. Expenditures for ranch or range improvements, other than Soil Conservation Service approved programs, must be authorized in advance by the University Land Agent.
  3. Proof of expenditures shall be such as is required by the University Land Agent.
- D. At the termination of any lease, any unexpended balance in the lessee's account shall be paid to him.

THE UNIVERSITY OF TEXAS LANDS

RATE SCHEDULE EFFECTIVE OCTOBER 1, 1969  
(Payable to The University of Texas System)

		<u>Rates</u>	
		<u>Effective</u>	
		<u>10-1-69</u>	<u>1966</u>
<b>I. <u>PIPE LINE EASEMENTS</u></b>			
A. Standard rates for varying sizes of pipe line, OD diameters, the rates being per rod for a 10-year period, payable in advance:			
1.	Lines under 6 inches	\$ 0.65	\$ .50
2.	Lines 6 inches and under 12 inches	1.30	1.00
3.	Lines 12 inches and under 25 inches	2.00	1.50
4.	Lines 25 inches and under 36 inches	2.75	1.50
5.	Lines 36 inches and over	3.50	1.50
B. <u>MINIMUM</u> for a pipeline easement \$50.00			
C. <u>FILING FEE</u> in the amount of \$5.00 made payable to the <u>General Land Office</u> must be submitted with all easements.			
<b>II. <u>POWER AND TELEPHONE LINE EASEMENTS</u></b>			
A. Standard rates for varying types of lines, the rates being per rod for a 10-year period, payable in advance:			
1.	Single pole construction	\$ 0.60	\$ .50
2.	Buried telephone cable	0.65	.50
3.	H-Frame pole construction	1.00	.50
4.	Steel tower construction	3.00	.50
B. <u>MINIMUM</u> for a power or telephone line easement \$50.00			

- C. FILING FEE in the amount of \$5.00 made payable to the General Land Office must be submitted with all easements.

III. SURFACE LEASE (other than grazing)

- A. Standard rate, not to exceed a 10-year period:
- |  |            |            |
|--|------------|------------|
| 1. Plant Sites, Booster Stations, etc., per acre per year            | \$ 20.00   | \$ 10.00   |
| 2. Business sites, residential sites, and other miscellaneous leases | Negotiated | Negotiated |
- B. MINIMUM for any type surface lease \$50.00 per year
- C. NO FILING FEE required.

IV. MATERIAL SOURCE PERMITS (Caliche, etc.)

- A. Standard rate for one project
- |   |                          |        |
|---|--------------------------|--------|
| 1. Per cubic yard, under 20,000 cubic yards | \$ .30                   | \$ .25 |
| 2. 20,000 cubic yards or over               | Negotiated (\$0.10 min.) | .25    |
- B. MINIMUM for each permit \$50.00
- C. Separate check must be submitted for State Sales Tax at the then current rate.
- D. NO FILING FEE required.

V. ASSIGNMENTS, TRANSFER OR CORRECTION OF EASEMENTS, LEASES, ETC. \$ 50.00 \$ 25.00

(The only exception will be if other consideration, in the amount of \$50.00 or more, such as for bonus for grazing leases, is paid to The University of Texas System.)

Comments regarding rates for easements, etc.

This is a matter that was given continuing and serious attention and consideration by this office and the Regents from the latter part of 1966 until the foregoing rates were finally adopted on September 12, 1969. As the comparison included in the foregoing data indicates, the various rates finally adopted were substantially higher than those prevailing at the beginning of the study. The development of these rates required numerous conferences with representatives of the petroleum and utilities industries, and delegations of such industries appeared before the Regents on at least two separate occasions.

The schedule, adopted only eighteen months ago, has again been reviewed by this office. We find no area which, under today's conditions, would seem to require a change. In this connection, it might be pointed out that, due to the mature development of the petroleum reserves in the University Lands areas, there has been very little demand for additional major pipeline rights-of-way. About

the only demand has been for gathering lines and gas lines. Then, too, the petroleum industry has been and continues under rather heavy stress from a profit standpoint due to changes in matters affecting its tax structure, and other reasons.

No changes seem indicated, and none are recommended.

Comments regarding Grazing Lease Program

In September 1969, the Board of Regents changed the policy, which had been in effect since the early '50s, that no grazing lease could be granted for a term in excess of five years. Under the revised policy, such leases can be granted for a term of five years with a conditional option for an additional five years. This change opened the door for the development of a program which makes it possible for our ranch lessees to participate, for the first time, in Great Plains Conservation plans administered by the Soil Conservation Service of the U. S. Department of Agriculture, and the local Soil & Water Conservation District Boards. Both of these agencies have been completely cooperative in the development of our program.

As each grazing lease has come up for renewal since the Fall of 1969, a definite plan of range and ranch conservation and improvement has been developed, which has been incorporated into the renewed lease. Each plan is developed by technicians of the Soil Conservation Service in the county in which the ranch is located in cooperation with the local Soil & Water Conservation District Board and the lessee, and is finally reviewed by the University's Land Agent. When a plan is finally agreed upon by all parties, it is incorporated in the renewed lease. By carrying out its terms, the rancher earns an option for the five year extension. Before adoption, all plans are reviewed by a Game and Wildlife Specialist of the Soil Conservation Service.

Another major change was the plan for the handling of damage payments to which the Lessee is entitled due to operations on the property by others. In years gone by, these payments were made direct to the Lessee. Although we tried to encourage the expenditures of such funds for range or ranch improvements on the property, we really had no effective control over the matter. Under the new policy, these payments come to The University of Texas System as agent for the Lessees and is released to them from time to time to reimburse the Lessee for range or ranch improvements actually made on the property.

Since the revised policies became effective, October 1, 1969, fifty-eight ranch leases, covering 993,159 acres, have been renewed at rental increases averaging 18.88% above the rates prevailing during the term of the expiring leases. Each of such renewals includes a definite, formal range conservation and ranch improvement plan, and provides for conditional options to extend for an additional five-year term at rental increases averaging 19.01%.

In the first year of operation under the revised policies (Year Ended 9/30/70), expenditures for range conservation and ranch improvements on University Lands amounted to \$271,000. These funds were provided as follows:

U. S. Department of Agriculture	\$ 71,000.
Damage Payments	65,000.
Lessee	135,000.
	<u>\$271,000.</u>

Leases renewed since January 1, 1968 have contained a provision that the Lessee would control hunting on the premises, but one-half of any hunting fees collected would belong to The University of Texas System. Thus far, receipts from this source have been:

For 1969 Season	\$1,458.75
For 1970 Season	3,926.50
	<u>\$5,385.25.</u>

This is an area that needs additional study.

The existing policies provide for rentals to be based on the number of animal units the lease is capable of carrying, with the rental being \$15.00 per animal unit per year. This approach, of course, involves a judgment factor, namely, that of the Land Agent, Mr. Carr. While he is an able man and has always done a good job in this respect, this approach of necessity involves an almost impossible determination. Under these policies, Mr. Carr has the burden of looking at the land at the time a lease is renewed and reaching a decision as to the carrying capacity of the ranch for the ensuing five years. In actual practice, under our revised policies, and with the assistance we now have from technicians of the Soil Conservation Service, we have found that a more enlightened approach is to require the Lessee to practice Proper Grazing Use. This is a matter that can be ascertained by the Soil Conservation Service technicians by annual inspections and the application of the technical guides and specifications of the Soil Conservation Service with respect to key species of forage on the ranch.

The following comments regarding the longer range future prospects for University Lands were prepared by Mr. Billy Carr, Land Agent, and are respectfully submitted for your information:

Most of the policy changes of October 1, 1969 were designed and approved for immediate initiation of planned programs for the improvement of University Lands. However, there are several long-range programs which are still in the planning stage at this time that will increase the productivity; thereby adding to the value of the surface of University Lands; such as:

1. Availability of Water - From the Mississippi River or other sources.

The Texas Water Development Board is formulating a plan that will greatly affect University Lands. The proposed, giant water system for the Panhandle, South Plains, Midland-Odessa and El Paso areas will cross University Lands in Andrews, Ector, Ward, Culberson and El Paso Counties, and cross near Crane, Winkler, Loving and Hudspeth Counties. This system, as it is presently planned, will directly affect nearly 1,000,000 acres of our land. Although not all of this land can be irrigated, the availability of water will have an enormous impact on its potential productivity and value.

2. Hunting

As the population of Texas increases, the demand for hunting areas will be greater, and the area available smaller. Therefore, the available areas will become more valuable.

Small game birds are to be found on all University Lands, such as quail and dove. Deer and javelina can be found in Crockett and Terrell Counties, and antelope in Hudspeth County. Each Conservation Plan drawn up by the Soil Conservation Service on University Lands has a wildlife protection plan incorporated. This will insure browse and cover for the game birds and animals. This will increase the number, and enlarge the area in which they can be found, and the hunting rights will increase in value proportionately. In the future, the hunting rights, in some areas, will become more valuable as a source of income than the grazing leases. Wildlife and livestock are very compatible on the same grazing area, so protection of wildlife will also benefit livestock operation.

### 3. Subdivisions

A source of increased valuation could be subdividing some areas into small tracts, such as ten (10) acres or less, to sell or lease. This potential would be directly related to the Texas Water Development Board making water available. A good example of this would be Block "L", El Paso County. This area, approximately 11,000 acres, has very little agricultural potential due to the type of land, but with water, and its nearness to El Paso, has a great potential for this type of development.

### 4. Construction Materials, Etc.

There are several areas where there is an abundance of sand, gravel, building stone, cactus, etc. Transportation costs make it impractical at this time to capitalize on this source of income to any extent. (We have maps on the known areas for this type materials.)

### 5. Interstate Highway Development

There are approximately 17 miles of the Interstate Highway System completed on University Lands. There are approximately 49 miles either in the planning stage or under construction. This will give us a number of valuable sites at or near the intersections for leasing.

### 6. Recreational Areas

All the lake and river areas had been homesteaded by the time University Lands were set aside by the Legislature. Therefore, this limits the recreational areas. However, there are some areas, such as Indian camps, and burial sites and sand dunes, etc., that are of interest, and are being protected for the people of Texas.

### 7. Leases and Easements

The policies now followed in granting leases and easements will enable the University to make whatever adjustments necessary to take advantage of future developments that will increase the income derived from its lands.

7. RECOMMENDATION RE CHANGE OF POLICY RE RENTAL RATES AND STOCKING LIMIT.--It is recommended that the policies with respect to rental rates and livestock limits be amended to read as follows:

4. Rental Rates--Rental rates will be determined by the Land Agent, based on the value of the land, and comparison with prevailing rates for other comparable property in the area.
5. Livestock Limits--The lessee shall practice proper grazing use on the leased property, and the stocking rate thereon shall be adjusted from time to time, upward or downward, as may be necessary to accomplish such basic objective.

8. RECOMMENDATION FOR ADOPTION OF RESOLUTION OF APPRECIATION.--It is recommended that the following resolution of appreciation be adopted:

Resolution

WHEREAS, since October 1, 1969, under the revised policies related to University Land leases, fifty-eight ranch leases, covering 993,159 acres of University Land have been renewed, each with provisions for the carrying out of a definite plan of range and ranch conservation and improvement by the lessee; and

WHEREAS, ~~the accomplishment of~~ this mammoth accomplishment would have been impossible, but for the enthusiastic, and able assistance extended to The University of Texas System by certain organizations, and individuals:

NOW, THEREFORE, BE IT RESOLVED, That the Board of Regents of The University of Texas System does hereby express its deep appreciation

To the Soil Conservation Service of the U. S. Department of Agriculture, to Mr. Clyde W. Graham, its State Conservationist, to the members of his staff, and the many Soil Conservation Service Conservationists and Range Specialists for the invaluable and generous help, assistance, and understanding provided in planning and implementing this program; and

To Mr. Harvey Davis, Executive Director of the Texas Soil and Water Conservation Board, and to the Chairmen and Members of the District Soil and Water Conservation Boards, located in the various areas in which University Lands are situated, for their cooperation which has greatly facilitated the financing of the individual conservation programs which have been developed.

9. RECOMMENDATION RE AMENDMENT TO WATER CONTRACT NO. 55, CITY OF CRANE.--The following recommendation was made for consideration by the Regents at the meeting of March 12, 1971:

"8. . . .As of August 1, 1952, a water lease was granted to the City of Crane, Texas, covering 7,520 acres, more or less, in Block 31, University Lands, Crane County, Texas. Thereafter, in December of 1958, 4,480 acres were released from the terms of subject contract leaving 3,040 acres subject to it at this time. The City of Crane has requested an amendment to the contract whereby an additional 800 acres out of Sections 8, 9, 15 and 23 all in Block 31 would likewise be released from the contract. The city has now requested an amendment to the contract which would provide for minimum royalty payments, which are based on 10¢ per acre per month, to be computed on an annual basis rather than monthly, so as to provide the City with more flexibility in the handling of peak loads. While the proposed amendment might conceivably reduce the University's income by a slight amount, it is nevertheless the recommendation of the Associate Deputy Chancellor for Investment, Trusts and Lands joined by the Geologist-in-Charge that the application be granted."

Action on the recommendation was deferred pending the making of a report on all water contracts on University Lands, which report has been submitted for consideration at this meeting.

A comparison of rates under the various existing municipal contracts indicates the following:

	Base Rate Per M Gallons	Approx. 1970 Rate (Giving effect to minimums and variables)
Crane	7¢ to 10¢	8¢
Andrews	3¢	3¢
Midland	4-3/8¢	6-1/4¢
Colo. River Mun. Water Dist.	3-1/2¢	None Taken
Horizon Corp.	3-1/2¢	" "

The recommendation that the proposed amendment be approved is reiterated.

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

10. REPORT REGARDING STATUS OF WATER AND WATER CONTRACTS WITH RESPECT TO UNIVERSITY LANDS.--At the meeting of the Regents on March 12, 1971, a report regarding the status of water and water contracts with respect to University Lands was requested. The following report prepared by Mr. Zimmerman, Geologist in Charge is respectfully submitted.

Water

Water is University Lands' second largest revenue-producing mineral. Water revenues, which amounted to about \$160,000 last year, will probably be more than \$200,000 in 1971.

The Midland office has a great deal of water information, and maintains a set of subsurface water maps. We also have copies of all work done on University Lands by the cities, oil companies, and other interested parties. All water encountered in geophysical shot-holes is posted to maps. In addition, there is cooperation on water with the Texas Water Development Board and the United States Geological Survey.

Oil field operations offer the threat of contamination to our groundwater reserves, but the oil companies have always proven cooperative in adopting preventative measures. There is some pollution from contamination which happened in the early days before either the industry or the University paid any attention to water. Responsibility for water on University Lands was turned over to the geologists in 1963. At our urging, the Railroad Commission has eliminated salt water disposal pits in nearly all areas where any danger of pollution exists. Since the reserves of water on University Lands are relatively small, future income from water will probably be less than two percent of the future income from oil and gas.

