

Meeting No. 867

THE MINUTES OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

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February 11, 1993

Austin, Texas

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 OF
 THE UNIVERSITY OF TEXAS SYSTEM
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MEETING NO. 867

THURSDAY, FEBRUARY 11, 1993.--The members of the Board of Regents of The University of Texas System convened in regular session at 10:00 a.m. on Thursday, February 11, 1993, in the Regents' Meeting Room on the ninth floor of Ashbel Smith Hall in Austin, Texas, with the following in attendance:

ATTENDANCE.--

<u>Present</u>	<u>Absent</u>
Chairman Beecherl, presiding	
Vice-Chairman Ramirez	
Vice-Chairman Cruikshank	
Regent Barshop	
Regent Holmes	
Regent Loeffler	
Regent Moncrief	
Regent Rapoport	
Regent Temple	

Executive Secretary Dilly

Chancellor Cunningham
Executive Vice Chancellor Burck
Executive Vice Chancellor Duncan
Executive Vice Chancellor Mullins

Chairman Beecherl announced a quorum present and called the meeting to order. He stated that Governor Richards' new appointees to the Board had been invited to attend this meeting, but since they will be appearing before the Senate Committee on Nominations at 1:30 p.m. today, Mr. Peter R. Coneway of Houston, Mr. Lowell H. Lebermann, Jr. of Austin, and Ms. Martha E. Smiley of Austin were meeting informally with several members of the Senate this morning. Mr. Beecherl expressed hope that the appointees would be able to visit before the end of the Open Session.

U. T. SYSTEM: INTRODUCTION OF DR. ROBERT M. BERDAHL, PRESIDENT OF THE UNIVERSITY OF TEXAS AT AUSTIN, AND DR. CHARLES A. SORBER, PRESIDENT OF THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN.--Chairman Beecherl introduced Dr. Robert M. Berdahl, President of The University of Texas at Austin whose tenure began officially on January 1, 1993, and Dr. Charles A. Sorber, President of The University of Texas of the Permian Basin, who will resume those responsibilities in the late Spring of 1993.

U. T. BOARD OF REGENTS: APPROVAL OF MINUTES OF REGULAR MEETING HELD ON DECEMBER 3, 1992.--Upon motion of Regent Temple, seconded by Regent Moncrief, the Minutes of the regular meeting of the Board of Regents of The University of Texas System held on December 3, 1992, in Austin, Texas, were approved as distributed by the Executive Secretary. The official copy of these Minutes is recorded in the Permanent Minutes, Volume XL, Pages 519 - 1221.

SPECIAL ITEMS

1. U. T. Board of Regents: Election of Regent Robert J. Cruikshank to Serve as a Member of the Board of Trustees of the Texas Growth Fund.--The amendment to the Texas Constitution which established the Texas Growth Fund provides that it be managed by a Board of Trustees composed of an elected representative from The University of Texas System Board of Regents, The Texas A&M University System Board of Regents, the trustees of the Teacher Retirement System, the Employees Retirement System, and the State Board of Education, and four public members appointed by the Governor.

Upon motion of Regent Barshop, seconded by Vice-Chairman Ramirez, the Board unanimously elected Regent Robert J. Cruikshank to serve as the Regental representative on the Board of Trustees of the Texas Growth Fund to replace Regent Sam Barshop whose term on the U. T. Board of Regents will expire shortly.

2. U. T. System: Authorization to Change Operational and Administrative Structure of the Hogg Foundation for Mental Health and to Rename the Entity the Office of the Hogg Foundation for Mental Health; Approval to Make Recommendation to Board of Trustees of the Ima Hogg Foundation, Inc. to Dissolve the Corporation and Authorize Alternative Management of Assets as the Ima Hogg Endowment; and Authorization for the Executive Officers of U. T. System Administration and Appropriate Officials of U. T. Austin to Take the Necessary Actions to Accomplish These Changes.--Chairman Beecherl reported that in addition to the write-up in the Material Supporting the Agenda detailed recommendations were before the Board on yellow paper related to certain changes in the operational and administrative structure of the Hogg Foundation for Mental Health and other related activities at The University of Texas at Austin. He then called on Executive Vice Chancellor for Academic Affairs Duncan to summarize the proposed recommendations that were before the Board.

Executive Vice Chancellor Duncan distributed the chart set out on Page 6 which reflects the current and proposed administrative structure of the Hogg Foundation for Mental Health and summarized the history of the Hogg Foundation for Mental Health and the Ima Hogg Foundation, Inc. as set out below.

The Hogg Foundation for Mental Health was established in 1939 and implemented in 1940 through an agreement related to a testamentary gift from the Estate of Mr. Will C. Hogg as administered by his sister Miss Ima Hogg and his brother Mr. Mike Hogg. The original gift was named the "Hogg Foundation-W. C. Hogg Memorial Fund." Subsequent bequests were received from other donors, including Hogg family members. The Hogg Foundation for Mental Health performs functions associated with the distribution of income and reporting on the programs funded by income in compliance with the purposes specified by each donor. The funds are invested by the U. T. System Office of Asset Management.

The Hogg Foundation for Mental Health is currently an administrative entity of The University of Texas System declared as tax exempt by the Internal Revenue Service and has, since November 1, 1988, been an operating and

budgetary division of U. T. Austin with a reporting relationship to the U. T. Board of Regents via the President of U. T. Austin, the Executive Vice Chancellor for Academic Affairs, and the Chancellor.

The Ima Hogg Foundation, Inc. is a Texas nonprofit corporation created by Miss Ima Hogg through Articles of Incorporation filed with the Secretary of State on June 26, 1964. Three individuals then serving on the U. T. Board of Regents were named as the members of the Board of Trustees of the Ima Hogg Foundation, Inc. Adoption of By-Laws expanded the number of trustees to nine to include all of the individuals who are members of the U. T. Board of Regents.

The Internal Revenue Service determined the Ima Hogg Foundation, Inc. to be exempt from taxation in 1970.

The Ima Hogg Foundation, Inc. accounts are currently invested by the U. T. System Office of Asset Management pursuant to an Investment Agency Agreement executed on June 14, 1990. Income from funds held or administered by the Ima Hogg Foundation, Inc. is administered by the Hogg Foundation for Mental Health for programs operated by the administrative entity or disbursed as grants for the charitable purposes specified by the donor.

Executive Vice Chancellor Duncan reported that in 1992, the U. T. System Auditor identified the need to review, clarify, and update the operational structure and administration of the Hogg Foundation for Mental Health and the Ima Hogg Foundation to match current practices and requirements. The Business Affairs and Audit Committee of the U. T. Board of Regents then asked the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Business Affairs to study and make appropriate recommendations on the management policy issues identified.

That study included extensive review of historical documents and past actions of the U. T. Board of Regents related to the Hogg Foundation for Mental Health and the Ima Hogg Foundation, Inc. as well as numerous discussions with U. T. Austin officials and other U. T. System Administration Executive Officers. The recommended actions before the Board provide needed additional clarification on the status of the Hogg Foundation for Mental Health and streamline its reporting and administrative structure consistent with this clarification.

Following Dr. Duncan's presentation and without objection, the Board:

- a. Clarified the status of the Hogg Foundation for Mental Health as an office or activity within U. T. Austin; removed confusion resulting from use of different names for various Hogg activities by renaming the organizational entity as the "Office of the Hogg Foundation for Mental Health"; and approved related changes in the administrative and reporting structures for that office
- b. Approved a recommendation to the Board of Trustees of the Ima Hogg Foundation, Inc. (a nonprofit Texas corporation subject to state law) that Trustees dissolve the corporation and, upon dissolution and court

approval, authorize the various corporate assets to be held as the Ima Hogg Endowment to be invested in the Common Trust Fund for purposes in conformance with the donor's expressed wishes as identified in documents originally establishing the corporation with administration of disbursed income through the renamed Hogg entity

- c. Authorized U. T. System Administration Executive Officers and appropriate U. T. Austin officials to implement the investment, accounting, disbursement, legal, auditing, and reporting procedures necessary to accomplish these operational and administrative changes.

Set forth below is more detailed information related to the actions outlined in a. through c. above.

Clarification of Status -- The Hogg Foundation for Mental Health has operated for over 50 years in conformance with the wishes of the Hogg family and other donors. However, the original use of the term "foundation" to refer at times to the group of Hogg family gifts and at other times to the office charged with administration of the programs and projects funded by the endowment has created recurring confusion when gauged by the meaning of the term today. The Hogg Foundation for Mental Health was created at a time when the identification of an entity as a "foundation" did not include today's precise legal definition or potential consequences for tax, accounting, and fiduciary issues. In an effort to avoid continuing confusion, this action mandates reference to the on-campus office as the Office of the Hogg Foundation for Mental Health and requires formal reference to the group of Hogg family gifts collectively as the Hogg Foundation for Mental Health endowments.

The impact of this action necessitates abandonment of operating and administrative guidelines approved by the U. T. Board of Regents at the February 1977 meeting. Following clear identification of the office as an operating entity of U. T. Austin, new operating and administrative guidelines are to be adopted as part of the U. T. Austin Handbook of Operating Procedures, subject to approval by the Executive Vice Chancellor for Academic Affairs in accordance with the U. T. Board of Regents' approval requirements. The annual operating budget for the Office of the Hogg Foundation for Mental Health is already incorporated into the U. T. Austin operating budget and approved by the Board as a part of the normal budget approval process. With the planned retirement of Dr. Wayne Holtzman, President of the Hogg Foundation for Mental Health, on August 31, 1993, U. T. Austin proposes to use the title of Executive Director rather than President.

Dissolution and Redesignation as Endowment -- The multi-tiered administrative structure for the trustee Ima Hogg Foundation, Inc. funds has become cumbersome and unnecessary over time. The Ima Hogg Foundation, Inc. By-Laws are outdated and do not reflect the current operating structure of the U. T. Board of Regents or U. T. System Administration. For example, the By-Laws require that officers be elected annually and an Executive Committee of at least three trustees perform certain duties related to Ima Hogg Foundation, Inc. management. The annual election has not been consistently held since the U. T.

Board of Regents now uses two-year terms for officers. Additionally, the Board's current Business Affairs and Audit and Asset Management Committees perform functions analogous to the Executive Committee of the Ima Hogg Foundation, Inc.

Article Ten of the Articles of Incorporation addresses dissolution of the corporation "by lapse of time or otherwise" and authorizes transfer of assets to other charitable trustees appointed by a court with preferential consideration given to transfer of "such funds and property to the Trustees of the Hogg Foundation...if such Foundation is then functioning and operating." Dissolution of the corporation is preferable to amendment of the By-Laws and continued operation under the Foundation trustee structure as the U. T. Board of Regents effectively manages numerous other substantial "charitable trusts" as endowments without need for a separate corporate structure. Also, upon dissolution, the trust would no longer be required to make reports to the Secretary of State or file annual tax returns to the Internal Revenue Service.

If the dissolution is approved, the U. T. Board of Regents, acting as the corporate Board of Trustees, will consider the recommendation during the meeting of the U. T. Board of Regents scheduled for April 1993. In other words, the corporate Board of Trustees would elect officers and consider the recommendation from the U. T. Board of Regents to dissolve. Upon dissolution in accordance with court approval, assets would be formally transferred to be held as an endowment to be invested in the Common Trust Fund with income to be distributed consistent with the donor's expressed wishes including the support of programs dealing with the mental health of children in Houston-Harris County.

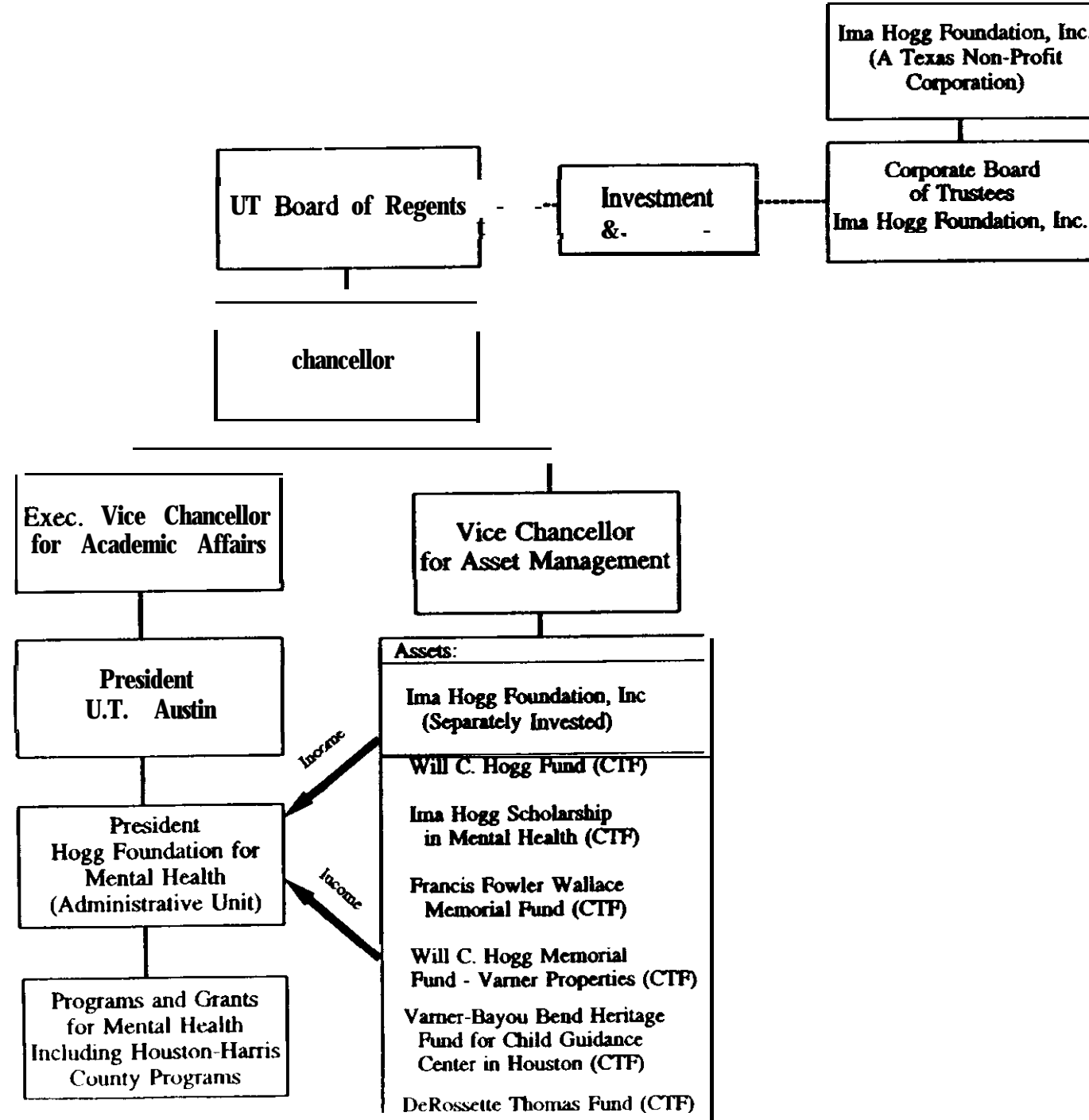
Authorization to Accomplish Changes -- If approved by the U. T. Board of Regents and the Ima Hogg Foundation, Inc. Board of Trustees, U. T. System and U. T. Austin officials would be authorized to pursue approval of proposed actions in an uncontested proceeding before a district court of Travis County, Texas, and to take necessary administrative actions to bring the endowment recommendations before the U. T. Board of Regents.

Further, the Regents' Rules and Regulations, Part One, Chapter VII, Section 5 will require amendment to clarify that the U. T. Board of Regents administers the Hogg Foundation for Mental Health endowments, but the members of the U. T. Board of Regents do not specifically act as trustees for a foundation.

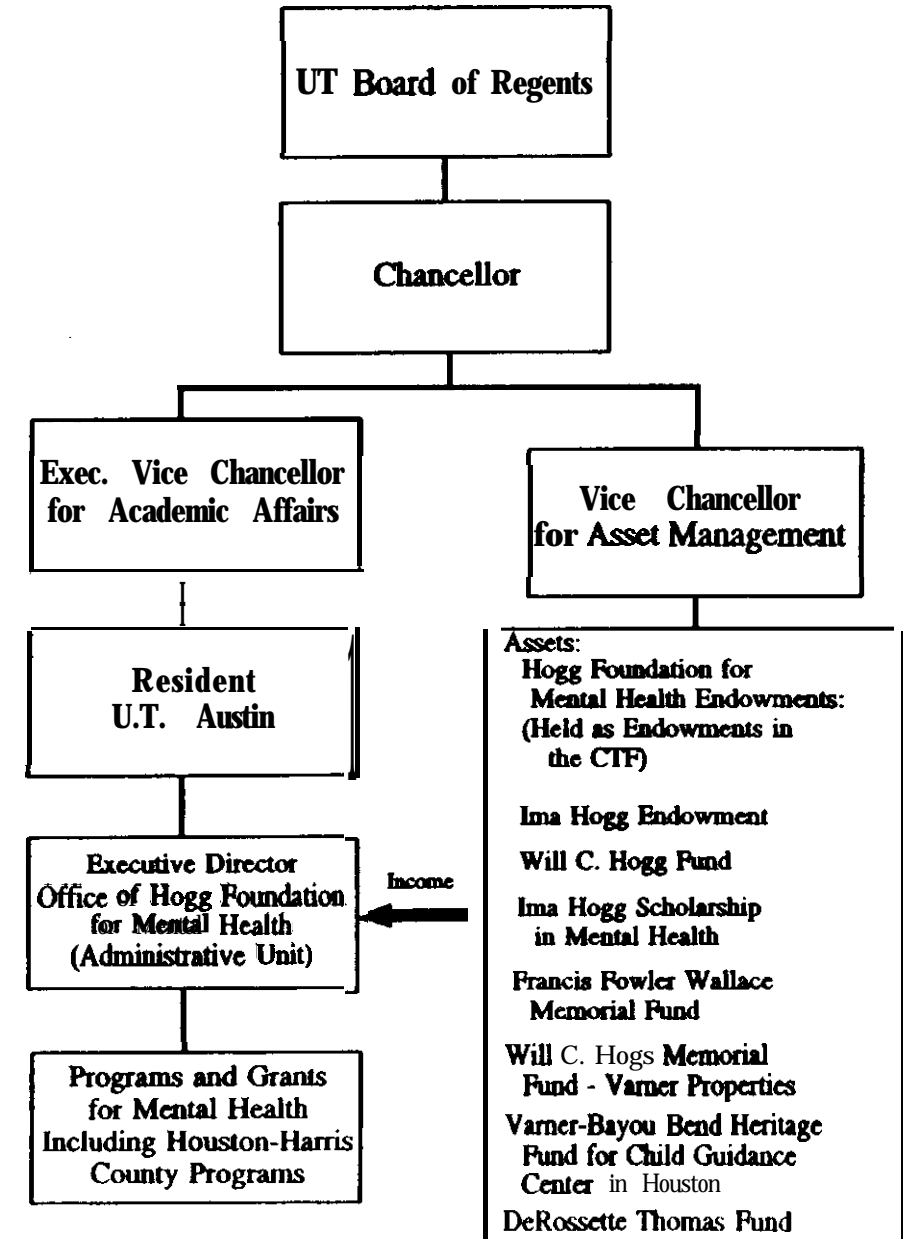
Editorial amendment to the Regents' Rules and Regulations, Part One, Chapter VII, Section 6, Subsection 6.3 will also be required to delete mention of the Ima Hogg Foundation, Inc. as an internal corporation.