In 1957, the Board of Regents adopted a water policy wherein first consideration was to be given to the needs of municipalities in the area after reasonable reserves were made for grazing and mineral lessees. A copy of that policy is attached. Because of the age of the policy, this office no longer considers it as representative of the thinking of the present Board and instructs municipalities that each proposal must stand on its own merits.

Adoption of the water policy was as much in the interest of the University as of the cities. The number one use for water in West Texas is for irrigation. A farmer, however, cannot afford to pay more than one or two cents per 1,000 gallons for water. On the five major municipal water contracts in force, the royalty rate ranges from 3 cents to 6.25 cents per 1,000 gallons. Contract No. 55 with the City of Crane carries a sliding scale royalty beginning at 10 cents per 1,000 gallons, but they take only small volumes of water and many times pay only the minimum cost which is based on 10 cents per acre. Revenues from municipal contracts were about \$100,000 last year, and should increase considerably in 1971 when the Colorado River Municipal Water District begins taking water in June.



Over \$40,000 per year is received from industry for potable water used in plant and refinery operations. There are 18 industrial potable contracts in force. See attached tabulation. The royalty rate for industry is 10 cents per 1,000 gallons.

Prior to 1958, industrial potable water contracts were let by the Board of Regents with terms that normally ran for 25 years. One contract was negotiated in 1953 for 35 years. Beginning in 1961, the maximum term was cut to ten years and an annual rental was added for a small surface lease. If a company drills its water wells on a surface lease which it has for a plant site or for any other use, then no rental is included in the contract. Beginning in 1969, the present policy for industrial potable contracts was adopted which is: a royalty of 10 cents per 1,000 gallons, a maximum term of 5 years, a minimum rental of \$100.00 per year, and a minimum royalty of \$200.00 per year. The adoptions of the shorter terms in recent years means that out of the 18 industrial potable contracts in force, 12 will expire by 1975 and 15 will expire in the 1970s.

We do negotiate "one shot" contracts for use in road construction or drilling wells off University Lands, where water is needed immediately for a short period of time. Ordinarily, we get \$250.00 for water for drilling a shallow well (less than 10,000 feet) and \$500.00 for water for the drilling of a deep well. Generally speaking, on "one shot" contracts, we get as much as possible without losing the revenue to private lands. In many instances the "one shot" contract amounts to more than \$1.00 per thousand gallons for the water used. The University allows an oil and gas lessee free use of potable water for drilling purposes if any water is available.

The University does not allow the use of potable water for waterflooding purposes. The Board of Regents, however, does approve the use of non-potable water free of charge. The free non-potable contracts limit lessee to water containing more than 2500 parts per million total solids and to depths below the top of the Permian Formation. There are 15 non-potable contracts in force under more than 30,000 acres.

Statement of Policy Adopted by the Board of Regents of The  
University of Texas on May 4, 1957, Regarding  
Ground-Water on University Lands

As recommended by the Land and Investment Committee, the Board of Regents adopted the following statements of policy regarding ground-water on University Lands:

(1) After reasonable reserves for its grazing lessees and mineral lessees, the University, in dealing with the ground-water resources on University Lands, will give first consideration to the present and prospective needs of municipalities in the area.

(2) The University will not, until the need may be greater than at present, contract for extensive ground-water surveys of University Lands but will continue its cooperation with municipalities, government agencies and private consultants in affording access to University Lands data and to the premises being surveyed.

(3) Any municipality wishing to enter into a contract for production of water from University Lands should apply for a water exploration permit covering the area in which it is interested and obligate itself to arrange for a satisfactory ground-water survey by a recognized agency or consultant, approved by the University, with all data to be furnished the University. The holder of such exploration permit will have prior right to negotiate, after the data have been furnished, with the University for a water lease or contract on all or part of the area covered by the permit to the extent of the holder's needs in the foreseeable future. No charge will be made to municipalities for water exploration permits.

INDUSTRIAL POTABLE WATER CONTRACTS

<u>Effective Date</u>	<u>Term</u>	<u>Company</u>	<u>County</u>	<u>Acres</u>	<u>Rentals Last Year</u>	<u>Royalties Last Year</u>	
9/1/48 .....	10 yr. primary term; not to exceed 25 yrs.	Gulf Oil Corporation	Crane	4,447.59	----	\$15,539.72	
4/22/49 .....	10 yr. primary term; not to exceed 25 yrs.	Humble Oil & Refining Company	Andrews	142.30	----	302.01	
7/22/49 .....	25 yrs.	Atlantic Richfield Company	Crane	1,760.00	----	2,481.35	
7/22/49 .....	25 yrs.	Atlantic Richfield Company	Crane	640.00	----	6,797.37	
7/15/50 .....	25 yrs.	Atlantic Richfield Company	Crane	1,600.00	----	1,920.00	
6/18/52 .....	10 yr. primary term; not to exceed 25 yrs.	El Paso Natural Gas Company	Crane	1,920.00	----	2,680.23	
10/1/52 .....	25 yrs.	El Paso Natural Gas Company	Crockett	20.47	----	1,835.88	
3/25/53 .....	10 yr. primary term; not to exceed 35 yrs.	Amoco Production Company	Andrews	5,324.70	----	6,389.64	
4/1/57 .....	24 yrs.	El Paso Natural Gas Company	Andrews	334.49	----	473.16	
4/1/61 .....	10 yrs.	Sinclair Oil & Gas Company	Crockett	5.00	\$ 50.00	-----	
5/1/61 .....	10 yrs.	Gulf Oil Corporation	Crane	5.00	50.00	-----	
10/1/61 .....	productive life	Mansell Brine Sales	Crane	3.00	----	157.20	
8/1/63 .....	10 yrs.	Phillips Petroleum Company	Andrews	5.00	100.00	307.60	
8/1/65 .....	8 yrs.	Northern Natural Gas Company	Pecos	2.07	50.00	200.00	
1/1/66 .....	9 yrs.	Marathon Oil Company	Reagan	10.00	----	792.65	
7/1/66 .....	10 yrs.	Atlantic Richfield Co., Champlin, Continental, and Drilling Specialists	Crane	320.00	100.00	2,272.20	
9/1/69 .....	5 yrs.	Lo-Vaca Gathering Company	Ward	0.02	----	200.00	
6/9/70 .....	3 yrs., 2 mo., 22 days	Mansell Brine Sales	Crane	2.41	----	1,091.92	
				<b>TOTALS</b>	16,542.05	\$350.00	\$43,440.93

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MUNICIPAL POTABLE WATER CONTRACTS

<u>Contract Number</u>	<u>Effective Date</u>	<u>Term</u>	<u>Lessee</u>	<u>County</u>	<u>Acres</u>	<u>Rentals Last Year</u>	<u>Royalties Last Year</u>
55	8/1/52	27 yrs . . . . .	City of Crane	Crane	3,040	----	\$ 5,234.98
70	8/1/58	50 yrs . . . . .	City of Midland	Andrews & Martin	27,513	\$ 2,063.51	48,822.31
71	1/1/60	50 yrs . . . . .	City of Andrews	Andrews	9,306	697.50	15,274.91
117	6/1/66	year-to-year with 6 mo. cancellation clause.	City of Pyote	Ward	40	-----	3,516.72
122	5/15/69	10 yrs.; option to renew for four 10-yr. periods.	Colorado River Municipal Water Dist.	Ward	11,553	23,105.60	-----
89	3/5/70	10 yrs.; option to renew for two 10-yr. periods.	Horizon Corporation	El Paso	4,734	6,000.00	-----
TOTALS					56,186	\$31,866.61	\$72,848.92

CONSIDERATION

<u>Contract Number</u>	
55	<u>Royalty:</u> First 5,000,000 gallons - 10¢ per 1,000 gal.; next 2,000,000 gallons - 9¢ per 1,000 gal.; next 3,000,000 gallons - 8¢ per 1,000 gal.; over 10,000,000 gallons - 7¢ per 1,000 gal. Minimum royalty to be no less than 10¢ per acre per month. Monthly royalty rate for 1970 ranged from the minimum of 10¢ per acre to 8¢ per 1,000 gallons.
70	<u>Royalty:</u> 4.375¢ per 1,000 gal. or 12.5% of current commercial rate. Now paying 6.250¢ per 1,000 gallons, based on a current commercial rate of 50¢ per 1,000 gallons. Minimum royalty payment of \$40,000 per year. <u>Rental:</u> (1) If annual royalty is less than \$80,000 - 10¢ per acre for 75% of total acreage. (2) If annual royalty is over \$80,000 but less than \$120,000 - 10¢ per acre for 50% of acreage. (3) If annual royalty is over \$120,000 but less than \$160,000 - 10¢ per acre for 25% of acreage. (4) If annual royalty is over \$160,000 - no rental. In 1970, a rental of \$2,063.51 was paid because the annual royalty was less than \$80,000.

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Contract  
Number

- 71 Royalty: 3¢ per 1,000 gal. or 12.5% of current commercial rate. Minimum annual royalty of \$10,000. Current royalty rate is 3¢ per 1,000 gallons.  
Rental: (1) If annual royalty is less than \$20,000 - 10¢ per acre for 75% of total acreage. (2) If annual royalty is more than \$20,000 but less than \$30,000, rental of 10¢ per acre for 50% of total acreage covered by the lease. (3) When annual royalty is over \$30,000 but less than \$40,000, rental of 10 cents per acre for 25% of total acreage covered by lease; or (4) When annual royalty is over \$40,000, no annual rental is due.
- 117 Royalty: 3-1/2¢/1,000 gal.; 4¢/1,000 gal. to be paid by Lessee into Joint Repair Fund. (As of 1/5/71, this Fund contained \$10,044.48.) These rates were set by the Amendment to the contract which became effective 6/1/67. The original royalty was 14¢/1,000 gallons or 1/2 of the sales price, with Lessee and Lessor each putting 2¢/1,000 gallons into the Joint Repair Fund.
- 122 Rental and Royalty:  
Original 10-year term  
 1st yr. - 25¢ per acre or 3-1/2¢ per 1,000 gallons for all water produced, whichever is the greater.  
 2nd yr. through 10th yr. - the greatest of the following: (A) \$2.00 per acre, (B) \$20,000.00, (C) 3-1/2¢ per 1,000 gallons for all water produced.
- First 10-year renewal - the greatest of the following: (A) \$2.25 per acre, (B) \$25,000.00, (C) 4¢ per 1,000 gallons for all water produced, (D) the original rate of 3-1/2¢ per 1,000 gallons for all water produced, adjusted for the cost of living increase or decrease as explained below.
- Second 10-year renewal - the greatest of the following: (A) \$2.25 per acre, (B) \$25,000.00, (C) 4-1/2¢ per 1,000 gallons for all water produced, (D) the original rate of 3-1/2¢ per 1,000 gallons for all water produced, adjusted for the cost of living increase or decrease as explained below.
- Third 10-year renewal - the greatest of the following: (A) \$2.25 per acre, (B) \$25,000.00, (C) 5¢ per 1,000 gallons for all water produced, (D) the original rate of 3-1/2¢ per 1,000 gallons for all water produced, adjusted for the cost of living increase or decrease as explained below.

Contract  
Number

122 Rental and Royalty: (Continued)

Fourth 10-year renewal - the greatest of the following: (A) \$2.25 per acre, (B) \$25,000.00, (C) 5-1/2¢ per 1,000 gallons for all water produced, (D) the original rate of 3-1/2¢ per 1,000 gallons for all water produced, adjusted for the cost of living increase or decrease as explained below.

NOTE: (1) "Adjusted for the cost of living increase or decrease" means that if the provision containing this phrase becomes applicable, the payments to Lessor shall be adjusted at the end of each 10-year period for the next succeeding 10-year period by being increased or decreased in the same proportion or percentage by which the price index has been increased or decreased. Reference is made to The Consumer Price Index of the United States Department of Labor, Bureau of Labor Statistics, for the month of August 1967; the subgroup "Fuel and Utilities" (Table 1) is attached to the contract as an exhibit.

(2) The University reserves the right to terminate the contract at the end of any 10-year period, and to purchase lessee's business operated under the lease and all property used in connection therewith upon paying the lessor his amortized cost of the lease and properties.

89 Rental and Royalty:

First 5 years - the greatest of the following: (A) \$6,000.00 per year, (B) 12.5% of the wholesale rate, (C) 3-1/2¢ per 1,000 gallons for all water produced.

Second 5 years - the greatest of the following: (A) \$10,000.00 per year, (B) 12.5% of the wholesale rate, (C) 4¢ per 1,000 gallons for all water produced.

First 10-year renewal - the greatest of the following: (A) \$20,000.00 per year, (B) 12.5% of the wholesale rate, (C) 4-1/2¢ per 1,000 gallons for all water produced, (D) the original rate of 3-1/2¢ per 1,000 gallons for all water produced, adjusted for the cost of living increase or decrease as explained below.

Contract  
Number

89      Rental and Royalty: (Continued)

Second 10-year renewal - the greatest of the following: (A) \$25,000.00 per year, (B) 12.5% of the wholesale rate, (C) 5¢ per 1,000 gallons for all water produced, (D) the original rate of 3-1/2¢ per 1,000 gallons for all water produced, adjusted for the cost of living increase or decrease as explained below.

- NOTE: (1)"Adjusted for the cost of living increase or decrease" means that if the provision containing this phrase becomes applicable, the payments to Lessor shall be adjusted at the end of each 10-year period for the next succeeding 10-year period by being increased or decreased in the same proportion or percentage by which the price index has been increased or decreased. Reference is made to The Consumer Price Index of the United States Department of Labor, Bureau of Labor Statistics, for the month of December 1969, and a copy of Table I of the Index containing the subgroup "Fuel and Utilities" is attached as an exhibit.
- (2)The University reserves the right to terminate the contract at the end of the original term, or any ten year extension thereof, and acquire lessee's business operated under the lease and all property used in connection therewith upon paying lessee his amortized cost of the lease and properties .

PERMANENT UNIVERSITY FUND - BOND MATTERS.--

10a. PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1971 - RECOMMENDATION FOR SALE OF ISSUE, APPROVAL OF BOND COUNSEL AND ESTABLISHMENT OF AN ACCOUNT FOR MISCELLANEOUS COSTS.--It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands that Permanent University Fund Bonds, New Series 1971, be issued in the amount of \$9,000,000. that the firm of McCall, Parkhurst and Horton be named as bond counsel; and that the Associate Deputy Chancellor for Investments, Trusts and Lands be authorized to advertise for bids for the sale of the bonds, paying agency and printing. It is recommended that bids be invited for June 3, 1971, for submission to the Board of Regents at its meeting scheduled for June 4, 1971. Since Texas A&M University is also planning to sell bonds some discussion with their officials has been had regarding the coordination of our efforts. They have indicated to us that the proposed date would be satisfactory.

It is further recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands that an account be established in the amount of \$10,000. for Miscellaneous Costs - Permanent University Fund Bonds, New Series 1971, for the purpose of paying bond counsel fees, printing of the bonds, postage and other costs of the issue, same to be paid out of bond proceeds.



TRUST AND SPECIAL FUNDS - GIFT, BEQUEST AND ESTATE MATTERS.--

11. U. T. EL PASO - RECOMMENDATION RE APPOINTMENT OF SUCCESSOR TRUSTEE FOR THE YSLETA VOLUNTEER FIRE DEPARTMENT SCHOLARSHIP FUND.-- At the time that the Ysleta Volunteer Fire Department was active, it created by trust instrument dated in September 1960, a trust fund to provide scholarships for graduates of Ysleta High School. The Department is no longer active and the present trustees would like to be relieved of the details of handling said Fund. As provided in the Trust Agreement, the present trustees propose to resign and appoint the Board of Regents of The University of Texas System as Successor Trustees. The present assets of the Fund consists of cash and mutual fund shares of the approximate value of \$14,500.

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands and the administrative officials of The University of Texas at El Paso that the Board of Regents of The University of Texas System accept its appointment as Successor Trustee and that such action as may be necessary to accomplish this purpose be authorized.

*Chairman to sign*

TRUST AND SPECIAL FUNDS - REAL ESTATE MATTERS.--

12. CONSIDERATION OF POSSIBLE SALE OF JOSEPHINE FOX ESTATE PROPERTY IN EL PASO.--Mrs. Josephine Fox, who died in May of 1970, left the residue of her estate, valued at approximately \$3,000,000. to the Board of Regents for the use and benefit of UTEP. The estate is being administered by the El Paso National Bank, as Independent Executor. In conferences with the Executor and others it appears that there is a strong possibility that an attractive offer will be received for property located at 110-22 South Mesa Avenue and 303-05 Overland Street, El Paso, Texas, which was appraised at \$255,000. The Associate Deputy Chancellor for Investments, Trusts and Lands requests permission to submit such offer for consideration if it is in hand before the date of the meeting.

OTHER MATTERS.--

13. REPORT OF SECURITIES TRANSACTIONS FOR PERMANENT UNIVERSITY FUND AND FOR TRUST AND SPECIAL FUNDS FOR THE MONTH OF JANUARY 1971.--The reports of securities transactions for the Permanent University Fund and for Trust and Special Funds for January 1971 were mailed to the members of the Board of Regents on April 2, 1971. The results of the mail ballots will be reported by the Secretary at the meeting of the Land and Investment Committee.

*Handwritten signature*

TRUST AND SPECIAL FUNDS - REAL ESTATE MATTERS.--

U.T. EL PASO - JOSEPHINE CLARDY FOX ESTATE - RECOMMENDATION OF SALE TO LOUIS ROSENBAUM ON THE FOLLOWING PROPERTY - Portion of Block 24, Mills Map Addition to City of El Paso, known as 110-22 South Mesa Avenue and 303-05 East Overland Street. The El Paso National Bank as Independent Executor of the Estate of Josephine Clardy Fox Estate has submitted the following offers on the above described property:

First Offer:

Sales Price	\$350,000.00
Down Payment	100,000.00
Financing by seller	<u>\$250,000.00</u>

(180 monthly payments of \$2,217.63  
- Interest Rate 7-1/2%)

Purchaser - Herman Hecker - tenant at 120 So. Mesa  
Agent - Rogers & Belding  
Agents Commission - 6%  
Closing - By 7-15-71 with seller to furnish Title Policy

Second Offer:

Sales Price	\$475,000.00
Down Payment	50,000.00
Financing by seller	<u>\$425,000.00</u>
Principal payment due in 12 months	25,000.00
	<u>\$400,000.00</u>

119 monthly payments of \$3,346.00  
@ 8% interest

Balance due on 120th payment - approx.	<u>\$275,000.000</u>
--	----------------------

Purchaser - Louis Rosenbaum  
(Bank estimates his net worth at \$500,000.00)  
Agent - Joe K. Foster  
Agents Commission - 7%  
Closing - By 6-1-71 - seller to furnish Title Policy

Property Information:

Appraised as of October 31, 1970	\$255,000.00
Appraiser - William W. Browning, Jr., M.A.I.	
Current annual gross income	\$ 28,680.00
Estimated annual expenses as tax-exempt	3,447.00
Current annual net income	<u>\$ 25,233.00</u>
Annual ad valorem taxes	4,200.00

Present occupancy - 100% - 7 tenants  
Current leases - expire from 6-30-71 to 1-31-74  
Options to renew - one tenant has 2 year option to 4-30-74

The El Paso National Bank and the Associate Deputy Chancellor for Investments, Trusts and Lands recommend approval of the offer by Louis Rosenbaum for \$475,000.00 and that authority be granted for the appropriate University officials to join with El Paso National Bank in executing the necessary instruments.

TRUST AND SPECIAL FUNDS - FOUNDATION MATTERS.--

14. WINEDALE STAGECOACH INN FUND - RECOMMENDATION TO REGENTS AS TRUSTEES FOR ACCEPTANCE OF GIFT FROM VARNER-BAYOU BEND HERITAGE FUND.--Since earlier reports to the Regents as Trustees of the Winedale Stagecoach Inn Fund regarding a proposed gift from Varner-Bayou Bend Heritage Fund of Houston, which proposal was submitted by its Chairman and founder, Miss Ima Hogg, the Trustees of the Heritage Fund have approved the amended proposal worked out by Regent Josey with Miss Hogg and now request action by the Winedale Trustees as to acceptance of the gift.

The Heritage Fund, by supplement to the 1965 Trust Agreement between Miss Hogg and the Regents as Trustees setting up the Winedale endowment, proposes to give to the Winedale Fund \$100,000 in cash or certificates of deposit to be kept separately invested and the income used for programs, acquisitions and the like at Winedale. The Regents as Winedale Trustees would agree to use all reasonable efforts to match the annual income from the \$100,000 from sources other than the Hogg Foundation or the Winedale Fund, such income to be used the same as set out above. If in any year the income is not fully matched, the gift and any accumulated income would revert over to the Bayou Bend Trust. Calculation of annual income would be according to the University's fiscal year, and the Winedale Trustees would have a reasonable time, perhaps 3 months, after the close of the fiscal year to match that income. Associate Deputy Chancellor Shelton, also Secretary-Treasurer of the Winedale Fund, recommends that the Trustees accept this proposal and authorize President Peace to execute the appropriate instrument when approved by appropriate University staff members.

# **Committee of the Whole**

COMMITTEE OF THE WHOLE  
Chairman Peace, Presiding

Date: April 23, 1971

Time: Following the meeting of the Land and Investment Committee

Place: Main Building, Room 212  
U. T. Austin  
Austin, Texas

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I. SPECIAL ITEMS

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1. Regents' Rules and Regulations, Part One: Amendments to Chapter II (Advisory Council on Marine-Related Affairs and Advisory Council on Allied Health Programs). --

[ Secretary's Note: Please allow me to call to the attention of the newly confirmed Regents Section 4, Chapter IX of the Regents' Rules and Regulations, Part One which reads as follows:

4. Amendment of Rules and Regulations. --The rules and regulations contained herein may be added to or amended by a majority of all of the members of the Board of Regents at any regular meeting or at any special meeting called for that purpose; provided, however, that any proposed amendment to Part One of these rules and regulations must first be filed with the Secretary to the Board of Regents, in writing, and a copy thereof given to each member of the Board of Regents not less than thirty (30) days before the meeting at which it is adopted, or such proposed amendment to Part One must receive the required vote at two consecutive meetings of the Board of Regents. Amendments to Part Two of these rules and regulations can be made by a majority of all of the members of the Board of Regents at any regular meeting or at any special meeting called for that purpose.]

In view of the growing need for close cooperation in the development of marine-related programs and allied health programs and the need for a formal mechanism for System-wide planning in these areas, Chancellor LeMaistre recommends the creation of an Advisory Council on Marine-Related Affairs and an Advisory Council on Allied Health Programs by the addition of the following sections to the Regents' Rules and Regulations, Part One, Chapter II:

Sec. 6 Interinstitutional Programs

6.1 Advisory Council on Marine-Related Affairs.

6.11 The Council shall be chaired by the Vice-Chancellor for Academic Affairs, and membership shall consist of the Vice-Chancellor for Academic Affairs, the Vice-Chancellor for Health Affairs, and two persons from each of the following institutions appointed by the respective Chief Administrative Officers: U.T. Austin, Galveston Medical Branch, and U. T. Dallas. Additional U.T. System component institutions may be admitted to membership on the Council by the Chancellor upon demonstration that they have substantive and on-going programs in marine-related programs. The chairman shall call meetings of the Council as required.

6.12 The Council is charged with advising the Chancellor in the development of coordinated marine programs within the U.T. System institutions to maximize the efficient utilization of facilities, staff, and faculties and to serve most effectively the needs of students and the public. The Council will advise the Chancellor on marine affairs in the U.T. System including degree programs, research activities, and the construction and conversion of facilities related to the oceans and the coastal areas of Texas.

6.2 Advisory Council on Allied Health Programs.

6.21 The Council shall be chaired by the Vice-Chancellor for Health Affairs, and membership shall consist of the Vice-Chancellor for Health Affairs, the Vice-Chancellor for Academic Affairs, and one person from each of the following institutions appointed by the respective Chief Administrative Officers: U.T. Arlington, U.T. Austin, U.T. Dallas, U.T. El Paso, U.T. Permian Basin, U.T. San Antonio, Dallas Medical School, Galveston Medical Branch, Houston Dental Branch, Houston Medical School, Public Health School, San Antonio Dental School, San Antonio Medical School, System Nursing School. The Chancellor may add other component institutions to the Council as he deems appropriate. The chairman shall call meetings of the Council as required and may appoint such special study committees as are appropriate to the work of the Council.

6.22 The Council is charged with advising the Chancellor in the development of coordinated allied health programs within the U.T. System to maximize the efficient utilization of facilities, staff, and faculties and to provide for the health manpower needs of the State.

2. Regents' Rules and Regulations, Part One: Amendments to Chapter II and Chapter III (Change of Name of Institutional Supplement to Institutional Handbook of Operating Procedures). --

Since the Board of Regents has delegated to the Chancellor the authority to approve institutional procedures which elaborate upon or provide local adaptations to the Regents' Rules and Regulations, it is not appropriate to refer to such local procedures as institutional supplements in that they are not, in fact, part of the Rules and Regulations. After close consultation with the institutional heads, Chancellor LeMaistre recommends that such local procedures be referred to as the "institutional Handbook of Operating Procedures" and that Sections 3.11(13) and 4.21(9) of Chapter II, and Section 9.1 of Chapter III, Part One, of the Regents' Rules and Regulations be amended as follows to reflect this change:  
(Pages C of W - 4 - C of W - 5)

Amend Part One, Chapter II, Section 3.11(13), providing for the duties and responsibilities of the Chancellor, to read as follows:

3.11(13) Approve, after review of the Law Office and other administrative offices, all institutional Handbooks of Operating Procedures /INSTITUTIONAL SUPPLEMENTS/ and additions, deletions, and amendments thereto to insure that they are not in conflict with the provisions of the Regents' Rules and Regulations. The Chancellor shall transmit to the Secretary to the Board of Regents a copy of all additions or amendments to the institutional Handbooks of Operating Procedures. The Chancellor may refer to the Board of Regents for approval any procedures proposed for inclusion in or exclusion from an institutional Handbook of Operating Procedures relating to the Board's governance of the institution that he deems of sufficient importance for Board consideration.

Amend Part One, Chapter II, Section 4.21(9), providing for the duties and responsibilities of the Chief Administrative Officers, to read as follows:

4.21(9) Cause to be prepared and submitted to the Chancellor the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the Chancellor, they shall thereafter constitute the Handbook of Operating Procedures /"INSTITUTIONAL SUPPLEMENT"/ for that institution. Provided, however, that whether or not finally approved by the Chancellor, any rule or regulation in any such institutional Handbook of Operating Procedures /"INSTITUTIONAL SUPPLEMENT"/ that is in conflict with any rule or regulation in the Regents' Rules and Regulations, as now in effect, is null and void and has no effect, and whenever any such conflict is detected, the Chancellor and the Chief Administrative Officer of the component institution shall immediately make such amendments to the institutional Handbook of Operating Procedures /"INSTITUTIONAL SUPPLEMENT"/ as may be necessary to eliminate such conflict.

Amend Part One, Chapter III, Section 9.1, as set forth below and by adding the last four sentences:

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 /INSTITUTIONAL SUPPLEMENTS/; 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 of Regents.

3. Regents' Rules and Regulations, Part One: Amendment to Chapter V (Graduate Program Administrators). --

In view of the inconsistency between Section 5.1 of Chapter II and Section 5 of Chapter V, both in Part One of the Regents' Rules and Regulations, concerning the method of appointing graduate program administrators, Chancellor LeMaistre recommends that Section 5 of Chapter V be amended to read as follows:

Sec. 5. Graduate Program Administrators. Each component institution of The University of Texas System that offers a graduate program shall have a graduate program administrator. After consulting with an appropriate faculty committee /AND WITH THE APPROVAL OF THE CHANCELLOR AND THE BOARD OF REGENTS/, the Chief Administrative Officer /HEAD/ of the component institution shall recommend to the Chancellor /APPOINT/ the graduate program administrator, who, upon appointment by the Chancellor, shall report to the Chief Administrative Officer /HIM/.

*Takes away,  
Bds. Appoint*

5.1 The graduate administrator shall advise the Chief Administrative Officer /HEAD/ of the component institution on all matters of planning, policy, development, and administration relating to graduate studies and research. He shall keep the deans of the schools or colleges concerned fully informed on planning and development of the graduate program and shall consult with them on allocation of funds for teaching and research directly related to graduate instruction. The graduate administrator has the authority and responsibility to submit matters of major policy to the Graduate Assembly of his institution.

4. Regents' Rules and Regulations, Part Two: Amendments to Chapters VI, VII, VIII, IX, and X. -- System Administration proposes amendments to Chapters VI - X, inclusive, of Part Two of the Regents' Rules and Regulations as set out on Pages C of W - 6 - C of W - 27 :

- (1) Amend Chapter VI of Part Two of the Regents' Rules and Regulations to read as follows:

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 There are two types of members in the Teacher Retirement System:
  - 1.11 Teacher members - employees occupying positions as teachers, clerks, administrators, supervisors, and related occupations in educational institutions; and
  - 1.12 Auxiliary employees - all other employees of educational institutions otherwise eligible, such as building attendants, carpenters, etc.
- 1.2 All employees of The University of Texas System employed on a regular salaried basis are 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 persons eligible at those times who executed waivers within the period allowed by law and have not revoked such waiver if later permitted, and members of the Employees Retirement System about which information is given later.
- 1.3 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 percent [PER CENT] of their salary up to and including \$25,000 per year, with the maximum contribution of \$1,500 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. Within the provisions of the law, the State also contributes to the member's account.
- 1.4 The annuity payable at retirement is based on the salaries earned by the member. Annuity payments are based upon the average salary earned in the five [TEN] 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.