Following approval of these recommendations, Chairman Beecherl suggested that the Board meet with the new executive director to discuss the functions of the Office of the Hogg Foundation for Mental Health and approve the programs being performed by the Office. He emphasized that the Board has a fiduciary responsibility to oversee the Office's operations, and this action by the Board will make it easier for the Board to monitor the Office.

Current



Proposed



RECESS FOR COMMITTEE MEETINGS AND COMMITTEE REPORTS TO THE BOARD.--At 10:15 a.m., the Board recessed for the meetings of the Standing Committees and Chairman Beecherl announced that at the conclusion of each committee meeting the Board would reconvene to approve the report and recommendations of that committee.

The meetings of the Standing Committees were conducted in open session and the reports and recommendations thereof are set forth on the following pages.

REPORTS AND RECOMMENDATIONS OF STANDING COMMITTEES

REPORT OF EXECUTIVE COMMITTEE (Pages 8 - 14).--In compliance with Section 7.14 of Chapter I of Part One of the Regents' Rules and Regulations, Chairman Beecherl reported to the Board for ratification and approval all actions taken by the Executive Committee since the last meeting. Unless otherwise indicated, the recommendations of the Executive Committee were in all things approved as set forth below:

1. U. T. System: Authorization for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 93-8).--House Bill No. 1, Article V, Section 146 of the 72nd Legislature authorized a 3% salary increase for each year of the 1992-1993 biennium for state employees and officials, including employees of higher education, contingent upon a finding of fact by the Comptroller of Public Accounts that sufficient revenue is available from the General Revenue Fund for this purpose. Funding for the FY 1992 salary increase was approved in two parts -- a 2% increase was effective September 1, 1991, and a 1% increase was effective August 1, 1992, for a total of 3%.

Recently, the State Comptroller certified funds for the FY 1993 salary increase to become effective December 1, 1992. The amount of General Revenue required to sustain this increase for FY 1993 will be transferred from the Comptroller of Public Accounts to each University of Texas System component institution's Educational and General Operating Budget. Since U. T. System Administration is funded primarily from Available University Funds, an additional \$397,521 was requested from the Available University Fund to sustain the 3% increase for U. T. System Administration employees. The University of Texas Medical Branch at Galveston requested an additional \$1,962,558 from Estimated Patient Income to sustain the 3% salary increase for employees paid from hospital revenues.

Upon recommendation of the Executive Committee, the Board approved the following transfer of funds in FY 1993 Educational and General Operating Budgets for U. T. System component institutions and U. T. System Administration:

Educational and General Funds

Amount of Transfer - \$20,256,919

From: General Revenue - Transfer from State Comptroller for 3% across- the-board salary increase in accordance with H. B. 1, Arti- cle V, Section 146	\$17,896,840
Available University Funds	397,521
Estimated Patient Income	<u>1,962,558</u>
Total	<u>\$20,256,919</u>

To: Educational and General Operating
Budgets for:

U. T. Arlington	\$ 1,498,269
U. T. Austin	2,819,361
U. T. Brownsville	253,185
U. T. Dallas	436,326
U. T. El Paso	476,012
U. T. Pan American	589,674
U. T. Permian Basin	116,523
U. T. San Antonio	671,000
U. T. Tyler	235,211
U. T. Southwestern Medical Center - Dallas	1,552,415
U. T. Medical Branch - Galveston	5,164,626
U. T. Health Science Center - Houston	2,992,812
U. T. Health Science Center - San Antonio	1,788,345
U. T. M.D. Anderson Cancer Center	1,048,406
U. T. Health Center - Tyler	217,233
U. T. System Offices System Administration	197,868
Expenses of Revenue Bearing Property	<u>199,653</u>
Total	<u>\$20,256,919</u>

2. U. T. System: Authorization to (a) Renew the All Risk Property Policy (Formerly Fire and Extended Coverage) with Arkwright Mutual Insurance Company, Waltham, Massachusetts, Effective August 15, 1992 Through August 15, 1995, (b) Issue the Automobile Liability Insurance Policy to United Community Insurance Company, Northville, Michigan, Effective November 1, 1992 Through October 31, 1993, (c) Continue the Comprehensive Boiler and Machinery Insurance Policy with Arkwright Mutual Insurance Company, Waltham, Massachusetts, Effective October 1, 1992 Through October 1, 1993, (d) Issue the Comprehensive Crime Policy to National Union Fire Insurance Company, Pittsburgh, Pennsylvania, Effective November 1, 1992 Through November 1, 1993, and (e) Renew the Directors and Officers Executive Liability and Indemnification Policy with National Union Fire Insurance Company, Pittsburgh, Pennsylvania, Effective September 1, 1992 Through September 1, 1993 (Exec. Com. Letter 93-7).--The Executive Committee recommended and the Board took the following actions related to certain insurance policies for The University of Texas System:
- a. Renewed the All Risk Property Policy (formerly Fire and Extended Coverage) with Arkwright Mutual Insurance Company of Waltham, Massachusetts, for a three-year term from August 15, 1992 through August 15, 1995. Based on current property values, the annual premium will be \$275,000.
 - b. Issued the Automobile Liability Insurance Policy to the United Community Insurance Company of Northville, Michigan, from November 1, 1992 through October 31, 1993, at an annual premium of \$241,596

Premiums for the policy are prorated among the component institutions based upon their individual motor vehicle fleet inventory.

- c. Continued the Comprehensive Boiler and Machinery Insurance Policy with Arkwright Mutual Insurance Company of Waltham, Massachusetts, from October 1, 1992 through October 1, 1993, at an annual premium of \$60,674
- d. Issued the Comprehensive Crime Policy to National Union Fire Insurance Company of Pittsburgh, Pennsylvania, from November 1, 1992 through November 1, 1993, at an annual premium of \$100,000
- e. Renewed the Directors and Officers Executive Liability and Indemnification Policy with National Union Fire Insurance Company of Pittsburgh, Pennsylvania, from September 1, 1992 through September 1, 1993, at an annual premium of \$75,000.

The premium is prorated among the component institutions of the U. T. System based on total employee/faculty head count.

- 3. U. T. Austin: Approval to Waive the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.1 (Naming of Buildings and Other Facilities) and to Name the Texas Swimming Center as the Lee and Joe Jamail Texas Swimming Center (Exec. Com. Letter 93-3).-- The Board, upon recommendation of the Executive Committee, waived the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.1, which requires that persons in whose honor a building is to be named "shall have been deceased for at least five years," and approved the renaming of the Texas Swimming Center at The University of Texas at Austin as the Lee and Joe Jamail Texas Swimming Center in recognition of the generous support of Mr. and Mrs. Joseph D. Jamail (Lee Hage Jamail), Houston, Texas.
- 4. U. T. Brownsville: Permission for Dr. Juliet V. Garcia to Serve as a Member of the Council of Advisors on Education [Regents' Rules and Regulations, Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11)] (Exec. Com. Letter 93-4).--Permission was given for Dr. Juliet V. Garcia, President of The University of Texas at Brownsville, to serve as a member of President Clinton's Council of Advisors on Education effective immediately. Dr. Garcia will serve on this Council without compensation.

President Garcia's appointment to this Council is of benefit to the State of Texas, creates no conflict with her regular duties at U. T. Brownsville, and is in accordance with approval requirements for positions of honor,

trust, or profit provided in Article 6252-9a of Vernon's Texas Civil Statutes and Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11) of the Regents' Rules and Regulations.

5. U. T. Southwestern Medical Center - Dallas - Aston Ambulatory Care Center - Eighth Floor Finish Out (Project No. 303-777) - Aston Ambulatory Care Center Eighth and Ninth Level Bridges (Project No. 303-692): Award of Construction Contract to Dal-Mac Construction Company, Richardson, Texas (Exec. Com. Letter 93-4).--Upon recommendation of the Executive Committee, the Board awarded one construction contract for Aston Ambulatory Care Center Eighth Floor Finish Out and Aston Ambulatory Care Center Eighth and Ninth Level Bridges at The University of Texas Southwestern Medical Center at Dallas to the lowest responsible bidder, Dal-Mac Construction Company, Richardson, Texas, for Proposal "C" Base Bid Combined Project and Additive Alternate Bid No. 2 in the amount of \$2,568,118.

The total project cost for Aston Ambulatory Care Center Eighth Floor Finish Out is composed of the following elements:

Proposal "A" Base Bid Allocation	\$2,163,321	
Add Alternate No. 2	-0-	
Construction Cost		\$2,163,321
Fees and Administrative Expenses		224,807
Furniture and Equipment		854,855
Future Work and Miscellaneous Expenses		97,070
Project Contingency		<u>104,947</u>
Total Project Cost		<u>\$3,445,000</u>

This project was approved by the Texas Higher Education Coordinating Board in October 1991.

The total project cost for the Aston Ambulatory Care Center Eighth and Ninth Level Bridges is composed of the following elements:

Proposal "B" Base Bid Allocation	\$404,797	
Construction Cost		\$404,797
Fees and Administrative Expenses		78,431
Future Work and Administrative Expenses		10,828
Project Contingency		<u>55,944</u>
Total Project Cost		<u>\$550,000</u>

6. U. T. Southwestern Medical Center - Dallas - Research Building - Phase II North Campus Expansion (Project No. 303-755): Award of Construction Contract for General Construction for Research Building NA, Support Building NG, and Expansion of Thermal Energy Plant Building NJ to Centex Bateson Construction Company, Inc., Dallas, Texas (Exec. Com. Letter 93-4).--The Executive Committee recommended and the Board awarded a construction contract for General Construction for Research Building NA, Support Building NG, and Expansion of Thermal Energy Plant Building NJ - Phase II North Campus Expansion at The University of Texas Southwestern Medical Center at Dallas to the lowest responsible bidder, Centex Bateson Construction Company, Inc., Dallas, Texas, for the Base Bid in the amount of \$31,473,000.

The project for expansion of the North Campus is divided into the Intercampus Connector project and three stages of construction. At the June 1992 meeting, the Board awarded a construction contract for the Intercampus Connector project. At the October 1992 meeting, the Board awarded a contract for the first stage of construction for the prepurchase of Thermal Energy Plant equipment. This second stage includes the general construction of Research Building NA with support facilities, expansion of the Thermal Energy Plant, and attendant site work.

7. U. T. Southwestern Medical Center - Dallas: Authorization for an Additional \$10,000 from The University of Texas System Self-Insurance Medical Liability Plan for Final Settlement of the Kanetra Horton vs. Dallas County Hospital District, et al. Litigation Case (Exec. Com. Letter 93-6).--At the December 1992 meeting, the U. T. Board of Regents authorized settlement of the Kanetra Horton vs. Dallas County Hospital District, et al. medical liability case at The University of Texas Southwestern Medical Center at Dallas for \$350,000, which settlement was reached at a court-ordered mediation. Subsequent to the Board's approval, a dispute arose among the multiple defendants, and the trial court required a payment of \$360,000 by The University of Texas System Self-Insurance Medical Liability Plan to settle the lawsuit.

In compliance therewith, the Board authorized an additional \$10,000 to be paid from the U. T. System Self-Insurance Medical Liability Plan for final settlement of the Kanetra Horton vs. Dallas County Hospital District, et al. medical liability case at the U. T. Southwestern Medical Center - Dallas.

8. U. T. Medical Branch - Galveston: Authorization for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 93-3).--In January 1990, The University of Texas Medical Branch at Galveston processed through the General Services Commission a lease purchase agreement for a telecommunications system with BellSouth Communications Systems, Inc., Irving, Texas, with a fixed interest rate of 7.65% and lease payments due annually through September 30, 1997. In anticipation of improved financing rates during the term of the agreement, a provision was included to allow the U. T. Medical Branch - Galveston to exercise an option for prepayment of the obligation based on a computation of the unamortized principal on September 30 of each year.

In order to retire the entire commitment this fiscal year, the Board approved the following transfer of funds at the U. T. Medical Branch - Galveston:

Educational and General Funds

Amount of Transfer - \$6,846,636.43

From: Unappropriated Balance - \$6,846,636.43

To: Telecommunications Systems - Maintenance and
Operations - \$6,846,636.43

9. U. T. M.D. Anderson Cancer Center - Bertner Complex (Project No. 703-772) and Clinical Services Facility (Project No. 703-773) - Phase I: Approval to Excuse M. A. Mortenson Company, Minneapolis, Minnesota, from an Erroneous Bid and Award of Construction Contract to the Lowest Responsible Bidder, Centex Bateson Construction Company, Inc., Dallas, Texas (Exec. Com. Letter 93-5).--
The Executive Committee recommended and the Board:

- a. Excused M. A. Mortenson Company, Minneapolis, Minnesota, from an erroneous bid without forfeiture of its bid bond related to a construction contract for the Bertner Complex and Clinical Services Facility - Phase I at The University of Texas M.D. Anderson Cancer Center
- b. Awarded a construction contract to the lowest responsible bidder, Centex Bateson Construction Company, Inc., Dallas, Texas, for Proposal "C" and Additive Alternate Nos. 1 and 2 in the amount of \$54,992,000.

The bid proposal for the project was organized so that contractors could bid on Proposal "A" for the Bertner Complex, on Proposal "B" for the Clinical Services Facility, and on Proposal "C" for the combined buildings. It was thought that the combination might result in savings through economies of scale achieved by a reduction in overhead costs and by quantity procurement of materials. However, on the chance that a low bid for Proposal "A" combined with a low bid for Proposal "B" might result in an overall cost less than the low bid for Proposal "C," the bid documents were structured so that contracts could be awarded to two separate contractors. Analysis of the bids following the bid opening showed that the bid of the M. A. Mortenson Company, Minneapolis, Minnesota, for Proposal "A" combined with the bid of Manhattan Construction Company, Houston, Texas, for Proposal "B" was indeed less than Centex Bateson's bid for Proposal "C."

Further analysis of the bids indicated that Mortenson might have made an error in its bid for Proposal "A." This was made evident by the fact that Mortenson was approximately \$4.4 million lower than any other bidder for Proposal "A" but was approximately \$1.3 million higher than the lowest bidder for the combined buildings in Proposal "C." Mortenson was asked by telephone if it might have made an error in its bid for Proposal "A" and almost immediately responded that it had indeed made a clerical error in its bid for Proposal "A." Mortenson followed up by providing copies of its bid calculations to prove how the error had been made and asked that it be excused from its bid for Proposal "A."

The clerical error had been proven to the satisfaction of Mr. R. S. Kristoferson, Director of the Office of Facilities Planning and Construction, and Mr. Peter Hanke, counsel in the Office of General Counsel. Legal precedent establishes that an error of the nature made in Mortenson's bid justifies excusing the bidder from its error without forfeiture of its bid bond. Accordingly, the lowest responsible bid for the project was submitted by Centex Bateson Construction Company, Inc., Dallas, Texas, in the amount of \$54,992,000 for Proposal "C" and Additive Alternate Nos. 1 and 2.

The scope of the Phase I project includes preconstruction activities, site preparation, and construction of the foundation, superstructure, exterior walls, and glass and roof for both the Bertner Complex and the Clinical Services Facility. Elevators, stairs, a transformer vault, and the mechanical upgrade for the Gimbel Building are also included. Bids for Phase II to complete the Bertner Complex and Clinical Services Facility will be received at a future date, and a recommendation for contract award will be presented to the U. T. Board of Regents for separate consideration.

This project was approved by the Texas Higher Education Coordinating Board in October 1992.

REPORT AND RECOMMENDATIONS OF THE BUSINESS AFFAIRS AND AUDIT COMMITTEE (Pages 15 - 29).--Committee Chairman Loeffler reported that the Business Affairs and Audit Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Business Affairs and Audit Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. System: Approval of Chancellor's Docket No. 68 (Catalog Change).--Upon recommendation of the Business Affairs and Audit Committee, the Board approved Chancellor's Docket No. 68 in the form distributed by the Executive Secretary. It is attached following Page 94 in the official copies of the Minutes and is made a part of the record of this meeting.

It was expressly authorized that any contracts or other documents or instruments approved therein had been or shall be executed by the appropriate officials of the respective institution involved.

It was ordered that any item included in the Docket that normally is published in the institutional catalog be reflected in the next appropriate catalog published by the respective institution.

2. U. T. System: Authorization to Amend (a) Policies and Procedures for Discipline and Dismissal of Employees and (b) Grievance Policy and Procedures.--The Board, upon recommendation of the Business Affairs and Audit Committee, amended the Policies and Procedures for Discipline and Dismissal of Employees and the Grievance Policy and Procedures of The University of Texas System as set forth below.
 - a. Item E of Section III of the Policies and Procedures for Discipline and Dismissal of Employees was amended as follows:

III. DISCIPLINE AND DISMISSAL POLICY AND PROCEDURES

E. Imposing the Disciplinary Penalty

1. Notice

Upon completing the predisciplinary hearing procedures and obtaining the approval of the appropriate department head or administrative equivalent, the supervisor shall inform the employee in writing of the following:

- (a) whether the disciplinary penalty is demotion, suspension without pay or dismissal;
- (b) the effective date of demotion, suspension or dismissal;
- (c) a specific period for a suspension without pay, not to exceed one (1) month;

- b. Item 2 of Section III of the Grievance Policy and Procedures was amended to read as follows:

III. PROCEDURE FOR BRINGING A GRIEVANCE

2. If the complaint is not satisfactorily resolved by the supervisor or administrative equivalent within five (5) working days, the employee may present the complaint in writing within five (5) working days to the appropriate department head or administrative equivalent for consideration and action. A written decision will be mailed to the employee within five (5) working days of receipt of the complaint.

These policies, as amended, are set forth in their entirety on Pages 16 - 27.