- 1.5 When a member leaves the employment of the public schools, colleges, or universities of Texas, he may withdraw the amount of his contribution, plus accumulated interest, upon application, or he may leave the funds at interest for not more than five out of six consecutive years during which period he 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 his accumulated contributions and has ten (10) or more years of creditable service, regardless of age, at or before the time he ceases to be employed in the public schools, colleges, or universities of Texas.
- 1.6 If a member dies before retirement, his 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.
- 1.7 Eligibility for retirement benefits is as follows:
  - 1.71 With ten years creditable service upon reaching age 65, member is entitled to retire with full benefits based on service rendered and salary earned. A teacher member is entitled to minimum benefits of \$75.00 per month. An auxiliary employee is entitled to minimum benefits of \$50.00 per month.
  - 1.72 With fifteen years creditable service upon reaching age 55, member is entitled to retire at reduced actuarial equivalent of benefit payable at age 65.
  - 1.73 With twenty years creditable service upon reaching age 60, member is entitled to retire with full benefits based on service rendered and salary earned. A teacher member is entitled to minimum benefits of \$100.00 per month. An auxiliary employee is entitled to minimum benefits of \$75.00 per month.
  - 1.74 With twenty [20] years creditable service upon reaching age 55 or with thirty [30] years creditable service at any age, member is entitled to retire at reduced actuarial equivalent of benefit payable at age 60.

- 1.8 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.
- 1.9 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.
- 1.10 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 as auxiliary employees. Annual membership dues in this system are \$2, which sum is deducted from the first monthly salary payment in a fiscal year. Contributions of employees are 5 percent [PER CENT] of the total salary earned, which is deducted from monthly salary payments.

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 Regents of The University of Texas 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 University of Texas 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 University of Texas 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-617 (1970)).
- 2.3 Effective Date of Participation
- 2.31 Eligible employees in The University of Texas 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 University of Texas 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 [90] 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, 1969, is 6 percent [PER CENT] of the salary ceiling of \$25,000 per year.

- 2.5 The Chancellor's Office of The University of Texas System will approve the companies authorized to offer an Optional Retirement Plan to eligible members of The University of Texas System. Eligible carriers will be approved [INDICATED] by the Chancellor's Office only after furnishing a letter of application that must include the following:
- 2.51 A statement that the company is qualified and admitted to do business in the State of Texas.
- 2.52 A statement that the annuity contracts to be offered by the company are in accordance with Chapter 729, Acts of the 60th Legislature, Regular Session, 1967 (Article 2922-1i, Vernon's Texas Civil Statutes), as amended by Chapter 235, Acts of the 61st Legislature, Regular Session, 1969, and the contract offered has the approval of the State Board of Insurance.
- 2.53 A statement that the company will observe The University of Texas System's Rules and Regulations regarding the retirement program.
- 2.54 A guarantee on the part of the company that the first year's State matching contribution (or fractional part thereof) will be refunded to The University of Texas System in the event the employee does not begin his second year of participation in the Optional Retirement Program.
- 2.55 A description of the company's procedure in allocating the State's first year matching contribution and an assurance that such procedure will enable the policy to retain its 403(b) tax deferred status during the first year of employee participation under a salary reduction agreement.
- 2.56 A statement that the company will comply with the provisions set out in the memorandum issued from Office of the Chancellor dated October 8, 1968, to Insurance and Annuity Companies in reference to the Optional Retirement Program.
- 2.57 A statement certifying that the company's contract to provide an annuity under The University of Texas System Optional Retirement Program does not contain a life insurance feature as referred to in A.G. Op. M-545 (1970).
- 2.58 The letter to be submitted by the company must be signed by either the President or General Counsel of the Company.
- 2.59 Specimen copies of all types of contracts to be offered by the carrier, both group and individual, must be submitted for approval with the letter of application.

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 University.

[2.7 BECAUSE OF THE ONE-YEAR VESTING CLAUSE IN THE LAW, THE STATE'S MATCHING CONTRIBUTION MUST BE RETURNED TO THE UNIVERSITY IF AN EMPLOYEE DOES NOT BEGIN A SECOND YEAR OF PARTICIPATION.]

2.7 [2.8] There can be only one change in Optional Retirement Program carriers per person, and such change may be made only on September 1st of each year.

2.8 [2.9] 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 A.G. Op. M-196 (1968) held that Section 7 of Article 2922-li, Vernon's Texas Civil Statutes, violates Section 48a of Article 3 of the Texas Constitution. As a result of this ruling, benefits cannot be paid under the Optional Retirement Program to any individual also receiving benefits payable under other State pension retirement funds or direct aid from the State of Texas.

2.10 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 University of Texas 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 of Regents, employees of The University of Texas System may purchase 403(b) Tax Deferred 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. This agreement is irrevocable for one year.

- 3.3 The Chief Business Officer or his delegate of each component institution in The University of Texas 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 deductions therefor.
- 3.4 The participation and purchase of 403(b) Tax Deferred Annuities shall be in accordance with Chapter 22, Acts of the 57th Legislature, 3rd Called Session, 1962 (Article 6228a-5, Vernon's Texas Civil Statutes) [SENATE BILL NUMBER 17, 57TH LEGISLATURE, THIRD CALLED SESSION, 1962], and shall be in accordance with the Internal Revenue Code and [IN] amendments thereto.
- 3.5 Additional information may be secured from the institutional business offices or the personnel offices.

[Section 3 was formerly allocated to Section 7 of this chapter and has been reallocated to this section without substantive change.]

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 University System subject to approval of [THE SYSTEM PERSONNEL DIRECTOR,] the Deputy Chancellor for Administration, the Chancellor, and the Board of Regents.
- 4.2 Any employee appointed at least one-half time on a monthly basis is eligible for coverage. The spouse of employees 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 January 1 of each year. The annual enrollment period will fall during the month of November preceding each anniversary date.
- 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 Hospital Benefits and Doctor Benefits portions of the contract, specified amounts are provided under the three plans for room and board allowance, benefit period, surgical benefits, and other specified items.

4.7 The Major Medical Supplement is on a graduated schedule under each of the three plans, with one basic deductible amount for all three plans (\$100).

4.8 An insurance continuation provision is available for employees who leave the employment of the University or who retire.

[4.2 THIS PLAN PROVIDES FOR A BASIC COVERAGE SUPPLEMENTED BY MAJOR MEDICAL COVERAGE.]

Sec. 5. Group Life Insurance.

5.1 The University of Texas System carries a master group life insurance policy, applicable to all component institutions, with the Aetna Life Insurance Company for "One Year Term Plan." Premiums are payable monthly in advance, by payroll deduction, increase for each person with each year of age, and are payable entirely by the individual. The program is optional but is available only to annual faculty and staff appointed at least one-half time; 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 [EQUAL TO THE NEXT HIGHEST THOUSAND DOLLARS ABOVE THE ANNUAL SALARY] with a maximum of \$50,000. 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 the 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 office. 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 the face amount of the policy in accordance with one of several options. 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 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 [TEN] 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.

[Section 5 was formerly allocated to Section 3 of this chapter and has been reallocated to this section with only the substantive change set out in Section 5.2.]

Sec. 6. Group Long Term Disability Income Insurance.

- 6.1 The University of Texas System carries a master group long term disability income insurance policy, covering all institutions, with the Aetna Life Insurance Company. Premiums are payable monthly in advance, 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 but is available only to faculty members with the rank of instructor or higher, or monthly salaried employees appointed at least one-half time. 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.
- 6.2 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 [\$2,500.00] per month. All premiums and benefits are payable 12 months per year.
- 6.3 The plan guarantees benefits of 65% of the monthly rate of pay up to maximum monthly benefits of \$2,708.58 [\$1,625.00] 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 [THEIR] component institution, or from any other employer, while he is [THEY ARE] eligible for income benefits from the plan. Also counted are any disability benefits payable under any law or under any plan sponsored by The University of Texas System.
- 6.4 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.

- 6.5 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.
- 6.6 Each policyholder receives a certificate issued by the company which is prepared and transmitted through the business office or personnel office.
- 6.7 The insurance of any employee under this policy shall terminate at the earliest time specified below:
- 6.71 Upon discontinuance of the policy;
- 6.72 At the end of a policy month during which the employee's employment with The University of Texas System in the classes eligible for the insurance terminates.
- 6.73 On the date the employee attains the age of 65 years.
- 6.8 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.

[Section 6 was formerly allocated to Section 8 of this chapter and has been reallocated to this section with only the substantive changes set out in Subsections 6.2 and 6.3.]

**Sec. 7. Group Accident Insurance.**

- 7.1 Group Accident Insurance was made available to faculty and staff members of The University of Texas 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 all faculty and staff members under age 70 appointed to 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.
- 7.2 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 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.

- 7.3 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.

[Section 7 was formerly allocated to Section 9 of this chapter and has been reallocated to this section without substantive change.]

Sec. 8. Social Security (Old Age and Survivors Insurance).

- 8.1 As an employer, The University of Texas 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.

[Section 8 was formerly allocated to Section 6 of this chapter and has been reallocated to this section without substantive change.]

Sec. 9. Workmen's Compensation Insurance.

- 9.1 The Workmen's 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 Supervisor of Workmen's Compensation Insurance, with the cooperation and assistance of other appropriate officials of The University of Texas 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 except:
- 9.31 Administrative staff, including officers of the administration;
  - 9.32 Teaching staff, research staff, clerical and office employees and supervisory staffs unless hazardous work is required, such as handling or working in close proximity with dangerous chemicals, materials, machinery, or equipment; working in a dangerous area; performing manual labor; traveling regularly, or being exposed to hazards of occupational disease; and
  - 9.33 Persons paid on a piece-work basis or any basis other than by the hour, day, week, month, or year.
- 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 and the employee covered by insurance 30 days after the application form is signed, upon taking the necessary physical examination and being certified as physically fit.
- 9.5 A physical examination by a designated physician is required for all persons to be covered, and before the individual's name can be placed on the payroll, the executed original of the examination form must be filed in the System Personnel Office. The Supervisor furnishes a list of physicians for these examinations that must be approved by the Board of Regents. The physician's fee is paid by the System Personnel Office for each examination. Persons who fail to pass the physical examination cannot be covered by the insurance. They may be employed only after signing a waiver of all rights.
- 9.6 A notice of coverage is signed by all employees who are covered, with the original filed in the Workmen's Compensation Insurance Division of the System Personnel Office before a name is placed on the payroll. All personnel forms and payrolls include pertinent information on Workmen's Compensation Insurance by a symbol or other notation.
- 9.7 The percentage of annual payroll, within the 2 percent mentioned in Subsection 9.1 [5.1] above, is approved by the Board of Regents, 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 Workmen's Compensation Insurance Fund.

- 9.8 Physicians are designated for treatment and care of injured employees upon recommendation of the Supervisor and approval of the System Personnel Director and are called for treatment when possible, though other competent physicians may be authorized for treatment at the request of the employee. Emergency treatment, however, may be provided by any available physician and at any hospital, including institutional health centers or hospitals. The insured employee and the physician in charge choose the hospital to be used, except as indicated for emergency treatment. The designated physician authorized to treat injured employees files a Surgeon's Report with the Supervisor when treatment is first given. Fees for services rendered should be reasonable and fair and commensurate with services performed. They are, by law, subject to control of the Industrial Accident Board.
- 9.9 The Supervisor of a covered employee who is injured during the course of employment must file a complete report with the Supervisor of the Workmen's 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.
- 9.10 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.
- 9.11 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.

- 9.12 The weekly compensation benefit for a covered employee injured in the course of his work is equal to 60 percent of the average weekly earnings for the 12 months immediately preceding injury, though not more than \$49 nor less than \$12 per week. Compensation to an employee on less than a full work day basis is not more than 60 percent of his average weekly earnings, with the same maximum of \$49. 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 an eye. In case of death, benefits are computed on the basis of 360 weeks from injury.
- 9.13 Payment for physical examinations, medical aid, hospitalization, and compensation is through the System Personnel Office.
- 9.14 The System Personnel Office shall issue an annual report through proper channels to the Chancellor and to the Secretary of the Board of Regents for the information of the members of the Board which shall include at least the following information: The names of all employees receiving workmen's compensation benefits during the preceding year, and for each such employee the number of separate incidents involving loss of time, the total working days lost, and the total compensation received; a list of physicians to whom payments were made and the totals paid to each.

[Section 9 was formerly allocated to Section 5 and has been reallocated to this section with only the substantive changes enumerated in congressional form.]

- (2) Amend Subsection 2.2 of Section 2 of Chapter VII of Part Two of the Regents' Rules and Regulations to read as follows:
- 2.2 Department heads are responsible for all University property in their care and for the taking of the inventory on the prescribed record forms. [THE REPORT IS PREPARED IN TRIPLICATE, ONE COPY BEING KEPT FOR DEPARTMENTAL FILES AND THE ORIGINAL AND ONE COPY FORWARDED TO THE BUSINESS OFFICE OR OTHER DESIGNATED OFFICE.]
- (3) Amend Subsection 3.2 of Section 3 of Chapter VII of Part Two of the Regents' Rules and Regulations to read as follows:



- 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 [WITH THE OFFICE OF THE INSTITUTIONAL HEAD] within ten days in a central location designated by the Chief Business Officer [AFTER USE OF THE VEHICLE].
- (4) Amend Subsection 3.5 of Section 3 of Chapter VII of Part Two of the Regents' Rules and Regulations to read as follows:
- 3.5 It shall be the obligation of the Chief Business Officer [CHIEF BUSINESS OFFICER] of each of the component institutions to see that all employees who are required to drive University-owned vehicles are fully informed of their personal responsibility and liability for their negligent operation.
- (5) Amend Subsections 4.1, 4.3, and 4.4 of Section 4 of Chapter VII of Part Two of the Regents' Rules and Regulations to read as follows:
- 4.1 The following types of insurance coverage, where practicable, shall be maintained on a System-wide basis:
- |  |                  |
|--|------------------|
| Fire and Extended Coverage Insurance     |                  |
| Boiler and Machinery Insurance           |                  |
| Blanket Position (Fidelity) Bond         | ]May be 1 policy |
| Money and Securities Insurance           |                  |
| <u>Motor Vehicle Liability Insurance</u> |                  |
| <u>on State Owned Vehicles</u>           |                  |
- 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 Deputy Chancellor for Administration or his delegate [SYSTEM COMPTROLLER] on an individual basis upon recommendation by the Chief Business Officer [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 Deputy Chancellor for Administration or his delegate [SYSTEM COMPTROLLER] shall be notified by the Chief Business Officer [APPROPRIATE BUSINESS OFFICER], and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 [SHALL BE APPROVED BY THE CHANCELLOR AS WELL AS BY THE COMPTROLLER, AND] shall be reported to the Board of Regents for ratification [AT THE NEXT MEETING]. Settlements in the amount of \$10,000 or more must have the [ADVANCE] approval of the Board of Regents.
- (6) Amend Subsection 5.1 of Section 5 of Chapter VII of Part Two of the Regents' Rules and Regulations to read as follows:
- Sec. 5. Keys to Buildings, Offices, Etc.
- 5.1 Keys to buildings, offices, and other facilities shall be issued to the employee upon authorization by his chairman or administrative official. The Chief Business Officer or his delegate [DIRECTOR OF PHYSICAL PLANT, OR SOME OTHER AUTHORIZED PERSON,] shall have immediate responsibility for handling keys and he shall issue instructions and outline procedures as approved by the Chief Business Officer [BUSINESS OFFICERS] and the Chief Administrative Officer [INSTITUTIONAL HEADS].

(7) Amend Section 6 of Chapter VII of Part Two of the Regents' Rules and Regulations to read as follows:

Sec. 6. 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 [INSTITUTIONAL BUSINESS OFFICER, OR OTHER AUTHORIZED PERSON DESIGNATED BY THE INSTITUTIONAL HEAD].

(8) Amend Section 7 of Chapter VII of Part Two of the Regents' Rules and Regulations to read as follows:

Sec. 7. Police [WATCHMEN] and Security Officers.

7.1 Police [WATCHMEN] and other security officers are employed at the component institutions to protect and safeguard the property of the institution.

7.2 Employees will cooperate in the security program by exercising caution to safeguard the equipment and supplies in their offices.

(9) Amend Sections 8, 9, and 10 of Chapter VII of Part Two of the Regents' Rules and Regulations, and delete Section 11 to read as follows:

Sec. 8. Telephones.--The Director of Physical Plant, or the Chief Business Officer [INSTITUTIONAL 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. 9. Disposal of Property of The University of Texas System.

9.1 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 [INSTITUTIONAL CHIEF BUSINESS OFFICER]. Upon receipt of such report, it shall be the responsibility of the Chief Business Officer [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.

9.2 If the Chief Business Officer [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.

9.3 For items of little value or limited use where sale on competitive bids is not practicable, the Chief Business Officer [BUSINESS OFFICER] shall have the authority to dispose of the property on the basis of a negotiated bid in amounts under \$1,000 [\$1,000.00].

9.4 Sale of property estimated to bring \$1,000 [\$1,000.00] or more shall be made on a basis of competitive bids.

9.5 Sales in amount of \$5,000 [\$2,000.00] or more shall be approved in advance by the Deputy Chancellor for Administration and ratified by the Board of Regents through the institutional docket [BOARD OF REGENTS].

Sec. 10. 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 [INSTITUTIONAL BUSINESS OFFICERS] concerned and shall be reported to the Chief Administrative Officer [EXECUTIVE HEADS]. The Chief Business Officer or his delegate [PURCHASING AGENTS] shall advise departments and administrative offices as to the procedure to be followed in disposing of or acquiring property by this means.

[SEC. 11. CERTAIN SPECIAL PROVISIONS IN CURRENT APPROPRIATION BILL.  
--THE RULES AND REGULATIONS OF THE BOARD OF REGENTS ARE SUBJECT TO AND SHALL COMPLY WITH THE PROVISIONS APPEARING IN THE CURRENT APPROPRIATION BILL, INCLUDING THE FOLLOWING:

11.1 PROHIBITION AGAINST ADDITIONAL MUSEUMS.--"NONE OF THE MONEYS APPROPRIATED IN THIS ARTICLE, EXCEPT BEQUESTS AND GIFTS, MAY BE USED FOR ESTABLISHING ADDITIONAL MUSEUMS OR FOR THE MAINTENANCE AND OPERATION OF MUSEUMS UNLESS THE LANGUAGE OF THIS ACT OR OF OTHER ACTS AND RESOLUTIONS OF THE LEGISLATURE SPECIFICALLY AUTHORIZES SUCH USE OF APPROPRIATED FUNDS.

11.2 TV STATIONS PROHIBITED.--"NONE OF THE MONEYS APPROPRIATED IN THIS ARTICLE MAY BE EXPENDED FOR THE ACQUISITION, CONSTRUCTION, OR OPERATION OF TELEVISION TRANSMITTER STATIONS; PROVIDED, HOWEVER, THAT THIS PROHIBITION SHALL NOT BE CONSTRUED SO AS TO PREVENT THE MEDICAL SCHOOLS, DENTAL SCHOOL, GENERAL ACADEMIC INSTITUTIONS OR OTHER AGENCIES OF HIGHER EDUCATION NAMED IN THIS ARTICLE FROM USING CLOSED-CIRCUIT TELEVISION FOR PURELY INSTRUCTIONAL PURPOSES, OR TO PREVENT GENERAL ACADEMIC TEACHING INSTITUTIONS WITH EXISTING TRANSMITTER STATIONS TO USE SAME FOR EDUCATIONAL PURPOSES, OR TO PREVENT THE CONTINUANCE OF OPERATING ARRANGEMENT WITH EXISTING TRANSMITTER STATIONS FOR PURELY EDUCATIONAL PURPOSES."

11.3 PRESIDENTS' HOMES.--"NO FUNDS APPROPRIATED BY THIS ACT MAY BE USED FOR THE PURPOSE OF CONSTRUCTING A HOME FOR A PRESIDENT OF ANY OF THE GENERAL ACADEMIC TEACHING INSTITUTIONS NAMED HEREIN, WITHOUT OBTAINING THE APPROVAL OF THE GOVERNOR PRIOR TO OBLIGATING ANY FUNDS FOR THIS PURPOSE; PROVIDED, HOWEVER, THAT COPIES OF SUCH REQUEST FOR THE GOVERNOR'S APPROVAL ...SHALL BE FILED WITH THE LEGISLATIVE BUDGET BOARD."

11.4 USE OF EDUCATIONAL AND GENERAL FUNDS FOR ALUMNI ACTIVITIES PROHIBITED.--"NONE OF THE FUNDS APPROPRIATED BY THIS ARTICLE MAY BE EXPENDED BY STATE AGENCIES OF HIGHER EDUCATION FOR THE SUPPORT OR MAINTENANCE OF ALUMNI ORGANIZATIONS OR ACTIVITIES."

11.5 VENDING MACHINES AUTHORIZED.--"...VENDING MACHINES MAY BE PLACED ON STATE-OWNED PROPERTY OR IN STATE-OWNED BUILDINGS ONLY WITH THE APPROVAL OF THE GOVERNING BOARD AND SUCH APPROVAL SHALL BE RECORDED IN THE MINUTES OF THE BODY. A COPY OF THE CONTRACT SHALL BE FILED WITH THE STATE BOARD OF CONTROL SHOWING THE LOCATION WITHIN THE AGENCY AND THE TERMS OF THE CONTRACT. PROCEEDS, NET REVENUE, RENTALS, OR COMMISSIONS RECEIVED SHALL BE ACCOUNTED FOR AS STATE REVENUE AND THE AMOUNT SO COLLECTED IS HEREBY APPROPRIATED TO THE INSTITUTION FOR USE AS DIRECTED BY THE BOARD AUTHORIZING THE INSTALLATION."

11.6 PAY STATION TELEPHONES AUTHORIZED.--"PAY TELEPHONES MAY BE LOCATED IN STATE-OWNED BUILDINGS OR ON STATE-OWNED LAND ONLY WITH THE APPROVAL OF THE GOVERNING BOARD AND THE NET PROCEEDS SHALL BE COLLECTED AND ACCOUNTED FOR AS STATE REVENUE AND THE AMOUNT SO COLLECTED IS HEREBY APPROPRIATED FOR USE BY THE AGENCY AS DETERMINED BY THE GOVERNING BOARD."]

(10) Amend the heading of Section 1 and Subsection 1.1 of Section 1 of Chapter VIII of Part Two of the Regents' Rules and Regulations to read as follows:

Sec. 1. New Building Construction Exceeding the Amount of \$5,000 Per Project.

1.1 After the Board of Regents approves the construction of new buildings [FACILITIES], 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 [INSTITUTIONAL HEAD].

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 [INSTITUTIONAL HEAD], the Deputy Chancellor for Administration, or his delegate, and the project architect.

1.13 New projects shall be submitted to the Board of Regents for approval, including proposed funding, upon recommendation of the Chief Administrative Officer [INSTITUTIONAL HEAD], the Deputy Chancellor for Administration, or his delegate, and the Chancellor.

(11) Amend Subdivision 1.22 of Subsection 1.2 of Section 1 of Chapter VIII of Part Two of the Regents' Rules and Regulations to read as follows:

1.22 The Chief Administrative Officer [INSTITUTIONAL HEAD] may appoint according to the Institutional Handbook of Operating Procedure [SUPPLEMENT] 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.

- (12) Amend Section 2 of Chapter VIII of Part Two of the Regents' Rules and Regulations to read as follows:

Sec. 2. New Building Construction Involving Less Than \$5,000 Per Project.

New construction that involves a total expenditure of \$5,000 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 [CHIEF BUSINESS OFFICER], and the Chief Administrative Officer [EXECUTIVE HEAD] of the institution involved. [THIS SHALL NOT INCLUDE AUTHORITY, HOWEVER, TO ENGAGE OUTSIDE ARCHITECTS OR ENGINEERS, AS SUCH EMPLOYMENT MUST HAVE THE PRIOR APPROVAL OF THE BOARD OF REGENTS.]

- (13) Amend Section 3 of Chapter VIII of Part Two of the Regents' Rules and Regulations to read as follows:

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 \$50,000 per project shall be made under the supervision of the Director of Physical Plant and the Chief Business Officer [CHIEF BUSINESS OFFICER] at the component institutions, with the approval of the Chief Administrative Officer [INSTITUTIONAL HEAD], provided that necessary funds have been approved through proper procedure.

- (14) Amend Section 4 of Chapter VIII of Part Two of the Regents' Rules and Regulations to read as follows:

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 \$50,000 or more shall be deemed a construction [MAJOR REPAIR OR REMODELING] project.

4.2 Unless otherwise approved by the Board of Regents, the procedures and regulations pertaining to new building construction shall apply to construction [MAJOR REPAIR AND REMODELING] projects.

- (15) Amend Chapter VIII of Part Two of the Regents' Rules and Regulations by adding a new Section 5 and renumbering appropriately the remaining sections:

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 \$3,000 with the approval of the Deputy Chancellor for Administration on recommendation of the Chief Business Officer.

- (16) Amend Section 7 of Chapter VIII of Part Two of the Regents' Rules and Regulations to read as follows:

Sec. 7. Institutional Building Advisory Committees.

- 7.1 At each of the component institutions there shall be an institutional building advisory committee.
- 7.2 The committee shall be appointed by the Chief Administrative Officer [INSTITUTIONAL HEAD] in the same manner as other institution-wide committees are appointed.
- 7.3 The composition of the institutional building advisory committee shall be set forth in the Institutional Handbook of Operating Procedure [SUPPLEMENT] of each component institution.
- 7.4 The Deputy Chancellor for Administration, or his delegate, and the Chief Business Officer [CHIEF BUSINESS OFFICER] of the institution shall be ex officio members of such committees.

- (17) Amend the caption to Section 1 of Chapter IX of Part Two of the Regents' Rules and Regulations to read as follows:

Sec. 1. Authorizations re Sales, Assignments, Conveyances, Receipt of Property and Proxies.

- (18) Amend Subsection 2.22 and Subdivision 2.2311 of Section 2 of Chapter IX of Part Two of the Regents' Rules and Regulations to read as follows:

- 2.22 Corporate Bonds and Obligations: Corporate Bonds must be rated "A" or better by a nationally recognized rating service. Bonds offered by private placement, or which for other reasons are not rated by such agencies, may be purchased if they bear a rating of equivalent quality by the University's Investment Counsel. Convertible debentures issued by companies on the approved list and Commercial Paper shall not be subject to this rating requirement.
- 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.

- (19) Delete Subsection 2.42, including Subdivisions 2.421 and 2.422, of Section 2 of Chapter IX of Part Two of the Regents' Rules and Regulations:

[2.42 CONSISTENT WITH THE FOREGOING IT IS CONTEMPLATED THAT:

- 2.421 INVESTMENT OF FUNDS IN CORPORATE SECURITIES SHALL BE REASONABLY DIVERSIFIED AMONG THE VARIOUS INDUSTRIES OPERATING IN OUR ECONOMY, AND AMONG THE OUTSTANDING CORPORATIONS OPERATING WITHIN THE RESPECTIVE INDUSTRY GROUPS.
- 2.422 OURS IS A DYNAMIC AND EVER-CHANGING ECONOMY. THEREFORE, A PROPER OBSERVANCE OF THE PRUDENT MAN RULE REQUIRES THAT CHANGES BE MADE IN THE DIVERSIFICATION OF THE FUND FROM TIME TO TIME AS CONDITIONS CHANGE THE EARNINGS OUTLOOK OR THE RELATIVE MARKET LEVEL FOR A PARTICULAR COMPANY. ACCORDINGLY, IN KEEPING WITH THE DUTY TO BE PRUDENT, PURCHASES AND SALES OF FUND ASSETS SHALL BE MADE FROM TIME TO TIME WHEN CIRCUMSTANCES DICTATE THE PRUDENCE OF DOING SO.]

(20) Amend Subsection 5.1 of Section 5 of Chapter IX of Part Two of the Regents' Rules and Regulations to read as follows:

*Major Change*

5.1 Membership.-- The Staff Investment Committee shall consist of the Associate Deputy Chancellor for Investments, Trusts and Lands, the [TRUST OFFICERS,] Investment Officer, [THE MORTGAGE AND REAL ESTATE OFFICER,] and such other members as may be designated from time to time by the Associate Deputy Chancellor for Investments, Trusts and Lands.

(21) Amend Subsection 7.1 of Section 7 of Chapter IX of Part Two of the Regents' Rules and Regulations to read as follows:

7.1 Approved List.--Normally, [NORMAL] purchase and sale transactions shall be effected through firms approved by the Board of Regents after recommendation by the Associate Deputy Chancellor for Investments, Trusts and Lands. Where the best interests of The University of Texas System seem to require it, such transactions may be effected through such other broker or brokers as the Associate Deputy Chancellor for Investments, Trusts and Lands may approve.

(22) Amend Sections 4, 5, and 6 of Chapter X of Part Two of the Regents' Rules and Regulations to read as follows:

- Sec. 4. Rentals and related policies and rates for dormitories and housing facilities shall be approved in advance by the Chief Administrative Officer [INSTITUTIONAL HEAD], the Chancellor, and the Board of Regents.
- 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 [INSTITUTIONAL HEAD] 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 [INSTITUTIONAL HEAD] by the Chief Business Officer [CHIEF BUSINESS OFFICER] and approved by the Chancellor and the Board of Regents.