POLICIES AND PROCEDURES FOR
DISCIPLINE AND DISMISSAL OF EMPLOYEES

I. PURPOSE

It is the policy of The University of Texas [Name of Institution] to encourage fair, efficient and equitable solutions for problems arising out of the employment relationship and to meet the requirements of state and federal law.

II. SCOPE OF POLICY

These policies and procedures are applicable to conduct or job performance of an employee that results in a decision to impose a disciplinary penalty of demotion, suspension without pay or dismissal. It does not apply to:

1. Institutional police, faculty or teaching staff who are subject to other approved discipline or dismissal procedures;
2. Suspension with pay pending investigation of allegations relating to an employee;
3. Decisions not to offer reappointment to persons whose appointment for a stated period of one year or less expires at the end of such period without the necessity of notice of nonrenewal as provided in the Rules and Regulations of the Board of Regents or the rules and regulations of the institution; or
4. Dismissal of employees
 - (a) who are appointed to positions without fixed term and under applicable rule or regulation serve at the pleasure of a specific administrative officer,
 - (b) who occupy positions that are dependent upon funding from a specific source and such funding is not received,

- (c) as a result of a reorganization,
- (d) because of financial exigency,
- (e) during the 180-day probationary period,
- (f) who are appointed for a stated period that is less than 180 days, or
- (g) who are appointed at a per diem or hourly rate and work on an as needed basis.

III. DISCIPLINE AND DISMISSAL POLICY AND PROCEDURES

A. Requisite Standards of Conduct

Each employee is expected to acquaint themselves with performance criteria for their particular job and with all rules, procedures and standards of conduct established by the Board of Regents of The University of Texas System, the institution and the employee's department or unit. An employee who does not fulfill the responsibilities set out by such performance criteria, rules, procedures and standards of conduct may be subject to adverse personnel action.

B. Conduct Which is Subject to Disciplinary Action

1. Work Performance

- (a) Failure of an employee to maintain satisfactory work performance standards can constitute good cause for disciplinary action including dismissal. The term "work performance" includes all aspects of an employee's work.
- (b) Work performance is to be judged by the supervisor's evaluation of the quality and quantity of work performed by each employee. When, in the opinion of the supervisor, the work performance of an employee is below standard, the supervisor should take appropriate disciplinary action.

2. Misconduct

- (a) All employees are expected to maintain standards of conduct suitable and acceptable to the work environment. Disciplinary action, including dismissal, may be imposed for unacceptable conduct.
- (b) Examples of unacceptable conduct include, but are not limited to:
 - (1) falsification of time sheets, personnel records or other institutional records;
 - (2) neglect of duties or wasting time during working hours;
 - (3) smoking anywhere except in designated smoking areas;

- (4) gambling, participating in lotteries or any other games of chance on the premises at any time;
- (5) soliciting, collecting money or circulating petitions on the premises other than within the rules and regulations of the institution;
- (6) bringing intoxicants or drugs onto the premises of the institution, using intoxicants or drugs, having intoxicants or drugs in one's possession, or being under the influence of intoxicants or drugs on the premises at any time;
- (7) abuse or waste of tools, equipment, fixtures, property, supplies or goods of the institution;
- (8) creating or contributing to unhealthy or unsanitary conditions;
- (9) violations of safety rules or accepted safety practices;
- (10) failure to cooperate with supervisor or co-worker, impairment of function of work unit or disruptive conduct;
- (11) disorderly conduct, harassment of other employees (including sexual harassment) or use of abusive language on the premises;
- (12) fighting, encouraging a fight or threatening, attempting or causing injury to another person on the premises;
- (13) neglect of duty or failure to meet a reasonable and objective measure of efficiency and productivity;
- (14) theft, dishonesty or unauthorized use of institutional property including records and confidential information;
- (15) creating a condition hazardous to another person on the premises;
- (16) destroying or defacing institutional property or records or the property of a student or employee;
- (17) refusal of an employee to follow instructions or to perform designated work that may be required of an employee or refusal to adhere to established rules and regulations;
- (18) repeated tardiness or absence, absence without proper notification to the supervisor or without satisfactory reason or unavailability for work; and

(19) violation of policies or rules of the institution or The University of Texas System.

C. Investigations

1. All incidents that involve the potential for disciplinary action shall be investigated by the employee's supervisor or other designated administrative official.
2. If the investigation results in evidence that establishes with reasonable certainty that the employee engaged in conduct which warrants disciplinary action, the supervisor shall follow the predisciplinary hearing procedures before seeking approval for the proposed disciplinary action.

D. Predisciplinary Hearings

1. Policy

An employee shall be informed of the basis for any proposed disciplinary action resulting in demotion, suspension without pay or dismissal and have an opportunity to respond before a final decision is made to take disciplinary action. The hearing serves as an opportunity to avoid mistaken decisions to impose discipline and is not intended to definitively resolve the propriety of the disciplinary action being considered.

2. Procedures

There is no prescribed form for this hearing. It should be informal. However, before reaching a final decision to impose discipline, the supervisor shall:

- (a) inform the employee, either in person or in writing, of the reasons for the proposed disciplinary action, the facts upon which the supervisor relies, the names of any persons who have made statements about the disciplinary incident and the content of such statements;
- (b) give the employee access to any documentary material which the supervisor has relied upon; and
- (c) give the employee an opportunity to respond to the charges either orally or in writing within a reasonable time and to persuade the supervisor that the evidence supporting the charges is not true.

If the supervisor is not persuaded that the evidence is untrue, the supervisor will review the evidence and proposed disciplinary action with the Director of Personnel or his or her delegate and will obtain the approval of the appropriate department head or administrative equivalent before proceeding to impose the disciplinary penalty.

E. Imposing the Disciplinary Penalty

1. Notice

Upon completing the predisciplinary hearing procedures and obtaining the approval of the appropriate department head or administrative equivalent, the supervisor shall inform the employee in writing of the following:

- (a) whether the disciplinary penalty is demotion, suspension without pay or dismissal;
- (b) the effective date of demotion, suspension or dismissal;
- (c) a specific period for a suspension without pay, not to exceed one (1) month;
- (d) the specific incident, conduct, course of conduct, unsatisfactory work performance or other basis for the disciplinary penalty;
- (e) any previous efforts to make the employee aware of the need to change or improve work performance or conduct; and
- (f) reference to any relevant rule, regulation or policy.

The supervisor shall also inform the employee of the right to appeal the disciplinary action and provide them a copy of the appeal procedure.

2. Effect Upon Employee Benefits

- (a) An employee who is demoted or suspended without pay continues to accrue vacation and sick leave, to be covered by group insurance and to be entitled to other employee benefit programs.
- (b) If a demotion or suspension without pay is appealed and it is determined that there was not good cause for the demotion or suspension, the employee shall be entitled to payment for wages lost as a result of the demotion or suspension.
- (c) If it is determined upon appeal that a dismissal was not for good cause, the employee shall be reinstated to the same or similar position and shall be entitled to payment of back wages less any unemployment benefits received by the employee after the date of dismissal. Employee benefits such as vacation and sick leave shall be credited back to the date of dismissal.

IV. PROCEDURE FOR APPEALING DISCIPLINARY ACTIONS

Disciplinary actions resulting in dismissal, suspension without pay, or demotion may be appealed by the affected employee pursuant to the process set out below. The time limits set forth in the appeal procedure must be adhered to by both the employee and the appropriate supervisory and administrative personnel unless extended for good cause by the Director of Personnel. The failure of the employee to process the appeal in a timely manner to the next level shall constitute a withdrawal of the appeal. The failure of supervisory or administrative personnel to timely respond to an appeal shall constitute authorization for the employee to process the appeal to the next step.

A. Step One

The employee may present a written appeal to the [title of administrative official] within five (5) working days from the date of the disciplinary action. The appeal shall contain a clear and concise statement of why the disciplinary action is inappropriate. Within ten (10) working days of the date of the appeal, a written decision shall be mailed to the employee.

B. Step Two*

The decision of the step one official may be appealed to the [title of administrative official] within five (5) working days of the date of the step one decision. The appeal must be in writing and shall state why the decision of the step one official is incorrect. A written decision on the appeal shall be mailed to the employee within ten (10) working days of the date of the appeal.

C. Step Three [Step Two]

If the employee is not satisfied with the step two [step one] decision, the employee may present a written request for a hearing before the vice president or administrative equivalent for the employee's department. The request for a hearing must state with particularity why the disciplinary action was inappropriate and/or why the decision of the step two [step one] official should be changed. The request must be made within five (5) working days following the date of the appealed decision. The vice president or administrative equivalent shall, in his or her discretion, either hear the appeal in person or appoint a delegate(s) to hear the appeal. The hearing shall be conducted pursuant to the procedure set out in Paragraph F below.

* Institutions may exclude Step Two and provide an appeal process of only three steps.

D. Step Four [Step Three]

If the employee is not satisfied with the step three [step two] decision, a written appeal may be made to the chief administrative officer of the institution within five (5) working days of the date of the step three [step two] decision and must state why such decision is incorrect. The review by the chief administrative officer shall be based solely upon the step three [step two] record and shall not include any new issue or evidence. Within a reasonable period of time, not to exceed thirty (30) days following the date of the appeal, a written decision shall be mailed to the employee. The decision of the chief administrative officer is final.

E. Records of Disciplinary Actions

Copies of all documents pertaining to disciplinary actions shall be filed in the employee's personnel file.

F. Step Three [Step Two] Hearing Procedure

1. Pre-Hearing Rules and Procedures

(a) Naming the Delegate(s)

If the vice president or administrative equivalent elects to appoint a delegate(s) to hear the appeal, the name or names will be furnished to the employee as soon as practical after the selection is made. If more than one person is appointed, one of such persons shall be designated to serve as chair in the notice to the employee.

(b) Challenges to Impartiality

An employee may challenge the fairness and impartiality of the vice president or administrative equivalent or an appointed delegate(s). The challenge must be in writing and must clearly state the factual basis for the challenge. A challenge of the vice president or administrative equivalent must be made within five (5) days of the date of the request for a hearing and a challenge of a delegate(s) must be made within five (5) days after the date of the notice appointing the delegate(s). It shall be up to the person challenged to determine whether he or she can serve with fairness and impartiality. If the challenged vice president or administrative equivalent determines that he or she cannot be fair and impartial in the consideration of the appeal, he or she shall appoint a delegate(s) to hear the appeal. If a challenged delegate(s) determines that he or she cannot be fair and impartial in the consideration of the appeal, the vice president or administrative equivalent shall appoint another delegate(s).

(c) Time Limits

The hearing shall be conducted as soon as practical, but not later than twenty (20) working days following the date of the appeal or the appointment of delegate(s).

(d) Discovery Rights and Document Exchange

(1) The employee may request institutional documents, records or exhibits. Such request must accompany the step three [step two] written appeal. The requested records will be furnished if, in the opinion of the vice president or administrative equivalent or the designated chair, as the case may be, they are relevant to the appeal and are not made confidential by law.

(2) At least five (5) days prior to the time set for the hearing, the institutional representative for the appeal and the employee shall furnish each other with the names of the witnesses to be called, a summary of their expected testimony and a copy of each document, record or exhibit to be introduced at the hearing.

2. Hearing Rules and Procedures

(a) Role of Hearing Chair

(1) The vice president or administrative equivalent or the delegate designated as chair shall preside at the hearing and ensure the order of presentation as well as decide on questions of relevancy. The chair shall also have the discretion to determine the form and scope of cross-examination allowed during the hearing.

(2) Upon request, the chair may consult with and be advised by counsel during the hearing.

(b) Right to Representation

The employee has the right to be represented at the hearing by an attorney or other individual representative. If the employee is represented by an attorney or an individual from an employee organization that does not claim the right to strike, the institution may be represented by an attorney from the Office of General Counsel of The University of Texas System.

(c) Hearing Record

In all appeal hearings where the employee is represented by an attorney or an individual from an employee organization, a court reporter shall be furnished by the institution to transcribe the hearing and swear in witnesses. The party requesting a copy of the transcript of the proceedings shall be responsible for its cost. In all other appeal hearings the institution shall tape the hearing and make a copy of the tape available to the employee on request. The transcript of the court reporter or the tape of the proceedings shall be the official record of the hearing.

(d) Burden of Proof

The institution has the burden of proving by a preponderance of credible evidence that good cause exists for the disciplinary action and, therefore, shall have the right to open and close the proceedings.

(e) Order of Presentation and Right to Cross-Examination

- (1) The hearing shall consist of opening statements on behalf of the institution and the employee and testimony by witnesses called by the institution and the employee, with both parties having the right to cross-examine witnesses and make closing statements.
- (2) Relevant exhibits may be introduced by either party and the chair shall take notice of the employee's personnel record.

(f) Institutional Employees as Witnesses

- (1) Any employee can be asked to appear as a witness for either party.
- (2) It shall be the duty of an employee requested to testify to do so as to any facts which may be relevant to the appeal.

3. Post-Hearing Rules and Procedures

- (a) The delegate(s) shall deliberate, prepare and forward written findings and recommendations to the vice president or administrative equivalent within ten (10) working days after the close of the hearing.

- (b) The vice president or administrative equivalent shall mail his or her decision to the employee within ten (10) working days following the receipt of the findings and recommendations from the delegate(s).
- (c) If the vice president or administrative equivalent has heard the appeal, he or she shall mail a written decision to the employee within ten (10) working days after the close of the hearing.

GRIEVANCE POLICY AND PROCEDURES

I. PURPOSE

It is the policy of The University of Texas [Name of Institution] to encourage fair, efficient and equitable solutions for problems arising out of the employment relationship and to meet the requirements of state and federal law.

II. SCOPE OF GRIEVANCE POLICY

Complaints concerning wages, hours of work, working conditions, performance evaluations, merit raises, job assignments, reprimands, the interpretation or application of a rule, regulation or policy, or allegations that the termination of a probationary or temporary employee or an hourly or per diem employee who works on an as needed basis was for an unlawfully discriminatory reason shall not be processed through the Discipline and Dismissal Appeal Procedure. Such complaints will be considered on an informal basis in order to allow prompt correction or explanation of the subject of the complaint.

1. Probationary, Temporary, Hourly, and Per Diem Employees Included

The complaint of all employees (except faculty*) including probationary and temporary employees and those hourly or per diem employees who work on an as needed basis will be considered pursuant to the procedure provided below.

2. Retaliation Prohibited

No employee will be penalized, disciplined or prejudiced for exercising the right to make a complaint or for aiding another employee in the presentation of that complaint.

III. PROCEDURE FOR BRINGING A GRIEVANCE

1. The employee shall informally present the complaint to his or her supervisor or administrative equivalent for discussion, consideration and resolution within five (5) working days from the date of the action which is subject of the complaint. If the supervisor is the subject of the complaint, the employee may address the complaint to the appropriate department head or administrative equivalent.

* This phrase may be included by institutions with approved faculty grievance policies and procedures in compliance with the basic parameters of this policy.

2. If the complaint is not satisfactorily resolved by the supervisor or administrative equivalent within five (5) working days, the employee may present the complaint in writing within five (5) working days to the appropriate department head or administrative equivalent for consideration and action. A written decision will be mailed to the employee within five (5) working days of receipt of the complaint.
3. If the employee is not satisfied with the decision of the department head or administrative equivalent, a written appeal stating why the appealed decision is incorrect may be made to the appropriate dean, director or administrative equivalent within five (5) working days of the date of the appealed decision. Within ten (10) working days of the date of the appeal a written decision will be mailed to the employee.
4. Complaints not satisfactorily resolved by the dean, director or administrative equivalent may be appealed in writing to the appropriate vice president or administrative equivalent for the employee's department within five (5) working days of the date of the appealed decision. The appeal shall state why the appealed decision is not correct. Within a reasonable time, not to exceed thirty (30) days following receipt of the appeal, a written decision shall be mailed to the employee. This decision is final.
5. The written complaint and all decisions or responses regarding such complaint shall be a part of the personnel file of the employee.

3. U. T. Board of Regents: Report on Business Affairs and Audit Committee Briefing Held January 29, 1993.--At the conclusion of the Business Affairs and Audit Committee meeting, Committee Chairman Loeffler reported that the Committee had a lengthy and interesting briefing session on Friday, January 29, 1993, and the agenda included several items which will be of interest and which may very well result in requests for future action by the Board. Mr. Loeffler then called on Executive Vice Chancellor for Business Affairs Burck to review with the Board some of the items that the Business Affairs and Audit Committee discussed on January 29.

Executive Vice Chancellor Burck reported that the Business Affairs and Audit Committee had a very constructive briefing on January 29, and it was approximately three hours long. He noted that the following Regents were in attendance: Chairman Beecherl, Regent Loeffler, Regent Cruikshank, and Regent Holmes.

Mr. Burck then summarized the items which were discussed at the January 29 briefing.

- a. AUF Spending Policy -- Discussed expectations, debt ratios, year-end balances, minimum appropriations allocated to The University of Texas at Austin for enrichment programs, and priorities for expenditures. It is anticipated that this proposed policy, which has been distributed to the chief administrative officers for their comments, will be submitted for approval at the April 1993 Board of Regents' meeting.
- b. Revenue Financing Policy -- Discussion centered on how to strengthen project analysis, debt coverages, and priorities for expenditures. An annual report will be prepared on nonperforming projects and will be submitted to the Board of Regents in April 1993.
- c. Consulting, Professional, and General Services Contracts -- Presented to the Committee a list of all expenditures during the past two years for architect/engineer, construction, legal, and general professional and general service contracts, discussed the selection process and a regular reporting system for the number and percent of minority subcontractors, and also discussed a process to provide the Facilities Planning and Construction Committee with a more active role in the evaluation and selection of architects and engineers and a process for the selection of legal consultants.
- d. Annual Financial Report and Report of Fund Balances -- The Committee will brief the Board on the annual financial report and fund balances throughout The University of Texas System.
- e. Waste Management Facility at Comanche Creek -- Discussed the low-level radioactive storage site at Comanche Creek near Fort Stockton and the status of the Sierra Blanca site.
- f. Oil and Gas Lease Sale (Frontier Acreage) -- Discussed strategies to increase leasing and drilling activities and to enhance the income from the Permanent University Fund Lands.

- g. Historically Underutilized Businesses (HUB) -- The Committee heard a status report on the progress being made with this program and was advised that Chancellor Cunningham had appointed a committee to develop initiatives in the HUB and other minority programs.
- h. Vineyard/Winery -- The Committee was informed on the vineyard operations in West Texas and the performance of Cordier.
- i. Audit Activities -- Discussed in depth the numerous audit activities taking place throughout the U. T. System.