5. Amendment to Roster of Depository Banks (Addition of American Bank of Commerce, Odessa, Texas). --Regent Nelson recommends that the roster of depository banks for The University of Texas System be amended by adding the American Bank of Commerce, Odessa, Texas, subject to the bank's being willing to execute the standard depository agreement previously approved by the Board of Regents.

B. U. T. Austin

6. Report by Chancellor LeMaistre on Student Publications. --

7. Acceptance of 70-Foot Houseboat for Marine Science Institute. --

Chancellor LeMaistre concurs in President Jordan's recommendation to accept a 70-foot houseboat from the Marine Services Company, Houston, Texas, for use at the Marine Science Institute, subject to the condition that this acceptance in no way implies a commitment or endorsement of the acquisition of the boat marina referred to in Item (2) in Dr. Oppenheimer's memorandum of March 8, 1971 to Vice-President Flawn. (Memorandum and President Jordan's March 11 letter follow.)

The boat will be used as housing for visiting faculty, and the boat will not be underway. There will not be operating costs except for a \$600 per year docking cost. Maintenance will be assumed by the physical plant staff at the Institute.

Port Aransas, Texas 78373  
Phone 512 RI 9-5281

March 8, 1971

MEMORANDUM

TO: Peter T. Flawn, Vice-President for Academic Affairs

FROM: Carl H. Oppenheimer, Director, Marine Science Institute *CH*

This is to request permission to accept a houseboat that has been offered to us as a gift by Mr. R. L. Shibley, Marine Services Company, 8201 Erath, Houston, Texas, phone 923-6681. The company is being sold and the houseboat was their personal recreational boat.

The houseboat is in excellent condition, is a steel hull 63' x 24', and has a draft of 23'. It is self-propelled with two GM 6-71 diesels, with 24 hours after last complete overhaul. It has a 15kw DC generator, self-contained septic tank, and 5,000gal. containers for fuel oil and water. The superstructure of two decks is wood frame with aluminum siding on the outside. The main deck has a work space aft of approximately 16' x 23', carpeted with indoor-outdoor carpeting, has a heavy duty boat davit and two 16' stabilizing spuds which will lift the back end above buoyancy, all electrically operated. The inside is luxuriously appointed with new carpeting and wood paneling, includes a complete kitchen, two bunk rooms with double bunks, one master bedroom and two full bathrooms. The kitchen



and bathroom are equivalent to the modern luxury homes. The second deck is a large lounge, with sliding glass doors leading to a sun deck that is carpeted and has an electric hoist for a small boat. It is completely furnished as a living room and the pilot house instruments are in the front, and with all hydraulic linkages with the main engine and steering.

The boat is valued at approximately \$70,000 and in its present condition is a just evaluation. We have several alternatives for its use: (1) We can tie it at the marina next to the laboratory at a cost of approximately \$50 a month and use it as a housing unit for visiting faculty or students with the thought of using it during the construction of our new facility and dispose of it by sale afterwards.

(2) By separate letter, I will provide details on the current bid for the Enco Marina adjacent to our laboratory. The associates have indicated that they would take the houseboat in as trade if we took options "B" or "C". This would be negotiated. If they would allow the full \$70,000 it would mean the marina would cost us approximately \$130,000 for option "B" or \$280,000 for option "C".

(3) We could use the boat as a research platform for operations in Corpus Christi and Baffin Bays, but at present we do not have operating expenses for this.

CHO:dp

c.c. Mr. John Thompson

President

CHANCELLOR'S OFFICE U. of T.  
March 11, 1971  
Acknowledged..... File.....

REC'D MAR 12 1971

To.....For Info and Return  
To..... Please Advise Me  
To..... Please Handle

Charles A. LeMaistre, M.D.  
Chancellor  
The University of Texas System

Dear Dr. LeMaistre:

The attached memorandum discusses the proposed gift of a 70 foot houseboat to our Marine Science Institute from Mr. R. L. Shibley, Marine Services Company, Houston, Texas. Dr. Oppenheimer believes this houseboat can be very useful to our Institute, and I recommend its acceptance.

Yours very truly,



Bryce Jordan  
President ad interim

C. Dallas Medical School, San Antonio Medical School, San Antonio Dental School, Galveston Medical Branch, Houston Medical School, Houston Dental Branch, G. S. B. S., Public Health School and System Nursing School

8. Calendar. --Chancellor LeMaistre presents the following report with respect to the Calendar in compliance with action of the Coordinating Board on July 21, 1969:

In response to the action of the Regents on August 1, 1969, that the Administration submit prior to the fall of 1973 proposed calendars for the medical components which are acceptable to the Coordinating Board, a letter was submitted to the Coordinating Board asking for exemptions to the common calendar. In reply, a letter from the Coordinating Board has been received expressing their approval of the proposed calendars.

This item is submitted for the record pursuant to the action of the Regents on August 1, 1969.

A copy of the related correspondence follows:

March 22, 1971

Dr. Bevington Reed  
Commissioner of Higher Education  
Coordinating Board, Texas College  
and University System  
Post Office Box 12788  
Capitol Station  
Austin, Texas 78711

Dear Dr. Reed:

Included in the adoption of the Common Calendar by the Coordinating Board at its meeting on July 21, 1969, was a statement under Provision A indicating that exceptions for certain specialized units such as medical, dental, and nursing schools would be made through the Coordinating Board.

In accord with this provision I would like to review the situation which prevails in the health schools of The University of Texas System.

The Nursing School (System-wide) is presently conforming to the calendar on each of its campuses and will continue to do so because of the necessity of tying clinical instruction close to academic programs.

The Dental Branch at Houston has arranged its schedule to fit the common calendar norm as of August 31, 1970. Dr. William Knisely, Vice Chancellor for Health Affairs, indicates, however, that this institution may experience increasing pressure to join the other Houston health units in a year-round calendar.

The Medical School at Houston proposes to operate on a quarter system with the first quarter each year beginning in late June, the second quarter completed prior to Christmas,

the third quarter starting early in January, and the fourth quarter completed in late May or early June. This year-round operation is designed to shorten the time students are in medical school, make better use of clinical operations, and decrease the capital costs involved in medical school and hospital facilities.

The Medical School at San Antonio and the Dental School at San Antonio currently favor the same plan for similar reasons. It is also desirable to keep these San Antonio components in phase since they plan to use some facilities and faculty in common.

The School of Public Health at Houston and the Graduate School of Biomedical Sciences at Houston wish to pursue a year-round program also and will cooperate closely with the Houston Medical School.

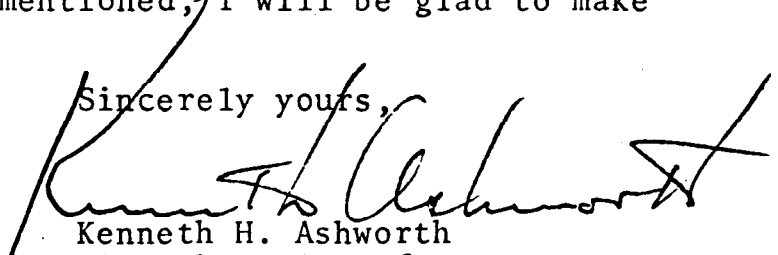
The long experience of the Medical Branch at Galveston has resulted in a calendar which does not conform to the semester pattern. It is one which they believe makes maximum use of their facilities and faculty.

The Southwestern Medical School at Dallas does not enroll students on a semester basis either. The rotation and length of academic year varies between classes. For example, the junior year is a ten-month year.

Because of the specialized nature of professional education for health-related vocations, which is different in many respects from education offered in general academic institutions, and because of the unique patterns of enrollment, instruction, and clinical practice which this type of education requires, we request that the institutions named, with the exception of the Nursing School, be exempted from the common calendar requirement.

In the event you need additional information about the calendars of any of the institutions mentioned, I will be glad to make it available to you.

Sincerely yours,



Kenneth H. Ashworth  
Vice Chancellor for  
Academic Affairs

II. SCHEDULED MEETINGS AND EVENTS. --The Regents are requested to check their calendars for the fall in order that plans can be made for the 1971-72 school year.

The following meetings have been scheduled for the Board of Regents:

June 4, 1971 - in Austin  
 July 16, 1971 - in Austin (tentative)

1971 Calendar

JANUARY							FEBRUARY						
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1971	
May 22	Dedication of LBJ Library
June 4	Board of Regents' Meeting in Austin
July 16	Board of Regents' Meeting in Austin (tentative)

Commencement Exercises

May 15	U. T. Austin Nursing School
May 17	U. T. Arlington Houston Dental Branch
May 29	U. T. El Paso
June 6	G. S. B. S.
June 7	Dallas Medical School San Antonio Medical School
June 9	Galveston Medical Branch <i>Edgar Case Meeting</i>
<del>June 29</del> Fall 1971	
Sept. 6	Labor Day
Sept. 18	Austin vs. U. C. L. A. at Los Angeles
Sept. 25	Austin vs. Texas Tech at Austin
Oct. 2	Austin vs. Oregon at Austin
Oct. 9	Austin vs. Oklahoma at Dallas
Oct. 16	Austin vs. Arkansas at Little Rock
Oct. 23	Austin vs. Rice at Austin
Oct. 30	Austin vs. S. M. U. at Dallas
Nov. 6	Austin vs. Baylor at Austin
Nov. 13	Austin vs. T. C. U. at Austin
Nov. 25	Austin vs. Texas A&M at College Station
Nov. 25	Thanksgiving

III. ADJOURNMENT

COMMITTEE OF THE WHOLE

EMERGENCY ITEMS

Date: April 23, 1971

Time: Following the Meeting of the Land and Investment  
Committee

Place: Main Building 212  
U. T. Austin

Page

U. T. AUSTIN

9. Acquisition of C-47 Airplane (Non-Passenger)  
for Research Funded from Contract and Grant  
Funds
10. Consideration and Recommendation with  
Respect to IIA and IIB of TSP, Inc., Minutes  
of April 14, 1971 (Expenditures of TSP, Inc.,  
Portion of Their New Building)
11. Consideration of Loan from HUD for College  
House, Inc.



OFFICE OF THE CHANCELLOR  
THE UNIVERSITY OF TEXAS SYSTEM  
AUSTIN, TEXAS 78712

April 16, 1971

M E M O R A N D U M

TO: Members of the Board of Regents

Mr. Peace, Chairman  
Mr. Ikard, Vice-Chairman  
Mr. Erwin  
Mr. Garrett  
Mrs. Johnson  
Mr. Kilgore  
Mr. McNeese  
Dr. Nelson  
Mr. Williams

FROM: Charles A. LeMaistre, M.D. *CAL*  
Chancellor

SUBJECT: Background Information and Recommendation Re  
Emergency Item for Board of Regents' Meeting  
on April 23, 1971

The attached material relates to the acquisition of a C-47 airplane for research purposes by The University of Texas at Austin. This airplane will be secured and operated without recourse to State funds and will be available to other components of the System for research purposes.

I will submit this as an emergency item for the April 23 meeting, with my concurrence in the recommendation of President ad interim Jordan that The University of Texas at Austin be authorized to proceed with this acquisition.

CAL:jm

Attachment

cc: Miss Betty Anne Thedford  
Mr. E. D. Walker  
Dr. Kenneth Ashworth  
Mr. Art Dilly  
Dr. Bryce Jordan



LAW OFFICE  
OF  
THE UNIVERSITY OF TEXAS SYSTEM  
P. O. BOX 7727  
AUSTIN, TEXAS 78712

CHANCELLOR'S OFFICE U. of T.  
Acknowledged.....File.....

APR 12 1971

To.....For info and Return  
To.....Please Advise Me  
To.....Please Handle

April 13, 1971

MEMORANDUM TO: Mr. E. D. Walker, Deputy Chancellor  
for Administration

FROM: Richard Gibson, Director *R*

SUBJECT: Acquisition of C-47 Aircraft

In Paragraph (4) of his March 26, 1971, letter to Dr. LeMaistre, Dr. Jordan states that no state-appropriated money will be used in the acquisition, maintenance, and operation of a C-47 aircraft that the Applied Research Laboratories at U. T. Austin wishes to acquire.

Since that statement is in conformance with my written opinion of March 18, 1971, to Mr. James H. Colvin, the aircraft in question can be maintained and operated without violating the General Appropriations Act.

RG/sr  
Attachment



THE UNIVERSITY OF TEXAS AT AUSTIN  
 OFFICE OF THE PRESIDENT  
 AUSTIN, TEXAS 78712

CHANCELLOR'S OFFICE U of T.  
 Acknowledged..... File .....

REC'D MAR 30 1971

To ..... For Info and Return  
 To ..... Please Advise Me  
 To ..... Please Handle

President

March 26, 1971

Charles A. LeMaistre, M. D.  
 Chancellor  
 The University of Texas System  
 Commodore-Perry Building  
 Austin, Texas

Dear Chancellor LeMaistre:

The Director of the Applied Research Laboratories (ARL) has recommended and requested that action be taken to acquire the C-47 aircraft which the ARL now uses on a bailment contract with the U.S. Navy. The attached letter of March 15, 1971, from Dr. McKinney of ARL to Dr. Flawn contains the rationale behind the request and recommendation.

In response to a similar request of a year ago, the Law Office of The University of Texas System issued an opinion which is contained in the attached letter of March 18, 1970, from Mr. Richard Gibson to Mr. James H. Colvin.

I have reviewed the current request in light of the potential benefit to the University and the opinion of the Law Office. Based on that review, I heartily endorse and concur in the recommendation for the following reasons:

- (1) The aircraft has been equipped with extensive sophisticated electronics designed and configured by ARL scientists. The aircraft is capable of supporting a wide range of research including marine resources, environmental sciences, earth resources, geologic mapping, remote sensing, and stereo-photogrammetry.
- (2) The aircraft is not a "passenger" aircraft. Although the C-47 (DC-3) can be configured for passenger and general cargo transportation, the ARL aircraft is not suitable for such use and will be employed strictly as a flying laboratory.
- (3) The aircraft will be available, on a reimbursable basis, for use by all components of The University of Texas System which have appropriate research requirements. The hourly rate



March 26, 1971

is about \$140.00.

- (4) All expenditures related to acquisition, maintenance, and operation of the aircraft will come from the Aircraft Maintenance Fund. That fund is a revolving account which is maintained through contracts and grants. No state-appropriated money will be used.

In view of the foregoing information, I request that System Administration and the Board of Regents take immediate action to acquire title to the subject aircraft.

As stated in Dr. McKinney's letter, the most authoritative individual controlling bailed aircraft is Rear Admiral H. L. Miller, Command Test and Evaluation Coordinator, Naval Air System Command, Patuxent River, Maryland (Phone AC 301 863-4254).

Sincerely,



Bryce Jordan  
President ad interim

BJ:da

OFFICE OF THE CHANCELLOR  
INTER-OFFICE MEMORANDUM

DATE April 15, 1971

TO: Mr. A. H. Dilly  
FROM: E. D. Walker  
SUBJECT: Research Aircraft

I concur with Mr. Gibson's interpretation, however if this plane is used for carrying passengers either openly or in disguise we will run into problems.