In response to Chairman Beecherl's inquiry as to whether there appeared to be any real problems with the component institutions related to the proposed AUF Spending Policy to be submitted to the Board in April 1993, Executive Vice Chancellor Burck reported that these will be general guidelines which have to be understood as such and stated that he anticipated no major problems with the component institutions. Mr. Burck pointed out that in the policy there will be specifications for priority and oversight of the projects.

Committee Chairman Loeffler pointed out that the review of the U. T. System's outside consultative services was very helpful and noted that the professional services that are provided by law firms are really the best.

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 30 - 61).--Committee Chairman Barshop reported that the Academic Affairs Committee had met in open session to consider those matters *on* its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

FILE NO. IV
DOCUMENT
REMARKS _____

- Affiliation Agreements*
1. U. T. Arlington: Approval of an Agreement with Oslo Business School, Oslo, Norway, and Authorization for the Executive Vice Chancellor for Academic Affairs to Execute m--Approval was given to the agreement set out on Pages 30 - 34 by and between The University of Texas at Arlington and the Oslo Business School, Oslo, Norway.

Further, the Executive Vice Chancellor for Academic Affairs was authorized, on behalf of the U. T. Board of Regents, to execute the agreement with the understanding that any and all specific agreements arising from the agreement are to be submitted for prior administrative review and approval as required by the Regents' Rules and Reaulations.

This agreement is designed to promote cooperation and exchange which will enhance the academic interchange between U. T. Arlington and Oslo Business School.

AGREEMENT
BY AND BETWEEN
OSLOBUSINESS SCHOOL
and
THE UNIVERSITY OF TEXAS AT ARLINGTON

This agreement is made and entered into by and between the Oslo Business School, hereinafter referred to as OBS, and the The University of Texas at Arlington hereafter referred to as UTA. The parties hereto agree as follows:

I. Philosophical Intent.

The primary objective of this agreement is the development of cooperative efforts between OBS and UTA, which will enhance

the academic interchange between the two institutions.

Recognizing the **importance** of mutual collaboration and the contributions *to* society made by institutions of higher

● duration, the **parties** desire to promote this international exchange between the faculty And students of the two **institutions** as well as the ● XChAnge Of **academic** And **research** information.

Specific projects in an *area of* educational interest Will be selected as a result of coordination by **OBS** and **UTA** At the appropriate administrative level in ● Ach **institution**. As these projects **are** developed, ● Ach will require a **specific** written Memorandum of **Understanding made** in advance setting forth the terms and conditions **thereof** and executed by both institutions.

II. Definitions.

a) "**Home** Institution" shall be defined as a party to this agreement which under the terms of this Agreement send its faculty member(s) *or* student(s) to the other party (institution) **for** the purposes *of* study And/or **research**.

b) "**Host** Institution" shall be defined as a party to this **agreement which under** the terms of this agreement accepts the visiting faculty *member(s) or* student(s) *from* the other party for study And/or **research**.

III. Exchange of Faculty Members.

a) Following **receipt** of written **credentials** And proposed activities, a party **may submit a letter of** invitation to a faculty member(s) *of* the other party hereto outlining the proposed terms And conditions under which the **visit is to take place**. No such visit shall **exceed** one (1) **academic year** as that period is defined by the host institution.

- b) Negotiations **between the parties hereto concerning** such proposed visit **shall** include consideration of the method and **source of funding for** the expenses of the visiting faculty member or members. Also, they will include the **type of** assistance **or** facilities which **the** faculty members will require from the host institution and **whether** the visiting faculty member will collaborate with the faculty **or** researchers **from** the host institution.
- c) A decision to grant or deny a request shall be at the sole discretion **of** the host institution.

IV. Exchange of Students.

a) **Residential Student Exchange Program.**

1. Students of either institution who desire to study at the other institution in degree **programs**, at the undergraduate or graduate **level**, must **meet** all admission standards **of** the host institution and **receive** all required **approval** from **the home** institution. It will be the **responsibility** of **the home** institution to obtain an application **from the student for** study at the host institution and to formally **recommend** each student **for** the **study desired**. Each student **accepted** by the host institution will **be** expected to **participate** in **the** host institution **at the same level** of **competency** as any other student of **the** host institution who is a **foreign** national.
2. The host institution will make the final decision as to the **acceptance** of the student in **each case**, according to its admission policies governing foreign students, and will notify **the** home institution in **writing of** acceptance **or** rejection. The home institution will notify the students **of** this decision.

3. The home institution shall have no responsibility for the expenses of a visiting student except as otherwise committed to the student. The host institution will consider the provision of waiver of all or part of tuition fees, where the appropriate fees have already been paid at the home institution, on a reciprocal basis, and will use its best efforts to assist in locating housing and related matters, as well as assistance in the establishment of contacts in the degree program. Exchange students shall be entitled to all services normally extended to students at the host institution.
4. In the event academic or other problems arise during the course of a residential student exchange, the host institution will immediately notify the home institution of the nature of the problem and the action which it proposes to take. The home institution shall then attempt to resolve the problem through contact with the student. If the problem cannot be resolved in this manner, the host institution may then take appropriate action through its established procedures.

V. Joint Research Projects.

Proposed joint research projects shall be evaluated to determine the mutual benefit to each institution. In the evaluation of a proposal, consideration shall be given to the qualifications of the participating faculty members and the proposed location of the research activity. Where an initial decision is made to approve a joint research project, the institutions shall attempt to obtain extramural funding before final approval of the project. The terms and conditions of each joint research project shall be mutually agreed to in writing before the beginning of the project and shall include agreement as to publications and other intellectual property rights.

VI. General Provisions.

a) All publications, **research** grants or other joint projects which results from collaborative efforts shall recognize the efforts **of** both institutions **and** shall give recognition to this Agreement therein. Likewise, this Agreement must **also** be mentioned in all courses and formal presentations which result from collaboration under the terms hereof.

b) Both parties agree to exchange publications, such as books, **academic** journals, studies and other **research** information which is generated by either party **as** a result of joint efforts under this **agreement**.

c) This **agreement shall take effect when** • xocutad by the parties and **shall terminate** on June, 30 1995. The agreement shall be automatically **renewed** for additional **one (1) year periods** unless **either party provides** the other notico no **later** than sixty (60) days prior to **the expiration** of the **preceding term** that it wishes to terminate this **Agreement**. If **either** party fails to follow **the** terms and conditions of this **Agreement as** set forth herein, **the other party has** the right to **terminate this Agreement immediately** upon written notico to the other.

IN WITNESS **WHEREOF** the **parties hereto** have executed two copies of this instrument in **the presence** of two **witnessess** whose *signatures* also **appaar** below.

THE **UNIVERSITY** OF TEXAS
AT ARLINGTON

OSLO BUSINESS SCHOOL

.....

..... *Kenneth W. Anderson*

Dean, Undergraduate Programs

Date:

Data : *09.29.92*

2. U. T. Austin: Dr. Judith H. Langlois Appointed Initial Holder of the Charles and Sarah Seay Regents Professorship in Developmental Psychology in the College of Liberal Arts Effective September 1, 1993.--Upon recommendation of the Academic Affairs Committee, the Board appointed Dr. Judith H. Langlois, Professor in the Department of Psychology, as the initial holder of the Charles and Sarah Seay Regents Professorship in Developmental Psychology in the College of Liberal Arts at The University of Texas at Austin effective September 1, 1993.

3. U. T. Austin: Establishment of a Master of Arts Degree in Post-Soviet and East European Studies and Authorization to Submit the Proposal to the Coordinating Board for Approval (Catalog Change).--Authorization was granted to establish a Master of Arts degree in Post-Soviet and East European Studies at The University of Texas at Austin and to submit the proposal to the Texas Higher Education Coordinating Board for approval.

The Master of Arts degree in Post-Soviet and East European Studies program is a 36 semester credit hour interdisciplinary degree with an option of either 6 hours of master's thesis or 3 hours of master's report. Students will be required to complete a new core course specifically designed for this program and will be required to achieve language proficiency. Student programs will be individually tailored from courses in anthropology, architecture, art history, comparative literature, economics, geography, government, history, law, linguistics, literature, oriental languages, philosophy, radio-TV-film, and sociology. The program will be administered by the Center for Soviet and East European Studies under the College of Liberal Arts.

Only 8 to 10 students per year are expected to be enrolled in this interdisciplinary program. This small number will be a relatively low percentage of the qualified applicants.

The program builds on a set of strong graduate programs in various disciplines. The Center for Soviet and East European Studies and its faculty are nationally recognized for the quality of the scholarly work done in the Center. Specific procedures have been established for evaluating the program, including self-studies and peer reviews by colleagues at other institutions.

No new faculty will be required to implement the program. Presently, some 45 faculty members representing six different colleges are associated with the Center for Soviet and East European Studies. These faculty, teaching courses already in the course inventory, provide the base for this interdisciplinary program. One new seminar course and one conference course will be added to the inventory. These courses can be taught by rearranging schedules and slightly adjusting the frequency with which other courses are taught. Consequently, no additional costs will be incurred by offering the program.

The M.A. degree program is consistent with U. T. Austin's approved Table of Programs and institutional plans for offering quality degree programs to meet student needs.

Upon approval by the Coordinating Board, the next appropriate catalog published at U. T. Austin will be amended to reflect this action.

4. U. T. Austin: Approval of Voluntary Student Services Fees Effective with the Fall Semester 1993 (Catalog Change).--The Academic Affairs Committee recommended and the Board approved Voluntary Student Services Fees at The University of Texas at Austin to be effective with the Fall Semester 1993 as set out below:

	1993-94 Fees	
	Academic Year	Spring Semester
Athletics	\$57.00	\$28.50
Department of Theatre and Dance	12.00	6.00
Performing Arts	25.00	12.50
TSP Package	*	*
<u>Cactus</u> Yearbook	35.00	35.00
<u>Utmost</u> Magazine	*	*
Official Directory	3.00	**
<u>Peregrinus</u> Yearbook	25.00	25.00
<u>Analecta</u> Literary Journal	5.00	5.00
Locker/Basket and Shower (per semester)	6.00***	6.00

*TSP Package and Utmost Magazine have been discontinued.

**Not offered.

***Represents Fall Semester charge only.

The next appropriate catalog published by U. T. Austin will be amended to reflect this action.

5. U. T. Austin: Approval of an Agreement of Academic Cooperation with the Universite Moulay Ismail, Meknes, Morocco, and Authorization for the Executive Vice Chancellor for Academic Affairs to Execute Agreement.--The Board, upon recommendation of the Academic Affairs Committee, approved the agreement of academic cooperation set out on Pages 37 - 41 between The University of Texas at Austin and the Universite Moulay Ismail, Meknes, Morocco.

Further, the Executive Vice Chancellor for Academic Affairs was authorized, on behalf of the U. T. Board of Regents, to execute the agreement with the understanding that any and all specific agreements arising from the agreement are to be submitted for prior administrative review and approval as required by the Regents' Rules and Regulations.

This agreement is designed to promote cooperation and exchange which will enhance the academic interchange between U. T. Austin and the Universite Moulay Ismail.

AN AGREEMENT OF ACADEMIC COOPERATION
BETWEEN THE **UNIVERSITE MOULAY ISMAIL**, MEKNES, MOROCCO
AND THE **UNIVERSITY OF TEXAS AT AUSTIN**

The Universite Moulay **Ismail** at **Meknes**, Morocco, (hereafter referred to as "**UMI**") and The University of Texas at Austin, for and on behalf of the Center for Middle Eastern Studies (hereafter referred to as "**UT Austin**"), in order to develop academic and cultural interchange between the **faculty** and students of the two institutions through mutual assistance in their areas of interest and to benefit both institutions, agree as follows:

PART I: SCOPE OF COOPERATION

The areas of cooperation include, subject to mutual consent, any program offered by "**UMI**" and "**CMES**" that both parties feel contributes to the fostering and development of the cooperative relationship between the two universities in matters relating broadly to the Middle East and other academic affairs. Each party will provide assistance in relation to exchange of students, research collaboration, and faculty development as deemed beneficial by the two universities.

PART II: **AREAS OF COOPERATION**

A. PROGRAMS

Assistance and cooperation shall be carried out through such activities or programs as:

1. Exchange of students
2. Joint and/or individual faculty research **activities**
3. Participation in seminars and academic meetings
4. Exchange of academic and scholarly material
5. Special short-term academic programs

0. PROGRAM COORDINATORS

The program coordinators shall be Dr. Driss Ouaouicha, Ph.D., UT Austin, and Dean of the **Faculte des Lettres et des Sciences Humaines** at "**UMI**," and Dr. Robert K. Holz, Director of "**CMES**."

PART III: **FINANCIAL SUPPORT**

The scope of the activities under this agreement shall be determined by the funds regularly available at both institutions for the types of collaboration undertaken and by such other financial assistance as may be obtained by either institution from external sources. The terms of student exchange and other collaboration and the necessary budget for each specific program and **activity** that is **implemented** under the terms of this agreement shall be mutually discussed and agreed upon in writing by both parties prior to the initiation of the particular program or activity, and the terms of such programs and activities shall be negotiated on an annual basis.

PART IV: STUDENT **EXCHANGE** PROGRAM

A. PURPOSE

A primary purpose of this agreement is to make possible and institute the exchange of students, both undergraduate and graduate, between the two institutions on a continuing basis.

B. DEFINITIONS

In this agreement, unless the content will otherwise imply, exchange shall mean the opportunity for students from either university to work at the other institution based on the availability of funding and the needs and interests of the students involved in the exchange. Exchange students shall mean students participating in the exchange implemented herein; home institution shall mean the university in which the student plans to graduate; and host institution shall mean the university that has agreed to receive the exchange students from the home institution.

C. NUMBERS

While it is difficult to give exact numbers at this date, we foresee beginning in the fall semester, **1993**, the exchange of at least one student from each home institution, with that number increasing from two to four students in the following years, subject to available funding. The program **will** be reviewed at the end of each academic year and adjusted as necessary to deal with any imbalances that develop in the exchange.

D. **SELECTION** OF PARTICIPANTS

It shall be the responsibility of the home institution to screen applicants from its university in this exchange. As early as possible before each academic year or semester, each institution will send to **the other, the applications** for as many exchange students as there are places and funding available. The host institution will reserve the right to make final adjustments on the admissibility of each student nominated for the exchange.

The following guidelines **apply** to all exchange students:

- 1) The exchange students may apply to any academic program offered at the host institution as full-time, non-degree seeking students at a level (undergraduate or graduate) determined by the host institution. The host institution reserves the right to exclude students from restricted enrollment programs. Any academic credit earned at the host institution may be transferred back to the home institution in accordance with rules and procedures determined by the latter.
- 2) The exchange students must complete at least one continuous year of study at the home institution before the exchange period.

- 3) Upon completion of the year, semester, or summer at the host institution, the exchange students must return to the home institution unless an extension of stay has been approved by both universities.
- 4) The exchange students are subject to and must abide by all the rules and regulations of the host institution.

E. **RESPONSIBILITIES OF THE UNIVERSITE MOULAY ISMAIL**

"UMI" will agree to accept the prescribed number of "CMES" exchange students, to enroll them as full-time, non-degree seeking students for one or two regular semesters of the academic year or for the summer session. "UMI" will provide the appropriate counselling and other assistance to "CMES" exchange students and will assist to the degree possible in finding housing in "UMI" residential dormitories or an appropriate alternative.

F. **RESPONSIBILITIES OF THE CENTER FOR MIDDLE EASTERN STUDIES**

"CMES" will agree to accept the prescribed number of "UMI" exchange students, to enroll them as full-time, non-degree seeking students for one or two semesters of the academic year or for the summer session. "CMES" will provide the appropriate counselling and other assistance to "UMI" exchange students and will assist them in finding housing in residence halls or an appropriate **alternative**.

G. **EXCHANGE STUDENT RESPONSIBILITIES**

Each exchange student will register at and pay tuition and other required fees to the home institution. Exchange students will not be required to pay tuition and other fees to the host institution. The host institution will assist in providing documents needed for the visa or other documentation of the host institution country. The participating students will be responsible for the following:

- 1) Room and board expenses
- 2) Transportation to and from the host institution
- 3) Medical insurance and/or medical expenses
- 4) Textbooks and other supplies
- 5) Passport and visa costs
- 6) All personal expenses
- 7) All other debts incurred during the course of the period abroad.

PART V: FACULTY **EXCHANGE** PROGRAM

In order to assist faculty members from both institutions in the development of teaching strategies and to promote research and scholarly development, exchange of faculty members shall be made on an occasional basis and as funding is available. These

academic exchanges may be for a year, a semester, a summer, or shorter period of time.

A. FUNDING

The funding of all faculty exchanges shall be the responsibility of the home institution, except in those instances when the host institution has a particular academic need and the funding is available to support a need for a faculty exchange.

B. EXCHANGE FACULTY **RESPONSIBILITIES**

Each exchange faculty member shall be responsible for:

- 1) In-country living expenses
- 2) Transportation to and from the host institution
- 3) Medical insurance and/or other medical expenses
- 4) Passport and visa costs
- 5) All personal expenses
- 6) All debts incurred during the course of the period abroad.

PART VI: **RENEWAL**, TERMINATION AND AMENDMENT

This agreement shall **remain** in force for a period of five (5) years from the date of the last signature, with the understanding that it may be terminated by either party giving notice to the other party in writing no later than the end of March in any year. Termination shall be without penalty. The agreement may be extended by mutual consent of the **two** parties.

This agreement may be amended by the exchange of letters between the two institutions. Upon execution of such letters by the authorized representatives of the two institutions and approval in writing by the Executive Vice Chancellor for Academic Affairs of the University of Texas System, such amendments will become part of this agreement.

Agreement of Academic Cooperation
UT Austin/UMI
Page Five of Five

EXECUTED by the Board of Regents of The University of Texas System and The Universite Moulay **Ismail** on the day and year first below written, in duplicate copies, each of which shall be deemed an original.

THE UNIVERSITY OF TEXAS
AT AUSTIN

THE **UNIVERSITE OF MOULAY ISMAIL**

BY: _____ BY: _____

TITLE: **President** _____ TITLE: _____

FORM APPROVED:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

Office of General Counsel

BY: _____
James P. Duncan
Executive Vice Chancellor
for Academic Affairs

CERTIFICATE OF APPROVAL

I hereby certify that the foregoing Agreement was approved by the Board of Regents of **The** University of Texas System on the _____ day of _____, 1992, and that the person whose signature appears above is authorized to execute such Agreement on behalf of the Board.

Executive Secretary, Board of Regents
The University of Texas System

6. U. T. Brownsville: Authorization to Increase the Compulsory Student Services Fee Effective with the Fall Semester 1993 (Catalog Change).--In order to continue to meet the increasing costs for current services, approval was given to increase the Compulsory Student Services Fee at The University of Texas at Brownsville from \$7.00 per semester credit hour with a maximum fee of \$90.00 per semester or summer session to \$8.25 per semester credit hour with a maximum fee of \$99.00 per semester or summer session to be effective with the Fall Semester 1993.