EDW:ls  
Attachments



THE UNIVERSITY OF TEXAS AT AUSTIN  
APPLIED RESEARCH LABORATORIES

POST OFFICE BOX 8029

10000 FM ROAD 1325

AUSTIN, TEXAS 78712

Ser AD-1714

15 March 1971

CM:WGF:em



AC 512, 836-1351

Dr. Peter T. Flawn  
Vice-President for Academic Affairs  
ad interim  
The University of Texas at Austin  
Main Building 111  
Austin, Texas 78712

Dear Dr. Flawn:

Applied Research Laboratories, The University of Texas at Austin, has, for some five years, utilized a US Navy aircraft, Type TC-47K, Bureau Number 99826, which was provided by Naval Ordnance Systems Command Bailment Contract N00017-61-C-0743. This aircraft, because it is relatively slow, has ample cargo space, is economical to operate and maintain, and is exceptionally dependable and safe to fly, has proved ideal for use as a flying laboratory. As research results and contract requirements dictated, the aircraft was gradually equipped with sophisticated electronics (primarily microwave/radar) equipment, designed and configured by laboratory scientists. With this equipment the laboratory has performed valuable work in the measurement of ocean wave-heights from the air and perhaps even more significant work, utilizing extremely high ratio pulse compression and frequency agility radar techniques, in sea target cross section measurement and clutter data collection and analysis.

It now appears that contract funding in the Naval Air Systems Command area which heretofore has provided mission support has been reduced severely and that we are in imminent danger of losing the aircraft for lack of a mission contract justifying its retention. Such a loss would, of course, greatly limit our ability to secure funding from other sources to continue research in which so much time, effort and money is already invested. Of even greater importance, however, may be our loss of any capability to modify this flying laboratory to add a laser profilometer and appropriate camera equipment for performance of planned work in such areas as stereophotogrammetry in remote areas and earth resources survey work, oceanographic surveys and other work of this nature utilizing airborne laser, infrared, and microwave equipment. Interest in work of this kind has been expressed by such diverse agencies as the Texas State Highway Department, the US Army Map Service and the US Army Cold Regions Research and Engineering Laboratory as well as elements of the Naval Air Systems Command (when and if funds become available). We feel it important to the Laboratory and the University to maintain and extend our capabilities in the areas mentioned to assure we remain a well-rounded laboratory.

Ser AD-1714  
15 March 1971  
Page 2

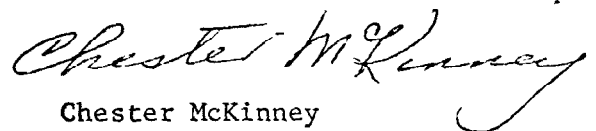
We believe the best answer to the problem is to acquire title to the aircraft. The C-47 aircraft is fast phasing out of service in the military and the cost of rehabilitating this modified version for normal military use would likely prove prohibitive, even if this were considered desirable. Certainly the cost of removing existing laboratory equipment from the bailed TC-47K and later installing it in another aircraft would prove so costly as virtually to eliminate any prospect that it would be supported in the foreseeable future.

It is therefore recommended and requested that action be initiated to acquire title to the identified aircraft. Maintenance and hangar costs currently are paid from an approved Aircraft Maintenance Fund; a well-qualified pilot, and crew members when needed, are available to assure proper maintenance and safe flight; hangar costs currently are \$160.00 per month, which amount can be reduced to \$60.00 tie-down fee at Austin Municipal Airport, or, if the Maintenance Fund status later requires this action, tie-down at Georgetown Airport can be obtained at no cost. Thus the aircraft can be retained without incurring any financial burden insofar as University funds are concerned. This aircraft is not suitable for use for transporting passengers or routine air cargo and would continue to be used as a flying laboratory for research purposes only in strict adherence to Federal Aviation Administration rules and regulations regarding the operation and maintenance of such aircraft.

Your assistance in this matter will be appreciated and success in acquiring the aircraft will certainly be of benefit to the University and to this Laboratory. We are advised by Naval Air Systems Command personnel that we should expedite action to acquire title, or risk being too late. The individual most directly controlling bailed aircraft is believed to be Rear Admiral H. L. Miller, Naval Air Systems Command Test and Evaluation Coordinator, Patuxent River, Maryland, telephone AC 301/863-4254.

Thank you for your consideration.

Very truly yours,



Chester McKinney  
Director

Orig & lcy: Addressee



LAW OFFICE

THE UNIVERSITY OF TEXAS SYSTEM

P. O. BOX 7727

AUSTIN, TEXAS 78712

March 18, 1970

MEMORANDUM

PRESIDENT'S OFFICE  
U.T. AUSTIN

REC'D MAR 25 1970

REFER TO \_\_\_\_\_  
HANDLE \_\_\_\_\_ READ & RETURN \_\_\_\_\_

VICE-PRESIDENT  
FOR BUSINESS AFFAIRS  
U. T. AUSTIN

MAR 18 1970

To: \_\_\_\_\_ For Info and Return  
To: \_\_\_\_\_ Please Advise Me  
To: \_\_\_\_\_ Please Handle

TO: Mr. James H. Colvin  
FROM: Richard Gibson R  
SUBJECT: Acquisition of C-45 Aircraft

Subsection a of Section 19 of Article V of the General Appropriations Act prohibits the expenditure of "moneys appropriated in this Act . . . for the purchase, maintenance or operation . . . of airplanes designed for passenger transportation unless authority to do so is stated by the language of this Act."

In The University of Texas Central Administration budget in Article IV, Page 27 of the General Appropriations Act, The University of Texas System is authorized to acquire, operate, and maintain, including replacing, one passenger airplane, and to pay for such acquisition, operation, and maintenance from the Available University Fund.

In compliance with those provisions, The University of Texas System has acquired one Beechcraft King Air 100 passenger airplane and has no authority to pay for the purchase, maintenance, or operation of an additional passenger airplane from state-appropriated funds.

The Applied Research Laboratories at UT Austin has been tentatively offered one C-45 aircraft for use as a flying laboratory. It is the opinion of this office that ARL may acquire that aircraft, subject to the following conditions:

- (1) an appropriate recommendation with regard to acquisition of the aircraft from the UT Austin and System Administrations and approval by the Board of Regents; and

Mr. James H. Colvin

2

March 18, 1970

- (2) operation and maintenance costs must be budgeted from funds not appropriated by the state.

I noticed in Mr. McKinney's letter that reference is made to the Aircraft Maintenance Fund. That fund would have to consist of money that is not state appropriated. Also, the \$200 transfer fee must be paid from federal, gift, or other funds not appropriated by the state.

RG/pb

9. U. T. Austin: Acquisition of C-47 Airplane (Non-Passenger) for Research Funded from Contract and Grant Funds. --

Chancellor LeMaistre concurs in the recommendation of President ad interim Bryce Jordan that The University of Texas at Austin be authorized to proceed with the permanent acquisition of a C-47 type airplane for research purposes. This aircraft is currently being used by the Applied Research Laboratories under a bailment contract with the United States Navy.

As indicated in the material mailed earlier to the Board:

1. The airplane will not be used for passenger purposes.
2. All expenditures related to acquisition, maintenance, and operation will be met from non state-appropriated funds.
3. The aircraft will be available, on a cost-reimbursable basis, for use by other components of The University of Texas System in furtherance of their research programs.

(Material was sent to you previously and separately from the MSA.)

10. U. T. Austin: Consideration and Recommendation with Respect to IIA and IIB of TSP, Inc., Minutes of April 14, 1971 (Expenditures for TSP, Inc., Portion of Their New Building). --

With the construction of the Communications Building underway, it is essential that the TSP contributions to this project be formalized.

Therefore, the Administration of The University of Texas at Austin and System Administration recommend that the following items approved by the TSP Board of Directors at their meeting on April 14, 1971, as reflected in the minutes of that meeting, be approved by the Board of Regents.

Item IIA: Concerning the allocation of funds in the amount of \$490,000 as follows:

Contribution to the cost of new	
TSP Building	\$205,000
New 32-page offset press including	
installation	232,000
Photo composing equipment	53,000
	<u>\$490,000</u>

Item IIB: Concerning the accumulation of \$70,000 from the future earnings of TSP to be allocated as follows:

Furnishings in new building	\$ 35,000
Plate making and camera equipment	25,000
Final payment on lease agreement for old printing equipment	<u>10,000</u>
	\$ 70,000

With regard to the allocation of the \$205,000 contribution to the new TSP building in Item IIA, it is further recommended that the TSP Board be advised that this amount will not be actually transferred to the construction account until at least August 1, 1971. This will allow the TSP Board to use these funds for additional short-term investment.

(Material was sent to you previously and separately from MSA.)

11. U. T. Austin: Consideration of Loan from HUD for College House, Inc. --If there is any material it will be distributed at the meeting.



PRESIDENT'S OFFICE  
U.T. AUSTIN

REC'D APR 16 1971

REFER TO \_\_\_\_\_  
HANDLE \_\_\_\_\_ READ & RETURN \_\_\_\_\_

# Texas Student Publications

INCORPORATED

JOURNALISM BLDG. 107  
PHONE (512) 4715244

P. O. BOX D  
AUSTIN, TEXAS 78712

April 15, 1971

V. P. FOR STUDENT AFFAIRS	
U. T. - AUSTIN	
Acknowledged, .....	File .....
REC'D APR 15 1971	
To .....	for info & return
To .....	Please advise me
To .....	Please handle

Dr. Margaret Berry  
Associate Dean of Students  
Main Building 121

Dear Dean Berry:

Enclosed are 25 copies of the minutes of the meeting of the Board of Directors of Texas Student Publications, Inc. of Wednesday, April 14, 1971. Following is an outline of action taken by the TSP Board:

- I. A. Approve the rescission of action of the TSP Board on January 27, 1971, Item XV, which proposed a revised TSP Charter.
- B. Approve the rescission of the TSP Board action of March 24, 1971, Item XVII, which proposed that the Regents either take final action on the proposed TSP Charter at their April 23 meeting or renew the present charter for a period of three months.
- C. Request an amendment to the present TSP Charter changing the duration clause to read "The existence of this corporation shall be perpetual."
- II. A. Approve the plan for the expenditure of up to \$490,000 of investment presently owned by TSP as follows:

Contribution to the cost of the new TSP building	\$205,000
New 32-page offset press, including installation	232,000
Photo composing equipment	<u>53,000</u>

Total \$490,000

- B. Authorize the accumulation of an additional sum of \$70,000 from future earnings of TSP to complete the furnishings and equipment of the new building.
- III. Consideration of inviting committee of editors to a reception or dinner: For information.

Dr. Margaret Berry  
4/14/71 - Page 2.

IV. Consideration of urgency of TSP Board action: Request that the action of the TSP Board at this meeting be brought before the Regents at their April 23 meeting as a special item.

We will appreciate your forwarding these minutes to the Regents for their approval.

Sincerely yours,

TEXAS STUDENT PUBLICATIONS, INC.

Original Signed by

L. L. Edmonds, Jr.

L. L. Edmonds, Jr.  
General Manager

LLE/dm

Minutes  
Meeting of the Board of Directors  
Texas Student Publications, Inc.  
Wednesday, April 14, 1971

REC'D APR 16 1971

REFER TO \_\_\_\_\_  
HANDLE \_\_\_\_\_ READ & RETURN \_\_\_\_\_

VOTING MEMBERS PRESENT: Charles Bonjean, Eugene Sauls, Randall Hollis, David Mincberg, Tim Donahue, John Fox.

VOTING MEMBERS ABSENT: Jeff Jones, Norris Davis, Frank Pierce.

NON-VOTING MEMBERS PRESENT: Margaret Berry, Loyd Edmonds, Andy Yemma, Lyke Thompson, Rob Bugbee, Jim Atkinson, Larry Honig.

NON-VOTING MEMBERS ABSENT: Robert Hilburn, David Moorman, Charles Ory.

VISITORS PRESENT: Jim Boyle, Bob Binder, Lori Rodriguez, Cyndi Taylor, Cliff Avery, Dolores Moore, secretary.

The meeting was held following luncheon in "The Place" at the Dobie Center. In the absence of the chairman and the vice-chairman, David Mincberg, secretary of the Board, opened the meeting at 12:30. He stated that the purpose of the meeting was to consider changes in the requests made to the Regents concerning the TSP charter.

I. CONSIDERATION OF TSP CHARTER CHANGES: Yemma said he felt the chances of the Regents approving the new proposed TSP charter by July 6 were very slim. He further said that he thought in order to insure the continuation of the TSP corporation, the Regents should be requested to approve a charter amendment providing for perpetual existence of the corporation with the same old charter. After discussion it was agreed that the first action of the TSP Board should be to rescind previous requests made by the TSP Board to the Regents.

A. MOTION: Donahue moved and it was seconded that the action of the TSP Board on January 27, 1971, Item XV, Proposed TSP Charter, be rescinded. This motion passed with unanimous approval.

B. MOTION: Donahue then moved and it was seconded that action be taken in the March 24, 1971 meeting, Item XVII, Proposal to U.T. Regents Concerning TSP Charter, be rescinded. This action requested the Regents either to take final action on the TSP charter at their April 23, 1971 meeting or renew the present charter for a period of three months. This motion to rescind that previous action also passed with unanimous approval.

C. MOTION: Yemma moved and it was seconded that the present TSP Charter be amended as follows:

Change the part that reads: Article 4: Duration.  
"This corporation shall exist for a period of 50 years. (July 6, 1971)" to read: "The existence of this corporation shall be perpetual."

This motion passed with unanimous approval.

II. PROPOSAL CONCERNING TSP FUNDS: Edmonds told the Board that Mr. Jim Colvin, Vice-President for Business Affairs of U.T. Austin, had recently informed him that he and Mr. Don Walker, Vice-Chancellor of the U.T. System, had agreed that TSP would not be requested to contribute the \$205,000 contribution to the new TSP building until at least August 1, 1971. Edmonds said he felt it would be helpful if the Board went on record as committing its long range fund to specific purposes involving the new TSP building.

A. MOTION: Bonjean moved and it was seconded that the Regents be requested to approve the following plan for the expenditure of up to \$490,000 of investments presently owned by TSP,

Contribution to the cost of new TSP building	\$205,000
New 32-page offset press including installation	232,000
Photo composing equipment	53,000
	<u>\$490,000</u>

and that the Regents further authorize the accumulation of an

additional sum of \$70,000 from future earnings of TSP to complete the furnishing and equipping of the new building. After discussion this motion was passed by unanimous approval.

Edmonds pointed out that the long range goal of \$400,000 for the TSP Facilities and Contingencies Fund was approved by the Regents in October 1967.