It was ordered that the next appropriate catalog published by U. T. Brownsville be amended to conform to this action.

7. U. T. Brownsville: Establishment of Differential Tuition Rates for Graduate Programs Effective with the Fall Semester 1993 (Catalog Change).--Section 54.008 of the Texas Education Code provides that governing boards of institutions of higher education may set differential tuition rates for graduate programs in an institution provided that such rates are at least equal to the minimum rates established by statute and not more than double the statutory rate.

In accordance therewith and upon recommendation of the Academic Affairs Committee, the Board established differential graduate tuition rates for all graduate programs at The University of Texas at Brownsville. The differential graduate tuition rate is \$36.00 per semester credit hour for resident students and \$174.00 per semester credit hour or \$12.00 above the cost of education established by the Texas Higher Education Coordinating Board, whichever is higher, for nonresident students effective with the Fall Semester 1993.

Graduate programs at U. T. Brownsville include the Master of Arts in Interdisciplinary Studies with majors in English, History, or Spanish; the Master of Science in Interdisciplinary Studies with a major in Biology; Master of Business Administration; Master of Education with a major in Elementary Education; and several graduate-level certification programs, including Counseling, Educational Administration, Elementary Education, Reading, Supervision, and Bilingual Education.

The additional funds will be used to meet the higher costs associated with offering graduate programs, for faculty and student support, and for other academic support programs. Specific allocations of differential tuition funds will include provisions for needed financial assistance and will be subject to approval by the U. T. Board of Regents through the annual operating budget or docketing procedures, as appropriate.

The next appropriate catalog published at U. T. Brownsville will be amended to conform to this action.

8. U. T. Dallas: Establishment of an Internal Foundation for the School of Management; Approval to Amend the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3 (Internal Foundations) to Include the Management School Foundation; and Establishment of the Management School Foundation Advisory Council.--Upon recommendation of the Academic Affairs Committee, the Board:
- a. Approved the resolution set out on Page 44 establishing the Management School Foundation as an internal foundation to benefit the School of Management at The University of Texas at Dallas in accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3
 - b. Authorized the Executive Secretary to the U. T. Board of Regents to add the Foundation to the list of approved internal foundations set out in the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3, Subdivision 4.33 (Internal Foundations)
 - c. Established the Management School Foundation Advisory Council pursuant to the Regents' Rules and Regulations, Part One, Chapter VII, Section 3, with the understanding that nominees to the Management School Foundation Advisory Council will be submitted for approval at a future meeting.

The U. T. Dallas Management School Foundation (Foundation) was incorporated in 1980 as a privately incorporated nonprofit organization to solicit funds on behalf of the School of Management at U. T. Dallas. It is recognized that an internal foundation will provide enhanced visibility for the department and fund raising capabilities while providing consistent internal control over fund raising efforts. Mutual termination of the Foundation has been agreed to by the Foundation board members and the U. T. Dallas Administration, and the Foundation will be dissolved with assets transferred to U. T. Dallas in early 1993.

Resolution of the Board of Regents
of The University of Texas System

WHEREAS, There exists a clear and specific need for means to finance the program of the School of Management of The University of Texas at Dallas, in addition to regular budgetary provisions; and

WHEREAS, It is the desire of interested persons to set up the facilities to encourage and assist in such financing;

IT IS NOW RESOLVED, That the Board of Regents of The University of Texas System hereby establishes the Management School Foundation of The University of Texas at Dallas.

AND FURTHER, That the purpose of said Foundation shall be to foster the understanding and development of programs of the School of Management of The University of Texas at Dallas and to encourage the making of gifts to the Foundation by deed, grant, will or otherwise for any purpose appropriate to the work of the Foundation.

AND FINALLY, That all donations to and assets of the Foundation shall be accepted and managed subject to the following conditions:

1. The unrestricted funds of the Foundation shall be devoted to the enrichment of the programs of the School of Management of The University of Texas at Dallas and such special funds as may be established from time to time and shall not be used for the ordinary operating expenses of the School of Management.
2. A donation to the Foundation may be made for a specific purpose as specified by the donor or may be given as unrestricted funds. Gifts which meet or exceed the minimum requirements of the Board of Regents may be presented for acceptance by the Board as permanently endowed funds for support of the School of Management of The University of Texas at Dallas.
3. The Board of Regents shall hold, manage, control, sell, exchange, lease, convey, mortgage or otherwise encumber, invest or reinvest, and generally shall have the power to dispose of in any manner and for any consideration and on any terms the said gifts, funds, or property in their discretion and shall from time to time pay out of the income, or if the income be insufficient, out of the principal, all expenses of the trust and all expenditures incurred in furthering the purposes of the trust.
4. Neither any donation to the Management School Foundation nor any fund or property arising therefrom in whatever form it may take shall ever be any part of the Permanent University Fund nor shall the Legislature have power to be in any way authorized to change the purposes thereof or to divert such donation, fund or property from those designated purposes.
5. As in the case of other University funds, authorization for expenditure of all funds from the Foundation shall be vested in the Board of Regents and recommendations for such expenditures shall be made by the President through the Executive Vice Chancellor for Academic Affairs to the Chancellor and by the Chancellor to the Board of Regents of The University of Texas System.

9. U. T. Pan American: Approval of an Increase in the Compulsory Student Services Fee Effective with the Fall Semester 1993 (Catalog Change).--In order to maintain services at their current level, the Board approved an increase in the Compulsory Student Services Fee at The University of Texas - Pan American from \$8.47 per semester credit hour with a maximum fee of \$108.90 per semester or summer session to \$9.98 per semester credit hour with a maximum fee of \$119.76 per semester or summer session to be effective with the Fall Semester 1993.

It was ordered that the next appropriate catalog published by U. T. Pan American be amended to conform to this action.

10. U. T. Pan American: Authorization to Change Residence Hall Room and Board Rates and Meal Plan Rates Effective with the Fall Semester 1993 (Catalog Change).--The Academic Affairs Committee recommended and the Board approved changes in Residence Hall room and board rates and meal plan rates at The University of Texas - Pan American effective with the Fall Semester 1993 as set out on Pages 45 - 46:

	<u>1992-93</u> <u>Adjusted</u> <u>Rates*</u>	<u>1993-94</u> <u>Rates</u>
<u>Room and Board Rates per Semester</u>		
Room and 14 Meal Plan	\$ N/A	\$ N/A
Room and 15 Meal Plan	N/A	N/A
Room and 20 Meal Plan	N/A	N/A
Room (Board Plan Required)	628.00	660.00
Private Room - Single Occupancy (Board Plan Required)	1,256.00	1,008.00
Board Plan (Declining Balance)	300.00	300.00
<u>Room and Board Rates (Summer Session)</u>		
Room and 20 Meal Plan	N/A	N/A
Room (Board Plan Required)	258.00	271.00
Board Plan (Declining Balance)	100.00	100.00
<u>Room and Board--Other Fees</u>		
Installment Payment Fee	5.00	5.00
Delinquent Installment Fee	5.00	5.00
Damage Deposit	50.00	50.00
<u>Meals Only Rates per Semester</u>		
14 Meal Plan	N/A	N/A
15 Meal Plan	N/A	N/A
20 Meal Plan	N/A	N/A
<u>Meals Only Rates (Summer Session)</u>		
20 Meal Plan	N/A	N/A

	1992-93	1993-94
	<u>Adjusted</u>	<u>Rates</u>
	*	<u>Rates</u>

Meals Only--Other Fees

Installment Payment Fee	N/A	N/A
Delinquent Installment Fee	N/A	N/A
Change of Meal Plan Service Charge	N/A	N/A

*The 1992-93 Adjusted Rates reflect changes in the contract with the food service contractor for the 1992-93 academic year wherein the board rates were separated from the room and board rates and changed to a required board plan with a purchased meal voucher of at least \$300 per semester or \$100 per summer session.

The next appropriate catalog published by U. T. Pan American will reflect this action.

11. U. T. San Antonio: Establishment of a Bachelor of Arts Degree in Philosophy and Authorization to Submit the Proposal to the Coordinating Board for Approval (Catalog Change).--The Board established a Bachelor of Arts degree in Philosophy at The University of Texas at San Antonio and authorized submission of the proposal to the Texas Higher Education Coordinating Board for approval. In addition, the Coordinating Board will be asked to update the U. T. San Antonio Table of Programs which reflects that this area of study is appropriate to U. T. San Antonio's role and mission although such a program is not currently offered.

The Bachelor of Arts degree in Philosophy will require that students complete 30 semester credit hours in Philosophy courses including 18 hours in specified core courses. A 12-hour minor or support area will also be required. It is anticipated that most students will choose a humanities minor. A total of 120 hours is required for the bachelor's degree.

The program will be administered by the Division of English, Classics, and Philosophy. No new administrative structure will be created.

U. T. San Antonio projects that 12 students will major in Philosophy in the first year, and the number will increase to 36 by the fifth year. Like other liberal arts majors, philosophy majors may enter post-baccalaureate professional schools such as law and business or accept a wide variety of employment opportunities.

U. T. San Antonio has five full-time tenure-track faculty in philosophy, all of whom have the Ph.D. degree. In addition, the University currently has two part-time philosophy faculty one of whom has a Ph.D. as well. All but one of the philosophy courses in the B.A. program in Philosophy have previously been taught by the faculty in support of the interdisciplinary B.A. in Humanities. Hence, the courses are already well developed to support a quality program.

Additional costs for the B.A. program in Philosophy are minimal. The existing divisional structure can easily administer the degree program. No new tenure-track faculty will be required in the first five-year period. However, at least one part-time lecturer or teaching associate will be needed to teach some of the service courses. Eventually, some increase is anticipated in the number of upper-division courses offered, but course work now being offered will allow the program to be implemented immediately. The library will be strengthened to support the current courses and the interdisciplinary humanities program.

Upon Coordinating Board approval, the next appropriate catalog published at U. T. San Antonio will be amended to reflect this action.

12. U. T. Tyler: Approval of Revisions to Constitution of the Student Association.--Upon recommendation of the Academic Affairs Committee, the Board amended the Constitution of the Student Association at The University of Texas at Tyler to read as set out on Pages 48 - 61.

The changes to the Constitution are summarized below:

- a. Minor revision to Article I of the Constitution updates terminology to reference the "Chief Student Affairs Officer" rather than the "Dean of Student Services"
- b. Revisions to Article IV of the Constitution encourage continuity and development of student leadership by requiring two semester's experience in student government as a prerequisite for eligibility to hold the offices of President or Vice President of the Student Association and by authorizing these officers to hold office for two terms
- c. Editorial correction is made to Article V of the Constitution to clarify that composition of the student fee advisory committee will be consistent with State law.

The revisions to the Constitution were approved by more than two-thirds of the students voting in a campus wide election held in November 1991.

THE CONSTITUTION OF THE
STUDENT ASSOCIATION
OF
THE UNIVERSITY OF TEXAS AT TYLER

STATEMENT OF PURPOSE

It is the primary purpose of the Student Government of The University of Texas at Tyler, hereafter known as the Student Association, to represent the corporate Student Body and to provide a unified voice in student dealings with individuals and agencies outside of that body. In its advisory capacity, the Student Association will operate within the laws of the State of Texas, the Rules and Regulations of the Board of Regents of The University of Texas System, and the procedures established by The University of Texas at Tyler. The activities of the Student Association include, but are not limited to, the following:

1. Representing those ideals, goals, and programs which are of general Student Body interest to the administration and to other groups within and without the University structure.
2. Serving as a forum for the presentation of student interests and desires, determining which of these represent the opinions of a majority of the Student Body, and then acting to further the accomplishment of these goals.
3. Enhancing the intellectual life of the University, through providing opportunities for students to expose themselves to the widest possible range of contemporary thought and opinion.
4. Working with the administration and faculty toward providing adequate student services programs to meet the students' needs.

5. Advising the University administration of student opinion.

ARTICLE I
STUDENT ASSOCIATION

Section 1. Composition

The Student Association of The University of Texas at Tyler shall be composed of three representatives elected from each school, along with the President, Vice President, Secretary, and Treasurer of the Student Body elected at large.

Section 2. Term of Office

Terms of office for all representatives shall be from the first day of May until the last day of April the following year. Vacancies occurring in the Student Association shall be filled in accordance with Article VII of this Constitution.

Section 3. Assumption of Office

A term of office shall be from the meeting in which one takes office immediately following one's election until such time as that office is vacated either constitutionally, by resignation, or by removal from office.

Section 4. Other Representation

The President and Vice President of the Student Body of The University of Texas at Tyler shall serve on the Student Association.

Section 5. Presiding Officer

The President of the Student Body shall preside over all meetings of the Student Association and may vote in the event of a tie vote. The Vice President of the Student Body shall preside over all meetings and/or portions of meetings in the absence of the President.

Section 6. Quorum

One-half plus one of the current membership of the Student Association shall constitute a quorum. The presence of three-fourths of the current membership of the Student Association shall be necessary to vote on proposed amendments to this Constitution.

Section 7. Meetings

The Student Association shall hold a regular meeting twice a month during September, October, November, February, March, April, and once a month during December, January, and May. During each summer session, the Student Association shall hold one regular meeting.

Section 8. Advisors

The Chief Student Affairs Officer shall be the advisor of the Student Association. One additional advisor may be approved by the President of the University upon recommendation of the Student Association.

ARTICLE II

EXECUTIVE FUNCTION

Section 1. Executive Officers

The executive officers of the Student Association shall be a President, a Vice President, a Secretary, a Treasurer, and a Parliamentarian, who shall fulfill the qualifications set forth in Article IV of this Constitution.

Section 2. Election of President, Vice President, Secretary,
and Treasurer

The President, Vice President, Secretary, and Treasurer of the Student Association shall be chosen by an at-large election of

the entire Student Body to be conducted in conjunction with the election of student representatives in the spring of each year.

Section 3. Selection of Other Executive Officers

The Parliamentarian shall be appointed by the President.

Section 4. Term of Office

The term of office for all officers shall be from the first day of May until the last day of April the following year.

ARTICLE III

FUNCTIONS AND POWERS

Section 1. Legislative Power

The legislative power of the Student Body shall be vested in the Student Association and shall be the highest level of elected student government of The University of Texas at Tyler.

Section 2. Powers and Responsibilities of the Student Association

The Student Association shall have the power and responsibility to:

- (1) Be the official representative of the Student Body.
- (2) Express its opinions concerning any topic that is of interest to the Student Body, discuss any questions or matters within the scope of this Constitution, and make recommendations to any individual or group, or both, on any such matters or questions.
- (3) Propose or enact legislation on any matter or question that rests entirely in the Student Body with

the exception of those functions and powers reserved to the Student Judicial Board in Article IV of this Constitution.

- (4) Make recommendations to the President of the Student Body concerning student appointments.

Section 3. Voting by Proxy

Voting by proxy on matters before the Student Association, or other bodies set forth in this Constitution, shall not be allowed.

Section 4. Parliamentary Authority

Unless otherwise prescribed in this Constitution of the Student Association of The University of Texas at Tyler, Robert's Rules of Order Newly Revised shall serve as the official rules of procedure.

Section 5. Powers and Responsibilities of the President

The executive powers shall be vested in a President. The President shall have the power and responsibility to:

- (1) Preside at all meetings of the Student Association.
- (2) Recommend legislation to the Student Association.
- (3) Execute all approved legislation passed by the Student Association.
- (4) Execute and enforce all decisions rendered by the Student Judicial Board.
- (5) Make all appointments to all Student Association Committees which include student members.
- (6) Unless otherwise prescribed in this Constitution, set the agenda for all Student Association meetings.
- (7) Exercise the option of voting in the case of a tie vote.

Section 6. Powers and Responsibilities of the Vice President

The Vice President shall have the power and responsibility to:

- (1) Assist the President in the execution of his/her duties.
- (2) Perform the duties of the President in the case of his/her absence, including exercise of the option of voting in the case of a tie vote.
- (3) Become President, if the office of the President shall become vacant, for the remainder of the term of office in accordance with Article IV of this Constitution.
- (4) Serve as chairperson of the Student Association Student Life Committee and as liaison to the Faculty Senate.

Section 7. Secretary of the Student Association

The Secretary of the Student Association shall:

- (1) Serve as chairperson of the Student Communications Committee.
- (2) Maintain a record of all proceedings of the Student Association.
- (3) Assist the President and Vice President in the execution of their duties.
- (4) Manage all correspondence of the Student Association.

Section 8. Treasurer of the Student Association

The Treasurer of the Student Association shall:

- (1) Serve as chairperson of the Student Fee Advisory Committee.
- (2) Maintain the financial records of the Student Association.
- (3) Publish in the official University of Texas at Tyler newspaper by January 1 and June 1 of each year a

financial statement which shall include a complete record of all financial transactions of the Student Association and any other information the Student Association may designate.

Section 9. Parliamentarian of the Student Association

The Parliamentarian of the Student Association shall:

- (1) Be an elected member of the Student Association.
- (2) Render all decisions regarding parliamentary procedure in accordance with Article II, Section 3, of this Constitution.
- (3) Assist the President and Vice President in the execution of their duties.
- (4) Serve as chairperson of the Rules Committee.

Section 10. Executive Committee

The Executive Committee shall consist of the President, Vice President, Secretary, Treasurer, and Parliamentarian.

ARTICLE IV

QUALIFICATIONS AND ELECTIONS

Section 1. General Qualifications

No person shall be a candidate for or hold office in the Student Association under the authority of this Constitution unless he/she shall:

- (1) Be enrolled for a minimum of nine hours on the undergraduate level or six hours on the graduate level during the fall and spring semesters.
- (2) Be in good academic standing.
- (3) Be a regularly enrolled student in the school from which he/she was elected and remain a member of his/her constituency in order to continue membership in the Student Association.

- (4) Be a candidate or hold an office from only one school per election.
- (5) Be a candidate or hold the office of President or Vice President unless he/she shall have two semesters as Student Association representative or executive officer.

Section 2. Term of Office for President and Vice President
The President and Vice President may be elected for two terms in the same office. A term shall consist of one year. The completion of an unexpired term does not render one ineligible for term election in that office.

Section 3. Voting

No person shall be entitled to vote in an election held under the authority of this Constitution unless he/she is a regularly enrolled member of the Student Body at the time of this election.

Section 4. Elections

- (1) All elections provided for in this Constitution shall be administered by the Rules Committee.
- (2) To be elected President or Vice President of the Student Body, a candidate must receive forty percent of the votes cast for that office in a general Student Body election. If no candidate received the required forty percent, or if there is a tie, there will be a run-off between the top two candidates. If two candidates receive at least forty percent and neither receives a majority, there will be a run-off between these two candidates.
- (3) Write-in balloting shall not be accepted in any run-off election.

- (4) All other elections shall be decided by a plurality of votes cast, provided that in the event of a tie vote, a run-off election shall be held.
- (5) Special elections may be called by the Student Association by a two-thirds vote of the membership of the Student Association.

Section 5. Office Hours

All officers are expected to maintain reasonable office hours.

ARTICLE V

STANDING COMMITTEES

Section 1.

The standing committees of the Student Association are the Student Life Committee, the Rules Committee, the Student Fee Advisory Committee, and the Student Communications Committee.

Section 2. Composition

Each of the standing committees shall be composed of five members of the Student Body, except for the Student Fee Advisory Committee which shall be composed as required by State law. The inclusion of at least one undergraduate and graduate member per committee shall be encouraged.

Section 3. Chairperson

- (1) The chairperson of the Rules Committee shall be the Parliamentarian, who is appointed by the President of the Student Association.
- (2) No person shall be chairperson of more than one standing committee.
- (3) The chairperson of each committee shall have the right to include items on the agenda of the Student Association meetings.

- (4) The chairperson of each committee shall be a member of the Student Association.

Section 4. Committee Responsibilities

- (1) The Student Life Committee shall be responsible for coordinating all student activities. It shall also serve as the means of communication between the students and faculty.
- (2) The Student Communications Committee shall be responsible for all communications between the Student Association and the Student Body.
- (3) The Rules Committee shall establish election procedures and administer the conduct of all elections within the framework of this Constitution. It shall also deal with matters relating to student organizations.
- (4) The Student Fee Advisory Committee may make recommendations to the administration concerning the preparation of the Student Services budgets, the expenditure of Student Association funds, and other various student fees.

ARTICLE VI

STUDENT JUDICIAL BOARD

Section 1. Composition

The Student Judicial Board shall be composed of five (5) full-time students who do not sit on the Student Association, or hold any other elected or appointed student office on campus. Of the five (5) members, there shall be at least one undergraduate and one graduate member, the remaining members to be selected from either group.

Section 2. Term of Office

Members of the Student Judicial Board shall serve for the duration of their current academic degree programs at The University of Texas at Tyler. When a member is not enrolled as a full-time student in a fall or spring semester, membership on the Student Judicial Board is terminated.

Section 3. Presiding Officer

The presiding officer of the Student Judicial Board shall be the Chairman, and he/she shall be elected by the members of that body for his/her term of office.

Section 4. Selection Process

All members of the Student Judicial Board shall be selected by the Executive Committee and approved by a simple majority of the Student Association.

Section 5. Constitutional Interpretation

The Student Judicial Board shall arbitrate over matters of interpretation of this Constitution and acts of the Student Association. Any member of the Student Association may petition the Student Judicial Board concerning any matter heretofore mentioned. The Student Judicial Board shall decide by simple majority of its members whether to hear a case and shall by a four-fifths majority render a decision that shall be final and binding upon all concerned parties.

Section 6.

The Student Judicial Board shall act in any other such matters as directed by the President of The University of Texas at Tyler.

ARTICLE VII
VACATING AN OFFICE

Section 1. Removal from Office

- (1) Any person serving in any office or on any committee or board under the provisions of this Constitution may upon petition by the Executive Committee or by one-fourth of the Student Association be removed from office upon approval of two-thirds of the entire Student Association.
- (2) If at any time a person serving under the provisions of this Constitution can no longer meet the minimum requirements outlined for the office in this Constitution, that office automatically becomes vacant.
- (3) Names of members who have missed three consecutive scheduled meetings or missed a total of four scheduled meetings in a semester will be placed before the Executive Committee of the Student Association for evaluation and possible dismissal from office.

Section 2. Succession

If for any reason the office of President should become vacant, the Vice President shall become President. In the event that the Vice President cannot, or chooses not to, serve as President, a special election shall be held under the provisions of Section 3 of this Article.

Section 3. Special Elections

Upon a vacancy occurring in any elected office, a special election shall be held to fill that vacancy within ninety (90) days of the vacancy occurring or at the next general election, whichever comes first. Persons elected in special elections shall serve until the next regularly scheduled election for that office.

Section 4. Student Judicial Board Vacancies

Vacancies on the Student Judicial Board shall be filled as specified in Article VI of this Constitution.

ARTICLE VIII

RATIFICATION AND AMENDMENT

Section 1. Student Association-Initiated Amendment

Any member of the Student Association may propose amendments to this Constitution. The proposed amendment must lie on the table for thirty (30) days, after which the Student Association must vote on the proposed amendment. If three-fourths of the total membership of the Student Association favors the amendment, it must be submitted to the Student Body for approval or disapproval.

Section 2. Student Body-Initiated Amendment

If ten percent (10%) of the Student Body petitions the Student Association to amend the Constitution, the Student Association must call an election within thirty (30) days for approval or disapproval of said amendment.

Section 3. Ratification

Amendments to this Constitution shall become effective after ratification by a two-thirds majority of students voting on said amendments in an election, after certification by the Chairman of the Rules Committee that such amendments have been duly ratified, and after approval by the Board of Regents of The University of Texas System through its prescribed procedures.

Section 4. Permanent Copy

Such amendments shall be attached to the permanent copy of this Constitution preserved in the records of the Student Association.

Section 5. Deletion and Substitution

Amendments by deletion and substitution are allowed.

Section 6. Retroactive

No proposed amendment or Act of the Student Association shall have retroactive application which would affect officers or organizations currently named in this Constitution.

Section 7.

All provisions of this Article shall be conducted in accordance with all other provisions set forth in this Constitution.

REPORT AND RECOMMENDATIONS OF THE HEALTH AFFAIRS COMMITTEE (Pages 62 - 65).--Committee Chairman Ramirez reported that the Health Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Health Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. Southwestern Medical Center - Dallas: Appointment of Initial Holders to Endowed Academic Positions Effective as Indicated - (a) Robert A. Wiebe, M.D., to The Sarah M. and Charles E. Seay Distinguished Chair in Pediatric Medicine, (b) Dr. William B. Neaves to the Doris and Bryan Wildenthal Professorship, (c) George R. Buchanan, M.D., to the Children's Cancer Fund Distinguished Professorship in Pediatric Oncology and Hematology, (d) Barton A. Kamen, M.D., Ph.D., to the Carl B. & Florence E. King Foundation Distinguished Chair in Pediatric Oncology Research, (e) George H. McCracken, Jr., M.D., to the Sarah M. and Charles E. Seay Chair in Pediatric Infectious Diseases, and (f) John D. Rutherford, M.D., to the Gail Griffiths Hill Chair in Cardiology.--The Board approved the following initial appointments to endowed academic positions at The University of Texas Southwestern Medical Center at Dallas effective as indicated:

- a. Robert A. Wiebe, M.D., Professor of Pediatrics, to The Sarah M. and Charles E. Seay Distinguished Chair in Pediatric Medicine effective immediately

See Page 84 related to the establishment of this Chair.

- b. Dr. William B. Neaves, Dean of the U. T. Southwestern Medical School - Dallas and Professor of Cell Biology, to the Doris and Bryan Wildenthal Professorship effective immediately for a five-year appointment

See Page 85 related to the establishment of this Professorship.

- c. George R. Buchanan, M.D., Professor of Pediatrics and Director of Pediatric Hematology-Oncology, to the Children's Cancer Fund Distinguished Professorship in Pediatric Oncology and Hematology effective immediately

See Page 83 related to the establishment of this Professorship.

- d. Barton A. Kamen, M.D., Ph.D., Professor of Pediatrics and Pharmacology, to the Carl B. & Florence E. King Foundation Distinguished Chair in Pediatric Oncology Research effective immediately

See Page 81 related to the establishment of this Chair.

- e. George H. McCracken, Jr., M.D., Professor of Pediatrics, to the Sarah M. and Charles E. Seay Chair in Pediatric Infectious Diseases effective immediately

See Page 84 related to the establishment of this Chair.

- f. John D. Rutherford, M.D., Professor of Internal Medicine, to the Gail Griffiths Hill Chair in Cardiology effective January 18, 1993.

- 2. U. T. Southwestern Medical Center - Dallas: Approval of Changes in Parking Permit Fees Effective September 1, 1993 (Catalog Change).--Upon recommendation of the Health Affairs Committee, the Board approved changes in annual parking permit fees at The University of Texas Southwestern Medical Center at Dallas effective September 1, 1993, as set out below:

<u>Parking Permit</u>	<u>Range of 1993-94 Fees</u>
Faculty	\$180 - \$700
Volunteer Faculty	5
Classified Employees	45 - 90
Students	35

Annual parking permit fees are prorated if purchased for less than one year. No parking permit fees are charged for permanently disabled persons or disabled veterans as defined by Articles 6675a-5e and 6675a-5e.1 of Vernon's Texas Civil Statutes.

The range in fees for faculty reflects the difference between premium parking, such as named reserved spaces, and general faculty parking. The range for classified employees is the difference between covered parking and more remote, open lot parking. The modest increase for students is the first increase in several years. It is anticipated that this fee increase will facilitate the building of additional parking facilities.

The next appropriate catalog published at the U. T. Southwestern Medical Center - Dallas will be amended to conform to this action.

- 3. U. T. Medical Branch - Galveston: Authorization to Name Room 1.104 in Maurice Ewing Hall as the Don Micks Suite (Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, Naming of Facilities Other Than Buildings).--In accordance with the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, relating to the naming of facilities other than buildings, Room 1.104, a large seminar room located in Maurice Ewing Hall at The University of Texas Medical Branch at Galveston, was named the Don Micks Suite.

The naming of this room is in recognition of Dr. Micks' 36 years of dedicated service to The University of Texas System and the U. T. Medical Branch - Galveston.

4. U. T. Medical Branch - Galveston (U. T. Nursing School - Galveston): Establishment of a Master's Degree in Nurse-Midwifery and Authorization for Submission of the Proposal to the Coordinating Board for Approval (Catalog Change).--The Board, upon recommendation of the Health Affairs Committee, established a Master's degree track in Nurse-Midwifery in the U. T. Nursing School - Galveston at The University of Texas Medical Branch at Galveston and authorized submission of the proposal to the Texas Higher Education Coordinating Board for approval.

The University of Texas Collaborative Nurse-Midwifery Education Program (UT-NEP) is a joint effort between the U. T. Medical Branch - Galveston and The University of Texas Health Science Center at Houston. The program is patterned after the existing format for the Primary Care Nursing major in terms of required core courses, thesis requirements, and credit hour allocation. Consequently, the program will be integrated into the current masters program and will require only the addition of clinical midwifery courses. Upon completion of the program requirements, students will be awarded a Master of Science degree in Nursing by the U. T. Nursing School - Galveston and will be eligible to take the national certification exam of the American College of Nurse-Midwives.

There is a shortage of physicians providing obstetrical care in rural Texas and other medically underserved areas. Nurse-midwives have played a major role in providing prenatal care and deliveries for low-risk pregnancies, especially in these medically underserved areas. UT-NEP will target recruitment and retention of students from diverse ethnic and cultural populations with the goal of increasing the number of health-care professionals from minority and other at-risk populations.

Federal funding for full implementation of the program for approximately eight to twenty students per year is being sought through the Department of Health and Human Services, Public Health Service, Division of Nursing. If federal funding is not forthcoming, the program will be conducted on a limited basis with a maximum of eight students admitted every other year utilizing existing nurse-midwifery and obstetrics-gynecology medical faculty with institutional sharing of equipment, supplies, and secretarial resources provided by current funds. The limited program will require one additional faculty member whose cost will be shared by the U. T. Nursing School - Galveston and two departments in the U. T. Medical School - Galveston using current unallocated funds. Library resources to support the program are strong, and no additional special equipment is needed.

Upon approval by the Coordinating Board, the next appropriate catalog published at the U. T. Medical Branch - Galveston will be amended to reflect this action.

5. U. T. Medical Branch - Galveston: Authorization to Increase the Compulsory Student Services Fee Effective with the Fall Semester 1993 (Catalog Change).--In order to provide adequate funding for student activities, the Board approved an increase in the Compulsory Student Services Fee at The University of Texas Medical Branch at Galveston effective with the Fall Semester 1993 as follows:

U. T. Medical School - Galveston

Year 1 - \$145.00 per academic year
Year 2 - \$218.00 per academic year
Year 3 - \$218.00 per academic year
Year 4 - \$218.00 per academic year

U. T. G.S.B.S. - Galveston, U. T. Allied Health Sciences School - Galveston, and U. T. Nursing School - Galveston

\$6.00 per credit hour with a maximum charge per semester of \$72.00.

It was ordered that the next appropriate catalog published by the U. T. Medical Branch - Galveston be amended to conform to this action.

6. U. T. Health Science Center - Houston: Approval to Increase the Compulsory Student Services Fee Effective with the Fall Semester 1993 (Catalog Change).--In accordance with Section 54.503 of the Texas Education Code, approval was given to increase the Compulsory Student Services Fee at The University of Texas Health Science Center at Houston from \$220 per year to a minimum of \$275 per year and a maximum of \$310 per year effective with the Fall Semester 1993.

This increase is directly related to additional costs associated with the day-to-day operation of the Student Health Service, the recreational facility, and the addition of a shuttle service for students.

The next appropriate catalog published at the U. T. Health Science Center - Houston will be amended to conform to this action.

7. U. T. Health Science Center - San Antonio: Appointment of James D. Heckman, M.D., as Initial Holder of the John J. Hinchey, M.D. Chair in Orthopaedics Effective Immediately.--The Board appointed James D. Heckman, M.D., Professor and Chairman of the Department of Orthopaedics of the U. T. Medical School - San Antonio at The University of Texas Health Science Center at San Antonio, as initial holder of the John J. Hinchey, M.D. Chair in Orthopaedics effective immediately.

REPORT AND RECOMMENDATIONS OF THE FACILITIES PLANNING AND CONSTRUCTION COMMITTEE (Pages 66 - 68).--Committee Chairman Moncrief reported that the Facilities Planning and Construction Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, all actions set forth in the Minute Orders which follow were recommended by the Facilities Planning and Construction Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. Arlington: Appointment of James C. Lancaster & Associates, Inc., Grapevine, Texas, as Project Architect for Professional Services Relative to the Americans with Disabilities Act (ADA); Authorization for U. T. System Administration to Approve Final Plans, Submit to Coordinating Board for Approval, Advertise for Bids and Award Contracts; and Appropriation Therefor.--Upon recommendation of the Facilities Planning and Construction Committee, the Board:
 - a. Appointed the firm of James C. Lancaster & Associates, Inc., Grapevine, Texas, as Project Architect for professional services relative to compliance with the Americans with Disabilities Act (ADA) on the campus of The University of Texas at Arlington at an estimated total project cost of \$4,486,758
 - b. Delegated to The University of Texas System Administration the authority to approve final plans, submit for Coordinating Board approval, advertise for bids, and award construction contracts for dollar limits exceeding the institution's authority with actions to be presented to the U. T. Board of Regents for ratification through the institutional docket
 - c. Appropriated \$217,937 from General Use Fee Balances to cover the professional fees for these services.

U. T. Arlington has previously retained the professional services of the architectural firm of James C. Lancaster & Associates, Inc. to conduct a facilities study and self-evaluation plan for U. T. Arlington as required by the Americans with Disabilities Act (ADA). The architects are now authorized to prepare the necessary plans and specifications to request competitive bids from contractors to make the necessary modifications to existing campus buildings, accessible routes, parking lots, loading zones, and ramps to comply with ADA, prior to the January 26, 1995, deadline for completion of architectural barrier removals. The estimated total project cost, including architectural fees, is \$4,486,758. No single building retrofit is estimated to exceed \$300,000, but it may be advisable to combine work in several buildings to gain economies of scale.

Funding for these retrofit projects will be determined at a later date and will be evaluated based upon priority, legislative appropriations, available balances, and bonding capacity. Approval of this item will amend the Capital Improvement Plan and Capital Budget accordingly.

2. U. T. Pan American - Engineering Building (Project No. 901-795): Presentation of Project Analysis and Endorsement to Use Conceptual Design in Fund Raising Campaign.--In October 1991, authorization was granted by the U. T. Board of Regents to establish programs leading to a Bachelor of Science in Electrical Engineering, a Bachelor of Science in Mechanical Engineering, and a Bachelor of Science in Manufacturing Engineering and to create a Department of Engineering within the College of Arts and Sciences at The University of Texas - Pan American. Final approval by the Texas Higher Education Coordinating Board occurred in April 1992. To facilitate initiation of this program, the Texas Legislature appropriated \$1,196,000 for the 1990-1991 biennium and \$1,909,965 for the 1992-1993 biennium.

To complement this legislative funding, U. T. Pan American has launched a fund raising campaign directed primarily at building and equipping an engineering building and that campaign was approved by the U. T. Board of Regents in December 1990. The Capital Improvement Plan adopted by the U. T. Board of Regents in June 1991 included an Engineering Building at U. T. Pan American to be funded from gifts and grants. A small engineering startup building is under construction in the physical plant area of the campus with local funds.

Following a brief overview by President Nevarez, the conceptual design for the Engineering Building at U. T. Pan American was presented to the Facilities Planning and Construction Committee by Mr. Carlos Jones, representing the Project Architect, JonesKell, San Antonio, Texas.

Based upon the project architect's presentation, the Facilities Planning and Construction Committee recommended and the Board endorsed the use of the conceptual design for the Engineering Building in the U. T. Pan American fund raising campaign previously approved by the U. T. Board of Regents.

3. U. T. Southwestern Medical Center - Dallas - Aston Ambulatory Care Center - Additions and Renovations (Project No. 303-692): Approval of Plaque Inscription.--The Board, upon recommendation of the Facilities Planning and Construction Committee, approved the inscription set out on Page 68 for a plaque to be placed on the Aston Ambulatory Care Center - Additions and Renovations at The University of Texas Southwestern Medical Center at Dallas. The inscription follows the standard pattern approved by the U. T. Board of Regents in June 1979.

JAMES W. ASTON
AMBULATORY CARE CENTER
ADDITIONS AND RENOVATIONS
1991

BOARD OF REGENTS

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Robert J. Cruikshank	Medical Center at Dallas
Tom Loeffler	
W. A. "Tex" Moncrief, Jr.	
Mario E. Ramirez, M.D.	
Shannon H. Ratliff	HKS, Inc. Project Architect
	Lee Lewis Construction, Inc. Contractor

REPORT AND RECOMMENDATIONS OF THE ASSET MANAGEMENT COMMITTEE
(Pages 68 - 89).--Committee Chairman Cruikshank reported that
the Asset Management Committee had met in open session
to consider those matters on its agenda and to formulate
recommendations for the U. T. Board of Regents. Unless other-
wise indicated, all actions set forth in the Minute Orders
which follow were recommended by the Asset Management Com-
mittee and approved in open session and without objection
by the U. T. Board of Regents.