At present that fund amounts to \$410,000 including accrued interest. In addition, TSP is presently carrying on its books \$182,000 in short term investments as part of its current assets. Not more than \$102,000 will be needed for operating expenses during 1970-71, so the surplus of \$80,000 can be added to the Facilities and Contingencies fund in order to make a total of \$490,000 available to be spent on the new building and equipment.

- B. In addition to the proposed expenditure of \$490,000 on the building and equipment, TSP will need at least \$70,000 more for equipment and furnishings when the new building is completed in the spring of 1973. Following is a summary of estimated needs.

Furnishings in new building	\$35,000
Plate making and camera equipment	25,000
Final payment on lease agreement for old printing equipment	<u>10,000</u>
	\$70,000

- III. DISCUSSION ON COMMITTEE OF EDITORS TO STUDY THE DAILY TEXAN AND THE JOURNALISM DEPARTMENT: Mincberg suggested that TSP Board members might want to consult the various members of the committee of editors to discuss plans for TSP. Yemma told the Board that the full committee will meet in Austin on April 26.

MOTION: Donahue moved, seconded by Bonjean, that the General Manager be instructed to investigate the possibilities of having the committee as guests of TSP at a reception or dinner while they are in Austin. The motion passed by unanimous approval.

- IV. DISCUSSION ON URGENCY AND IMPORTANCE OF TSP BOARD ACTION: Yemma said that because of the nature of the business today and its importance to the future of TSP, every effort should be made to get the TSP minutes before the Regents as a special item at their April 23 meeting. It was generally agreed that this should be done, and Edmonds was requested to see that Dr. LeMaistre gets a copy of these minutes at the earliest possible time.

The meeting adjourned at 12:55 p.m.

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

Chairman Peace, Presiding

Date: April 23, 1971

Time: 9:00 a. m.

Place: Main Building, Room 212  
U. T. Austin  
Austin, Texas

A. CONSIDERATION OF MINUTES OF MEETINGS HELD

1. Regular Meeting on March 12, 1971
2. Called Meeting on March 27, 1971

B. SPECIAL ITEMS

1. Chancellor LeMaistre
2. Chief Administrative Officers of the Component Institutions
  - a. U. T. Austin (President ad interim Jordan)
  - b. U. T. El Paso (President Smiley)
  - c. U. T. Arlington (President Harrison)
  - d. U. T. Dallas (President Johnson)
  - e. Dallas Medical School (Dean Sprague)
  - f. U. T. San Antonio (President Templeton)
  - g. San Antonio Medical School (Dean Pannill)
  - h. San Antonio Dental School (Dean Olson)
  - i. Texan Cultures Institute (Mr. Shuffler)
  - j. U. T. Permian Basin (President Amstead)
  - k. Galveston Medical Branch (President Blocker)
  - l. Houston Medical School (Dean Smythe)
  - m. Houston Dental Branch (Dean Olson)
  - n. M. D. Anderson (President Clark)
  - o. G. S. B. S. (Dean Knudson)
  - p. Public Health School (Dean Stallones)
  - q. System Nursing School (Dean Willman)

3. Members of the Board of Regents

- a. Chairman Peace
- b. Vice-Chairman Ikard
- c. Regent Erwin
- d. Regent Garrett
- e. Regent (Mrs.) Johnson
- f. Regent Kilgore
- g. Regent McNeese
- h. Regent Nelson
- i. Regent Williams

C. REPORTS OF STANDING COMMITTEES

- 1. Executive Committee
- 2. Academic and Developmental Affairs Committee
- 3. Buildings and Grounds Committee
- 4. Land and Investment Committee
- 5. Medical Affairs Committee
- 6. Board for Lease of University Lands

D. REPORTS OF SPECIAL COMMITTEES, IF ANY

E. REPORT OF COMMITTEE OF THE WHOLE

F. ADJOURNMENT

COMMITTEE OF THE WHOLE  
EXECUTIVE SESSION

April 23, 1971

The items listed on the Agenda of the Executive Session of the Committee of the Whole relate either to personnel or to acquisition of real property or they are items requiring legal consultation.

COMMITTEE OF THE WHOLE  
Executive Session

	<u>Page No.</u>
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2. U. T. System: Report and Recommendation on Legal Aspects of Bank Depository Agreements	3
3. U. T. Austin: Waiver of Regents' <u>Rules and Regulations</u> to Permit Continued Full-time Employment	3
4. U. T. Austin: Waiver of Regents' <u>Rules and Regulations</u> to Permit Continued Full-time Employment	6
5. Galveston Medical Branch: Development Board and Record of Membership	6
6. Houston Medical School: Waiver of Nepotism Rule	7



COMMITTEE OF THE WHOLE  
EXECUTIVE SESSION

April 23, 1971

The items listed on the Agenda of the Executive Session of the Committee of the Whole relate either to personnel or to acquisition of real property or they are items requiring legal consultation.

1. A + D - Docket P.M. - 14 - accepted
2. B + H - Item 12
3. F + I - Item 12
- ~~4.~~
4. Authorization to Chairman  
re Legal Action -

COMMITTEE OF THE WHOLE  
Executive Session

Page No.

- |    |   |   |
|----|---|---|
| 1. | U. T. System: Discussion of Legal Matters<br>Relating to the Fire and Extended Coverage<br>Insurance Program  | 3 |
| 2. | U. T. System: Report and Recommendation on<br>Legal Aspects of Bank Depository Agreements                     | 3 |
| 3. | U. T. Austin: Waiver of Regents' <u>Rules and<br/>Regulations</u> to Permit Continued Full-time<br>Employment | 3 |
| 4. | U. T. Austin: Waiver of Regents' <u>Rules and<br/>Regulations</u> to Permit Continued Full-time<br>Employment | 6 |
| 5. | Galveston Medical Branch: Development Board<br>and Record of Membership                                       | 6 |
| 6. | Houston Medical School: Waiver of Nepotism Rule   | 7 |

1. U. T. System: Discussion of Legal Matters Relating to the Fire and Extended Coverage Insurance Program. --

Deputy Chancellor for Administration Walker requests permission to discuss legal matters relating to the fire and extended coverage insurance program of The University of Texas System.

2. U. T. System: Report and Recommendation on Legal Aspects of Bank Depository Agreements. --

3. U. T. Austin: Waiver of Regents' Rules and Regulations to Permit Continued Full-time Employment. --

Chancellor LeMaistre concurs in the recommendation of President ad interim Jordan that the authority contained in the Rules and Regulations, Part One, Chapter III, Section 31.17, to grant an exception to the retirement rules be invoked to permit the continued full-time employment for the 1971-1972 fiscal year of Miss Nettie Lee Benson and Mr. Robert A. Leland.

Copies of related correspondence follow:



THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PRESIDENT  
AUSTIN, TEXAS 78712

President

February 19, 1971

Charles A. LeMaistre, M. D.  
Chancellor  
The University of Texas System  
Commodore Perry

Dear Dr. LeMaistre:

Mr. Fred Folmer, Librarian, is requesting that Miss Nettie Lee Benson, Latin-American Collection Librarian, be retained on full-time service during 1971-72.

Miss Benson reached her sixty-fifth birthday on January 15, 1970, but the Board of Regents, at the April, 1970, meeting approved her continuing on a full-time basis during 1970-71, one important reason being the critical need for her services in the move of the Latin-American collection to Sid Richardson Hall.

Miss Benson's case is an exceptional one; she is considered as one of the outstanding authorities on Latin America both in the United States and in Latin America; she has guided the growth of the Latin-American collection to the eminence it has attained both nationally and internationally and has published writings on topics related to the collection. She also holds the title of Professor in the Department of History and in this position would be entitled to full-time duty through her seventieth birthday.

Since Miss Benson is fully capable -- physically and mentally -- of continuing her outstanding work, I recommend that an exception to the retirement rules be granted as permitted by Section 31.(17) of Part One, Chapter III, of the Regents' Rules.

Sincerely yours,

Bryce Jordan  
President ad interim

BJ:vt

Copies after approval: Mr. Fred Folmer  
University Personnel Office  
Office of Business Manager

Recommend approval  
Chas LeMaistre



CHANCELLOR'S OFFICE U. of T.

Acknowledged \_\_\_\_\_ File \_\_\_\_\_

THE UNIVERSITY OF TEXAS AT AUSTIN

OFFICE OF THE PRESIDENT

AUSTIN, TEXAS 78712

REC'D MAR 2 1971

To: \_\_\_\_\_ Facilitate and Return  
To: \_\_\_\_\_ Please Advise Me  
To: \_\_\_\_\_ Please Handle

President

February 19, 1971

Charles A. LeMaistre, M. D.  
Chancellor  
The University of Texas System  
Commodore Perry Building

Dear Dr. LeMaistre:

In accordance with Chapter III, Section 31.(17) of Part One of the Regents' Rules, the Board of Regents at the May 1970 meeting approved the request of Humanities Research Center to permit Mr. Robert A. Leland, Humanities Research Associate IV, to continue on full-time service during 1970-71 even though he had reached his sixty-fifth birthday on May 7, 1970 and, according to the regulations should have been retired as of August 31, 1970.

In making this request, it was pointed out that Mr. Leland had had approximately forty years of experience in dealing with rare books and that his services were invaluable to the Center in receiving incoming collections of research materials at Balcones and supervising their preparation for moving into library areas on the campus. Especially was this experience needed in the move into the new Humanities Research Center building. Because of the delay in the completion of that building, the need for his services in this area continues to be critical. To quote Dr. F. W. Roberts, Director of HRC, they "would consider it a catastrophic loss to have to dispense with Mr. Leland's services now." Therefore it is asked that Mr. Leland be continued on full-time service during 1971-72.

I feel that this case warrants asking for an exception since Mr. Leland is in good health and is fully capable of doing the work required, and, indeed, seems to be more highly qualified than anyone else who could be found at this time.

Sincerely yours,

Bryce Jordan  
President ad interim

BJ:vt

Copies after approval: Dr. F. W. Roberts  
University Personnel Office  
Office of the Business Manager

Recommend B/R approval  
Chas LeMaistre

4. U. T. Austin: Waiver of Regents' Rules and Regulations to Permit Continued Full-time Employment. --

Chancellor LeMaistre concurs in President ad interim Jordan's recommendation that an exception to the Regents' Rules and Regulations as provided for under Section 31.(53), Part One, Chapter III, be made to allow Mr. James K. Oliver to continue his full-time employment as a guard at Applied Research Laboratories, U.T. Austin, through January 31, 1972. This postponement by five months of Mr. Oliver's mandatory retirement will make him eligible for benefits under the ten-year minimum tenure rule of the Teacher Retirement System. Without the extension he will have only nine years of service.

Mr. Oliver is sixty-nine years old, has been employed since July 5, 1962, and is in good health.

5. Galveston Medical Branch: Development Board and Record of Membership. --

Chancellor LeMaistre concurs in the request of President Blocker that the following individuals be appointed to The University of Texas Medical Branch at Galveston Development Board:

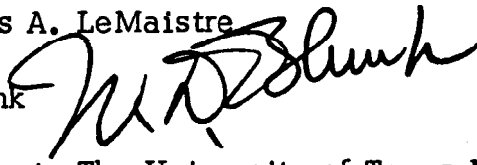
Dr. Jesse B. Heath, Madisonville  
Dr. James Vaughn, Tyler

Dr. Heath's term would end August 31, 1973; and  
Dr. Vaughn's term, August 31, 1972.

Following approval, the acceptance of these appointments will be reported for the record.

MEMORANDUM

March 3, 1971

TO: Dr. Charles A. LeMaistre  
FROM: W. D. Blunk   
SUBJECT: Nominations to The University of Texas Medical Branch at Galveston Development Board

President Truman Blocker has nominated Dr. Jesse B. Heath of Madisonville and Dr. James Vaughn of Tyler to become members of The University of Texas Medical Branch at Galveston Development Board. Dr. Vaughn's term will end August 31, 1972, and Dr. Heath's term, August 31, 1973.

Please secure the approval of the Board of Regents so that proper appointment can be made.

On the following page is the Record of Membership.

At the Board of Regents' meeting on January 29, 1971, the Advisory Council of The University of Texas Medical Branch at Galveston was redesignated as the Development Board, and the initial membership was named.

Chancellor LeMaistre has reported that at the first meeting of that Board membership terms were drawn by lot and the expiration dates are reported below:

NAME	TERM EXPIRES AUGUST 31, ____:
Mr. Carl R. Byard	1972
Dr. H. F. Connally, Jr.	1972
Dr. McIver Furman	1972
Dr. Robert Kimbro	1972
Dr. Harvey Renger	1972
Dr. Van Doren Goodall	1973
Dr. C. M. Phillips	1973
Mr. Preston Shirley	1973
Dr. Courtney M. Townsend	1973
Mr. John M. Winterbotham	1973
Dr. Walter F. Hasskarl, Jr.	1974
Mr. Harris Kempner	1974
Mr. W. L. Moody IV	1974
Dr. William Seybold	1974
Mr. Sam P. Woodson, Jr.	1974

6. Houston Medical School: Waiver of Nepotism Rule. --

Chancellor LeMaistre concurs in the request of Dean Smythe that the nepotism rule be waived in accordance with the authority contained in the Rules and Regulations, Part One, Chapter III, Section 5.42 to allow the employment of Dr. Emil Steinberger and Dr. Anna Steinberger.

Office of the Dean  
713/526-8431

March 23, 1971

Dr. Charles A. LeMaistre  
Chancellor  
The University of Texas System  
P. O. Drawer 7969  
Austin, Texas 78712

Dear Dr. LeMaistre:

Dr. Emil Steinberger has been appointed as Professor of Reproductive Biology and Reproductive Endocrinology at The University of Texas Medical School at Houston effective May 1, 1971. He will serve as Director of the Program in Reproductive Biology and Reproductive Endocrinology. At the present time, Dr. Emil Steinberger heads an interdisciplinary group studying the behavioral,

endocrine, physiologic, and biochemical aspects of the reproductive process. It is anticipated that three members of this group will accompany Dr. Steinberger to Houston, making it possible for us to implement teaching programs in several disciplines quite rapidly.

One member of the group is Dr. Anna Steinberger whom we wish to appoint to the faculty as Associate Professor of Reproductive Biology. Inasmuch as Dr. Anna Steinberger is the wife of Dr. Emil Steinberger, we are requesting that Section 5 of Chapter III of Part I of the Rules and Regulations of the Board of Regents (nepotism rule) be waived.

Dr. Emil Steinberger and Dr. Anna Steinberger have functioned as a highly productive team for eight years. We believe that the continuation of this professional association will insure the maintenance of the productivity of the entire group. In addition, Dr. Anna Steinberger would be assigned significant responsibilities in the development and presentation of medical school courses in Cell Biology and Reproductive Biology.

Your favorable consideration is recommended.

*Recommended approval*  
*AMK*  
*March 25, 1971*

Sincerely,

*Cheves McC. Smythe*  
Cheves McC. Smythe, M. D.  
Dean

CMS/si