I. PERMANENT UNIVERSITY FUND

FEB 11 1993

INVESTMENT MATTER

Report on Clearance of Monies to the Permanent University Fund for November and December 1992 and **Report on Oil and Gas Development as of December 31, 1992.**--The following reports with respect to (a) certain monies cleared to the Permanent University Fund for November and December 1992 and (b) Oil and Gas Development as of December 31, 1992, were submitted by the Executive Vice Chancellor for Business Affairs:

	November 1992	December 1992	Cumulative Through December of this Fiscal Year (1992-1993)	Cumulative Through December of Preceding Fiscal Year (1991-1992)	Per Cent Change
Permanent University Fund					
Royalty					
Oil	\$4,119,992.59	\$4,112,221.51	\$16,868,437.51	\$16,531,731.36	2.04%
Gas	1,375,153.55	1,614,809.59	5,631,598.52	4,556,654.52	23.59%
Sulphur	0.00	0.00	0.00	0.00	--
Water	61,976.50	34,689.23	270,748.57	189,351.67	42.99%
Brine	3,335.44	4,369.38	24,851.30	20,394.07	21.86%
Trace Minerals	0.00	0.00	0.00	0.00	--
Rental					
Oil and Gas Lease	152,944.31	10,556.13	299,676.91	263,914.35	13.55%
Other	0.00	200.00	(4,812.30)	3,847.70	-225.07%
Sale of Sand, Gravel, Etc.	0.00	0.00	0.00	0.00	--
Total University Lands Receipts Before Bonuses	<u>5,713,402.39</u>	<u>5,776,845.84</u>	<u>23,090,500.51</u>	<u>21,565,893.67</u>	7.07%
Bonuses					
Oil and Gas Lease Sales	0.00	0.00	69,887.70	0.00	--
Amendments and Extensions to Mineral Leases	10.00	0.00	10.00	0.00	--
Total University Lands Receipts	<u>5,713,412.39</u>	<u>5,776,845.84</u>	<u>23,160,398.21</u>	<u>21,565,893.67</u>	7.39%
Gain or (Loss) on Sale of Securities	<u>11,531,409.04</u>	<u>3,876,094.02</u>	22,332,596.20	7,889,528.35	183.07%
TOTAL CLEARANCES	<u><u>\$17,244,821.43</u></u>	<u><u>\$9,652,939.86</u></u>	<u><u>\$45,492,994.41</u></u>	<u><u>\$29,455,422.02</u></u>	54.45%

Oil and Gas Development - December 31, 1992
Acreage Under Lease - 667,465

Number of Producing Acres - 531,016

Number of Producing Leases - 2,481

II. TRUST AND SPECIAL FUNDS

Gifts, Bequests and Estates

1. U. T. System: Acceptance of Grant from the Sid W. Richardson Foundation, Fort Worth, Texas, and Establishment of The Nancy Lee and Perry R. Bass Chancellor's Excellence Fund.--Upon recommendation of the Asset Management Committee, the Board accepted a \$500,000 grant, payable by July 1, 1993, from the Sid W. Richardson Foundation, Fort Worth, Texas, and established an endowment at The University of Texas System to be named The Nancy Lee and Perry R. Bass Chancellor's Excellence Fund.

Income earned from the endowment will be used to supplement the salary of the Chancellor of the U. T. System.

2. U. T. Arlington: Acceptance of Gift from The Dallas Pan American Round Table 1, Dallas, Texas, and Establishment of The Dallas Pan American Round Table 1 Faculty Exchange Program.--The Asset Management Committee recommended and the Board accepted a \$10,000 gift from The Dallas Pan American Round Table 1, Dallas, Texas, and established an endowment at The University of Texas at Arlington to be named The Dallas Pan American Round Table 1 Faculty Exchange Program.

Income earned from the endowment will be used to begin an international academic exchange program with a Hispanic Third World School of Nursing.

3. U. T. Arlington: Approval to Accept Bequest from the Estate of Sandra Myres, Arlington, Texas.--Approval was given to accept a bequest consisting of files, books, pictures, prints, and related items valued at approximately \$30,600 from the Estate of Sandra Myres, Arlington, Texas, for the Special Collections in the Library at The University of Texas at Arlington.

4. U. T. Austin: Acceptance of Gift from Mr. Morris Atlas, McAllen, Texas; Establishment of The Rita Willner Atlas Student Endowment Fund in the School of Nursing; and Eligibility for Matching Funds Under The Regents' Endowment Program.--The Board accepted a \$60,000 gift, comprised of 750 shares of Philip Morris Companies common stock valued at \$59,578.13 and \$421.87 cash, from Mr. Morris Atlas, McAllen, Texas, and established The Rita Willner Atlas Student Endowment Fund in the School of Nursing at The University of Texas at Austin.

Further, \$30,000 in matching funds will be allocated under The Regents' Endowment Program and will be used to increase the endowment to a total of \$90,000.

Income earned from the endowment will be used to provide support for undergraduate and graduate students in the School of Nursing. Recipients of the awards will be designated as Rita Willner Atlas Scholars or Rita Willner Atlas Fellows, depending on their undergraduate or graduate status.

5. U. T. Austin: Acceptance of Gift and Pledge from the Bergen Brunswig Corporation, Orange, California; Establishment of the Bergen Brunswig Corporation Endowed Presidential Scholarship in Pharmacy in the College of Pharmacy; and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--Upon recommendation of the Asset Management Committee, the Board accepted a \$9,000 gift and a \$16,000 pledge, payable by August 31, 1994, from the Bergen Brunswig Corporation, Orange, California, for a total of \$25,000 and established the Bergen Brunswig Corporation Endowed Presidential Scholarship in Pharmacy in the College of Pharmacy at The University of Texas at Austin.

Further, matching funds in the amount of \$12,500 will be allocated under The Brackenridge Matching Program #2 to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to provide scholarship support to students in the College of Pharmacy.

6. U. T. Austin: Acceptance of Gift from Mr. William M. Bomar, Austin, Texas, and Establishment of the Betty J. Bomar Endowed Presidential Scholarship in Nursing in the School of Nursing.--The Asset Management Committee recommended and the Board accepted a \$25,000 gift from Mr. William M. Bomar, Austin, Texas, and established the Betty J. Bomar Endowed Presidential Scholarship in Nursing in the School of Nursing at The University of Texas at Austin.

Income earned from the endowment will be used to provide scholarship support to outstanding students pursuing a degree in nursing and a career in providing quality health care.

7. U. T. Austin: Approval to Accept Remainder Interest in The Bownds Family Charitable Remainder Trust from Mr. and Mrs. Marlin D. Bownds, Austin, Texas, and Appointment of the U. T. Board of Regents as Trustee of the Trust (No Publicity).--Approval was given to accept the remainder interest in The Bownds Family Charitable Remainder Trust, initially funded with a gift of 800 shares of Exxon Corporation common stock valued at \$49,600 and 996 shares of ONEOK, Inc. common stock valued at \$18,612.75, for a total of \$68,212.75, from Mr. and Mrs. Marlin D. Bownds, Austin, Texas, for the benefit of The University of Texas at Austin.

Additionally, the U. T. Board of Regents accepted appointment as Trustee of the Trust.

The trust agreement provides for the annual distribution of the lesser of the trust income for the taxable year and seven percent of the net fair market value of the trust assets, valued as of the first day of such taxable

year to be paid quarterly to Mr. and Mrs. Bownds during their lifetimes. If the trust income for any taxable year exceeds the annual distribution otherwise payable for such year, Trustee shall also pay to Mr. and Mrs. Bownds such excess income to the extent that the aggregate of the amounts paid to Mr. and Mrs. Bownds in prior years is less than seven percent of the aggregate fair market value of the trust assets for such years.

Upon termination of the Trust, the corpus of the Trust shall be distributed to the U. T. Board of Regents to be used by or for the College of Liberal Arts at U. T. Austin. Mr. and Mrs. Marlin D. Bownds may from time to time, by written document addressed to the Trustee, describe more specifically their preferences for use of the funds by the U. T. Board of Regents. A request to approve the exact use of the remainder will be made at a later date.

It was requested that no publicity be given to this matter.

8. U. T. Austin: Acceptance of Gift from an Anonymous Donor and Establishment of the Dr. Louis Edward and Virginia Steele Brenz Scholarship in the School of Nursing (No Publicity).--The Board accepted a \$10,000 gift from an anonymous donor and established the Dr. Louis Edward and Virginia Steele Brenz Scholarship in the School of Nursing at The University of Texas at Austin.

Income earned from the endowment will be used to provide scholarships to graduate and undergraduate students in the School of Nursing.

It was requested that no publicity be given to this matter.

9. U. T. Austin: Approval to Accept Gift from Mr. and Mrs. Winston L. (Barbara) Cave, Austin, Texas, and to Establish the Carol Cave, Cathy Cave Cartwright, and Allison Cave Endowed Scholarship in the Department of Intercollegiate Athletics for Women.--Upon recommendation of the Asset Management Committee, the Board accepted a \$10,000 gift from Mr. and Mrs. Winston L. (Barbara) Cave, Austin, Texas, and established the Carol Cave, Cathy Cave Cartwright, and Allison Cave Endowed Scholarship in the Department of Intercollegiate Athletics for Women at The University of Texas at Austin.

Income earned from the endowment will be used to provide annual scholarship support to a basketball player in the women's athletics department who excels both as a student and as an athlete.

10. U. T. Austin: Acceptance of Remainder Interest in The Charles Carroll Clark Charitable Remainder Annuity Trust from Mr. Charles Carroll Clark, San Antonio, Texas, and Appointment of the U. T. Board of Regents as Trustee of the Trust.--Authorization was given to accept seventy-five percent of the remainder interest in The Charles Carroll Clark Charitable Remainder Annuity Trust, initially funded with a gift of 3,200 shares of Oryx Energy Company common stock valued at \$71,000 and 1,600 shares of Sun Company, Inc. common stock valued at \$41,500, for

a total of \$112,500, from Mr. Charles Carroll Clark, San Antonio, Texas, for the benefit of The University of Texas at Austin.

In addition, the U. T. Board of Regents accepted appointment as Trustee of the Trust.

The trust agreement provides for the annual distribution of at least nine and six-tenths percent of the initial net fair market value of the trust assets to be paid quarterly to Mr. Charles Carroll Clark during his lifetime. Such payments shall be made from income earned on the trust assets and, to the extent that income is not sufficient, from the corpus. Any income of the trust for a taxable year in excess of nine and six-tenths percent of the initial net fair market value of the trust assets shall be added to the corpus.

Upon termination of the Trust, the corpus of the Trust shall be distributed to the U. T. Board of Regents to be used in accordance with the separate Letter of Intent of Settlor maintained with the Trust Agreement. Seventy-five percent of the remainder of the Trust will be used to establish three endowments in the College of Liberal Arts at U. T. Austin to be named the James B. Clark Memorial Scholarship, the Florence Anderson Clark Memorial Scholarship, and the Charles Carroll Clark Memorial Scholarship. A request to establish these endowments will be made at a later date. The remaining twenty-five percent of the corpus will be distributed for the benefit of The University of North Texas, Denton, Texas.

11. U. T. Austin: Acceptance of Gifts from Dr. Clarence L. Cline, Austin, Texas, and Various Donors; Establishment of the Henriette F. Cline Memorial Endowment Fund for the Harry Ransom Humanities Research Center; and Eligibility for Matching Funds Under The Regents' Endowment Program.--The Asset Management Committee recommended and the Board accepted gifts of \$27,500 from Dr. Clarence L. Cline, Austin, Texas, and various donors and established the Henriette F. Cline Memorial Endowment Fund for the Harry Ransom Humanities Research Center at The University of Texas at Austin.

Further, \$13,750 in matching funds will be allocated under The Regents' Endowment Program and will be used to increase the endowment to a total of \$41,250.

Income earned from the endowment will be used at the discretion of the Director of the Harry Ransom Humanities Research Center, primarily for acquisitions.

12. U. T. Austin: Acceptance of Gift from Mr. Raymond D. Woods, Austin, Texas; Establishment of The Walter and Gina Ducloux Fine Arts Faculty Fellowship Endowment in the College of Fine Arts; and Eligibility for Matching Funds Under The Regents' Endowment Program.--The Board, upon recommendation of the Asset Management Committee, accepted a \$250,000 gift from Mr. Raymond D. Woods, Austin, Texas, and established The Walter and Gina Ducloux Fine Arts Faculty Fellowship Endowment in the College of Fine Arts at The University of Texas at Austin.

Further, \$50,000 in matching funds will be allocated under The Regents' Endowment Program and will be used to increase the endowment to a total of \$300,000.

Income earned from the endowment will be used to support the Fellowship.

13. U. T. Austin: Acceptance of Gifts from Various Donors and Transfer of Funds and Establishment of the Frank N. Edmonds, Jr. Memorial Fellowship in the College of Natural Sciences.--Upon recommendation of the Asset Management Committee, the Board accepted \$9,867.50 in gifts from various donors and a transfer of \$142.34 in accumulated interest for a total of \$10,009.84 and established the Frank N. Edmonds, Jr. Memorial Fellowship in the Department of Astronomy, College of Natural Sciences, at The University of Texas at Austin.

Income earned from the endowment will be used to provide support to deserving graduate students in the Department of Astronomy, based on need or merit.

14. U. T. Austin: Authorization to Redesignate the Ernst & Young Distinguished Professorship in Accounting in the College of Business Administration as the Ernst & Young Accounting Education Excellence Fund and to Amend Use of Endowment Income (No Publicity).--In accordance with a request from the donor, the Ernst & Young Distinguished Professorship in Accounting in the College of Business Administration at The University of Texas at Austin was redesignated as the Ernst & Young Accounting Education Excellence Fund.

Further, use of the income earned from the endowment was amended to support accounting education including, but not limited to, purchase of software for class use, student scholarships, support of faculty research and curriculum development, and other educational purposes.

It was requested that no publicity be given to this matter.

15. U. T. Austin: Dissolution of the Ernst & Young Faculty Fellowship in Accounting (No. 1) and (No. 2) in the College of Business Administration and the Graduate School of Business and Establishment of the Ernst & Young Faculty Fellowship in Teaching Excellence.--The Board dissolved the Ernst & Young Faculty Fellowship in Accounting (No. 1) and (No. 2) in the College of Business Administration and the Graduate School of Business at The University of Texas at Austin, and the balances of each Fellowship, \$100,145 and \$103,547.79, respectively, were combined for a total of \$203,692.79 to establish the Ernst & Young Faculty Fellowship in Teaching Excellence.

Income earned from the endowment will be used to support faculty with an emphasis on the recognition of teaching.

The U. T. System Office of General Counsel rendered an opinion that this modification is permissible under Section 65.36(f) of the Texas Education Code, and the modification is acceptable to the donors.

16. U. T. Austin: Acceptance of Gifts from Various Donors and Pledge from Houston Endowment Inc., Houston, Texas; Establishment of the Faculty Research Program for Latin American Studies; and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--The Asset Management Committee recommended and the Board accepted \$50,000 in gifts from various donors and a \$200,000 pledge, payable by January 31, 1993, from Houston Endowment Inc., Houston, Texas, for a total of \$250,000 and established the Faculty Research Program for Latin American Studies at The University of Texas at Austin.

Further, \$125,000 in matching funds will be allocated under The Brackenridge Matching Program #2 and will be used to increase the endowment to a total of \$375,000.

Income earned from the endowment will be used to support the endowment.

17. U. T. Austin: Approval to Accept Gift from Mr. and Mrs. John A. Jackson, Through The Katie Foundation, Both of Dallas, Texas, and to Establish the John A. and Katherine G. Jackson Fellowship in Geohydrology in the College of Natural Sciences.--Upon recommendation of the Asset Management Committee, the Board accepted a \$25,000 gift from Mr. and Mrs. John A. Jackson, through The Katie Foundation, both of Dallas, Texas, and established the John A. and Katherine G. Jackson Fellowship in Geohydrology in the Department of Geological Sciences, College of Natural Sciences, at The University of Texas at Austin.

Income earned from the endowment will be used to support students who are studying ground water and pollution.

18. U. T. Austin: Establishment of (a) Hugh Liedtke Endowed Scholarship in Business in the College of Business Administration, (b) Joanne Sharp and Jack R. Crosby Endowed Scholarship in Communication in the College of Communication, (c) Lee Hage and Joseph D. Jamail Endowed Scholarship in Education in the College of Education, (d) M. K. Hage Endowed Scholarship in Fine Arts in the College of Fine Arts, and (e) Lee Hage and Joseph D. Jamail Endowed Scholarship in Nursing in the School of Nursing; and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--With a previously accepted \$3,000,000 pledge, payable by December 31, 1995, of which \$750,000 has been received to date, from Mr. and Mrs. Joseph D. Jamail (Lee Hage Jamail), Houston, Texas, the Board established five nonendowed deans' discretionary funds of \$100,000 each in the Colleges of Business Administration, Communication, Education, and Fine Arts, and in the School of Nursing at The University of Texas at Austin and five endowed scholarships of \$500,000 each at U. T. Austin as listed below:

Endowed Scholarships

- a. Hugh Liedtke Endowed Scholarship in Business in the College of Business Administration
- b. Joanne Sharp and Jack R. Crosby Endowed Scholarship in Communication in the College of Communication

- c. Lee Hage and Joseph D. Jamail Endowed Scholarship in Education in the College of Education
- d. M. K. Hage Endowed Scholarship in Fine Arts in the College of Fine Arts
- e. Lee Hage and Joseph D. Jamail Endowed Scholarship in Nursing in the School of Nursing.

Further, \$312,500 (\$62,500 for each Scholarship) in matching funds will be allocated under The Brackenridge Matching Program #2 and will be used to increase each endowment to a total of \$562,500.

Income earned from the endowed scholarships will be used to provide scholarship support to students in the respective academic areas. Recipients are to be students of average academic merit who show promise of success in their chosen field and demonstrate evidence of financial need.

19. U. T. Austin - Marine Science Institute: E. J. Lund Founder's Fund - Authorization to Transfer Funds and Establishment of the E. J. Lund Marine Science Institute Support.--Authorization was given to transfer a \$140,000 unrestricted gift from the E. J. Lund Founder's Fund at The University of Texas at Austin Marine Science Institute and to establish a quasi-endowment at the U. T. Austin Marine Science Institute to be named the E. J. Lund Marine Science Institute Support.

Income earned from the endowment will be used for unrestricted purposes at the discretion of the Director of the U. T. Austin Marine Science Institute.

20. U. T. Austin: Acceptance of Bequest from the Estate of Thelma Elizabeth Martin, Lake Jackson, Texas.--The Board accepted a specific bequest of three original Porfirio Salinas oil paintings, valued at \$39,000, from the Estate of Thelma Elizabeth Martin, Lake Jackson, Texas, for placement in the Archer M. Huntington Art Gallery in the College of Fine Arts at The University of Texas at Austin.

21. U. T. Austin: Acceptance of Gift from Dr. Lorene L. Rogers, Austin, Texas, and Corporate Matching Funds Pledge from the Texaco Foundation, White Plains, New York; Establishment of the A. David Renner Endowed Presidential Scholarship in Piano in the College of Fine Arts; and Eligibility for Matching Funds Under The Regents' Endowment Program.--Upon recommendation of the Asset Management Committee, the Board accepted a \$12,500 gift from Dr. Lorene L. Rogers, Austin, Texas, and a \$12,500 corporate matching funds pledge, payable by August 31, 1993, from the Texaco Foundation, White Plains, New York, for a total of \$25,000 and established the A. David Renner Endowed Presidential Scholarship in Piano in the Department of Music, College of Fine Arts, at The University of Texas at Austin.

Further, \$12,500 in matching funds will be allocated under The Regents' Endowment Program and will be used to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to provide scholarships to piano students in the Department of Music.

22. U. T. Austin: Acceptance of Gift from Dr. Lorene L. Rogers, Austin, Texas, and Corporate Matching Funds from the Texaco Foundation, White Plains, New York, for Addition to the Lorene L. Rogers Centennial Endowed Scholarship in the College of Fine Arts; Approval to Redesignate as the Lorene L. Rogers Endowed Presidential Scholarship in Music; and Eligibility for Matching Funds Under The Regents' Endowment Program.--The Board accepted a \$7,500 gift from Dr. Lorene L. Rogers, Austin, Texas, and \$7,500 in corporate matching funds from the Texaco Foundation, White Plains, New York, for a total of \$15,000 for addition to the Lorene L. Rogers Centennial Endowed Scholarship in the Department of Music, College of Fine Arts, at The University of Texas at Austin thereby increasing the endowment to a total of \$25,000. In accordance with the donor's request, the Scholarship was redesignated as the Lorene L. Rogers Endowed Presidential Scholarship in Music.

Further, \$7,500 in matching funds will be allocated under The Regents' Endowment Program and will be used to increase the endowment to a total of \$32,500.

23. U. T. Austin: Acceptance of Gift and Pledge from Mr. Larry E. Temple, Austin, Texas, Pledge from Mrs. Laura Allison Temple Bacon, Chicago, Illinois, and Mr. John Lawrence Temple, Washington, D. C., and Corporate Matching Funds Pledge from Temple-Inland, Inc., Diboll, Texas; Establishment of the Louann Atkins Temple Endowed Presidential Scholarship in American Studies in the College of Liberal Arts; and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--The Board accepted a gift and pledges from the following donors, all payable by August 31, 1993, for a total of \$25,000 and established the Louann Atkins Temple Endowed Presidential Scholarship in American Studies in the College of Liberal Arts at The University of Texas at Austin:

<u>Donor</u>	<u>Gift/Pledge</u>
Mr. Larry E. Temple Austin, Texas	\$6,000 gift \$6,000 pledge
Mrs. Laura Allison Temple Bacon, Chicago, Illinois, and Mr. John Lawrence Temple, Washington, D. C.	\$1,000 pledge
Temple-Inland, Inc. Diboll, Texas	\$12,000 corporate matching funds pledge

Further, \$12,500 in matching funds will be allocated under The Brackenridge Matching Program #2 and will be used to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to provide scholarship support to students of American Studies in the College of Liberal Arts.

24. U. T. Austin: Acceptance of Gifts from the Ella F. Fondren Trust FBO W. Bryan Trammell, Jr., Houston, Texas, and Establishment of the W. Bryan Trammell, Jr. Teaching Excellence Award in the College of Business Administration and Graduate School of Business (No Publicity).--The Asset Management Committee recommended and the Board accepted \$30,000 in gifts from the Ella F. Fondren Trust FBO W. Bryan Trammell, Jr., Houston, Texas, and established the W. Bryan Trammell, Jr. Teaching Excellence Award in the College of Business Administration and Graduate School of Business at The University of Texas at Austin.

Income earned from the endowment will be used to provide an annual award to a College of Business Administration or Graduate School of Business faculty member, selected by the College's Faculty Committee for Teaching Excellence Awards.

It was requested that no publicity be given to this matter.

25. U. T. Austin: Acceptance of Gift from Mr. and Mrs. Neill (Beverly) Walsdorf, San Antonio, Texas; Establishment of the Neill and Beverly Walsdorf Endowed Presidential Scholarship in Pharmacy in the College of Pharmacy; and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--Upon recommendation of the Asset Management Committee, the Board accepted a \$25,000 gift from Mr. and Mrs. Neill (Beverly) Walsdorf, San Antonio, Texas, and established the Neill and Beverly Walsdorf Endowed Presidential Scholarship in Pharmacy in the College of Pharmacy at The University of Texas at Austin.

Further, \$12,500 in matching funds will be allocated under The Brackenridge Matching Program #2 and will be used to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to provide scholarship support to students in the College of Pharmacy.

26. U. T. Austin: Approval to Accept Gift from Mr. Joseph C. Walter, Jr., Houston, Texas, for Addition to the Joseph C. and Elizabeth C. Walter, Jr. Geology Library Fund in the College of Natural Sciences and Eligibility for Matching Funds Under The Regents' Endowment Program.--Approval was given to accept a \$100,000 gift from Mr. Joseph C. Walter, Jr., Houston, Texas, for addition to the Joseph C. and Elizabeth C. Walter, Jr. Geology Library Fund in the Department of Geological Sciences, College of Natural Sciences, at The University of Texas at Austin.

Further, \$50,000 in matching funds will be allocated under The Regents' Endowment Program and will be used to increase the endowment.

27. U. T. Austin: Acceptance of Gifts from Mrs. Frances Wasserman, Malden, Massachusetts, and Mr. Nathan I. Snyder, Austin, Texas; Establishment of the Frances Wasserman Endowment in Memory of Dr. Harry Wasserman in the General Libraries; and Eligibility for Matching Funds Under The Regents' Endowment Program.--The Board, upon recommendation of the Asset Management Committee, accepted a \$20,000 gift from Mrs. Frances Wasserman, Malden, Massachusetts, and a \$5,000 gift from Mr. Nathan I. Snyder, Austin, Texas, for a total of \$25,000 and established the Frances Wasserman Endowment in Memory of Dr. Harry Wasserman in the General Libraries at The University of Texas at Austin.

Further, \$12,500 in matching funds will be allocated under The Regents' Endowment Program and will be used to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to purchase Judaica, Hebraica, and Yiddica library materials.

28. U. T. Austin: Dissolution of the Marie M. Whittle Award - Office Administration and the John W. Hultz Memorial Scholarship in the College of Business Administration and the Graduate School of Business and Establishment of the Hultz-Whittle Outstanding Student Award.--Upon recommendation of the Asset Management Committee, the Board dissolved the Marie M. Whittle Award - Office Administration and the John W. Hultz Memorial Scholarship in the College of Business Administration and the Graduate School of Business at The University of Texas at Austin, and the balances of each, \$2,100 and \$10,000, respectively, were combined for a total of \$12,100 to establish the Hultz-Whittle Outstanding Student Award.

Income earned from the endowment will be used to support students within the Department of Management Science and Information Systems, based on financial need, academic achievement, and future potential.

29. U. T. Austin: Acceptance of Gifts and Pledge from Mr. and Mrs. Jesse F. Womack, Houston, Texas, and Various Donors and Corporate Matching Funds Pledge from the Exxon Education Foundation, Irving, Texas; Establishment of the Robert Jeffry Womack Endowed Presidential Scholarship in the College of Fine Arts; and Eligibility for Matching Funds Under The Regents' Endowment Program.--Approval was given to accept a \$10,000 gift and a \$5,000 pledge, payable by August 31, 1995, from Mr. and Mrs. Jesse F. Womack, Houston, Texas, \$725 in gifts from various donors, and a \$45,000 corporate matching funds pledge, payable by August 31, 1995, from the Exxon Education Foundation, Irving, Texas, for a total of \$60,725 and to establish the Robert Jeffry Womack Endowed Presidential Scholarship in the Department of Music, College of Fine Arts, at The University of Texas at Austin.

Further, \$30,000 in matching funds will be allocated under The Regents' Endowment Program and will be used to increase the endowment to a total of \$90,725.

Income earned from the endowment will be used to provide scholarship support for students preparing for a career in the field of music composition.

30. U. T. Austin and U. T. Tyler: Authorization to Accept Bequests from the Estate of Norma Anderson Carpenter, Tyler, Texas; Establishment of (a) the Anderson Endowment in the College of Business Administration and the Graduate School of Business at U. T. Austin and (b) the Anderson Endowment at U. T. Tyler; and Eligibility for Matching Funds Under The Regents' Endowment Program.-- The Board accepted specific bequests totalling approximately \$302,569.69 from the Estate of Norma Anderson Carpenter, Tyler, Texas, and established endowments at The University of Texas at Austin and The University of Texas at Tyler, respectively, as follows:

- a. The specific bequest to U. T. Austin, comprised of cash and municipal bonds valued at approximately \$228,000 (with \$137,999.23 received to date), is to establish the Anderson Endowment in the College of Business Administration and the Graduate School of Business at U. T. Austin.

Further, based on the \$137,999.23 in gifts received, \$68,999 in matching funds will be allocated under The Regents' Endowment Program and will be used to increase the endowment to a total of approximately \$296,999.

Ninety-five percent of the income earned from the endowment will be used to provide scholarships with preference given to female students. The remaining five percent of income earned will be reinvested in the corpus of the endowment.

- b. The specific bequest to U. T. Tyler, comprised of \$74,569.69 cash, is to establish the Anderson Endowment at U. T. Tyler.

Ninety-five percent of the income earned from the endowment will be used to provide scholarships with preference given to female students completing a B.S. in Computer Science or a B.B.A. The remaining five percent of income earned will be reinvested in the corpus of the endowment.

31. U. T. El Paso: Authorization to Accept Gifts from Various Donors and Establishment of the John Judy Middagh Memorial Library Fund.--Authorization was given to accept gifts totalling \$10,000 from various donors and to establish an endowment at The University of Texas at El Paso to be named the John Judy Middagh Memorial Library Fund.

Income earned from the endowment will be used to purchase books relating to journalism and history for the University Library.

32. U. T. Pan American: Acceptance of Bequest from the Estate of Richard C. Fleischer, Hidalgo County, Texas, and a Remainder Interest in the Richard and Lucille Fleischer Scholarship Trust.--Upon recommendation of the Asset Management Committee, the Board accepted a \$50,000 bequest from the Estate of Richard C. Fleischer, Hidalgo County, Texas, and a twenty-five percent remainder interest in the Richard and Lucille Fleischer Scholarship Trust, created under the Will of Richard C. Fleischer, such Trust being initially valued at \$105,702.21, for the benefit of The University of Texas - Pan American.

The cash bequest is for the unrestricted use of U. T. Pan American and the twenty-five percent remainder interest in the Trust is for the general scholarship fund of U. T. Pan American. A final report will be made upon termination of the Trust.

33. U. T. Permian Basin: Acceptance of Gifts from Mr. Nojem Libson, Odessa, Texas, and Various Donors and Establishment of the Libson Scholarship (No Publicity).--The Board, upon recommendation of the Asset Management Committee, accepted \$13,959.70 in gifts from Mr. Nojem Libson, Odessa, Texas, and \$5,363 in gifts from various donors for a total of \$19,322.70 and established an endowment at The University of Texas of the Permian Basin to be named the Libson Scholarship.

Income earned from the endowment will be used to support students transferring from Odessa College to U. T. Permian Basin, as well as U. T. Permian Basin undergraduate and graduate students.

It was requested that no publicity be given to this matter.

34. U. T. Tyler: Report of Gift from an Anonymous Donor for the Liberal Arts Complex.--It was reported that The University of Texas at Tyler had received a \$1,000,000 gift from an anonymous donor to benefit the proposed Liberal Arts Complex fund campaign at U. T. Tyler. This gift brings the total of gifts and pledges received during the fund campaign to date, along with accumulated earnings on the funds, to approximately \$3.2 million.

35. U. T. Southwestern Medical Center - Dallas: Acceptance of Gift and Pledge from the Carl B. & Florence E. King Foundation, Dallas, Texas; Establishment of the Carl B. & Florence E. King Foundation Distinguished Chair in Pediatric Oncology Research; Approval to Allocate Funds from the Private Fund Development Campaign; and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--Approval was given to accept a \$100,000 gift and a \$400,000 pledge, payable by December 31, 1997, from the Carl B. & Florence E. King Foundation, Dallas, Texas, for a total of \$500,000 and to establish the Carl B. & Florence E. King Foundation Distinguished Chair in Pediatric Oncology Research at The University of Texas Southwestern Medical Center at Dallas.

Further, \$500,000 will be allocated from the \$25,000,000 challenge fund established by an anonymous donor as part of the Private Fund Development Campaign and will be used to increase the endowment to a total of \$1,000,000.

Additionally, the actual income that will be earned on the \$500,000 in gifts and pledges, as received, and the \$500,000 allocation of challenge funds will be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

See Page 62 related to an appointment to this Distinguished Chair.

36. U. T. Southwestern Medical Center - Dallas: Acceptance of Gift from the Biological Humanics Foundation, Dallas, Texas; Establishment of The Eugene McDermott Center for Pain Management Endowment and The Eugene McDermott Center for Human Growth and Development Endowment; and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--The Board accepted a gift comprised of cash and securities valued at \$5,765,618.48 from the Biological Humanics Foundation, Dallas, Texas, and established two endowments at The University of Texas Southwestern Medical Center at Dallas. Of the total gift, \$1,000,000 will be used to establish The Eugene McDermott Center for Pain Management Endowment and \$4,765,618.48 will be used to establish The Eugene McDermott Center for Human Growth and Development Endowment.

Income earned from the endowments will be used to support The Eugene McDermott Center for Pain Management and The Eugene McDermott Center for Human Growth and Development, respectively.

Additionally, the actual income that will be earned on all qualifying gifts will be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

37. U. T. Southwestern Medical Center - Dallas: Acceptance of Gift from Mrs. Arthur E. (Elaine J.) Meyerhoff, Rancho Santa Fe, California, for Addition to the Arthur E. Meyerhoff Professorship in Otorhinolaryngology; Approval to Allocate Funds from the Private Fund Development Campaign; Authorization to Redesignate the Professorship as the Arthur E. Meyerhoff Chair in Otolaryngology/Head and Neck Surgery; and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--Upon recommendation of the Asset Management Committee, the Board accepted a \$200,000 gift from Mrs. Arthur E. (Elaine J.) Meyerhoff, Rancho Santa Fe, California, for addition to the Arthur E. Meyerhoff Professorship in Otorhinolaryngology at The University of Texas Southwestern Medical Center at Dallas.

Further, approval was granted to allocate \$200,000 from the \$25,000,000 challenge fund established by an anonymous donor as part of the Private Fund Development Campaign to increase the endowment to a total of \$500,000, and the Professorship was redesignated as the Arthur E. Meyerhoff Chair in Otolaryngology/Head and Neck Surgery.

Additionally, the actual income that will be earned on the \$200,000 gift and \$200,000 allocation of challenge funds will be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

38. U. T. Southwestern Medical Center - Dallas: Pediatric Oncology Fund - Approval to Allocate Funds from the Private Fund Development Campaign; Redesignation as the Children's Cancer Fund Distinguished Professorship in Pediatric Oncology and Hematology; and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--The Asset Management Committee recommended and the Board allocated \$150,000 from the \$25,000,000 challenge fund established by an anonymous donor as part of the Private Fund Development Campaign to increase the Pediatric Oncology Fund at The University of Texas Southwestern Medical Center at Dallas to a total of \$300,000.

Further, the Pediatric Oncology Fund at the U. T. Southwestern Medical Center - Dallas was redesignated as the Children's Cancer Fund Distinguished Professorship in Pediatric Oncology and Hematology.

Additionally, the actual income that will be earned on the \$150,000 allocation of challenge funds will be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

See Page 62 related to an appointment to this Distinguished Professorship.

39. U. T. Southwestern Medical Center - Dallas: Acceptance of Gift from the Biological Humanics Foundation, Dallas, Texas, for Addition to the Professorship in Pediatric Genetics; Approval to Allocate Funds from the Private Fund Development Campaign; Redesignation as the Mary McDermott Cook Distinguished Professorship in Pediatric Genetics; and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--The Board accepted a \$30,000 gift from the Biological Humanics Foundation, Dallas, Texas, for addition to the Professorship in Pediatric Genetics at The University of Texas Southwestern Medical Center at Dallas.

Further, approval was given to allocate \$120,000 from the \$12,500,000 challenge fund established with MSRDP funds at the U. T. Southwestern Medical Center - Dallas as part of the Private Fund Development Campaign to increase the endowment to a total of \$260,251.79, and the Professorship was redesignated as the Mary McDermott Cook Distinguished Professorship in Pediatric Genetics.

Additionally, the actual income that will be earned on the \$30,000 gift will be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

40. U. T. Southwestern Medical Center - Dallas: Authorization to Accept Gifts from Various Donors and Transfer of Funds and to Establish the Dr. Bill Ross Professorship in Family Practice.--Authorization was given to accept \$90,000 in gifts from various donors and a \$10,000 transfer of MSRDP funds for a total of \$100,000 and to establish a quasi-endowment at The University of Texas Southwestern Medical Center at Dallas to be named the Dr. Bill Ross Professorship in Family Practice.

Income earned from the endowment will be used to support the Professorship.

41. U. T. Southwestern Medical Center - Dallas: Acceptance of Gift from The Sarah M. and Charles E. Seay Charitable Trust, Dallas, Texas; Establishment of the Sarah M. and Charles E. Seay Chair in Pediatric Infectious Diseases; Approval to Allocate Funds from the Private Fund Development Campaign; and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--Upon recommendation of the Asset Management Committee, the Board accepted a \$250,000 gift from The Sarah M. and Charles E. Seay Charitable Trust, Dallas, Texas, and established the Sarah M. and Charles E. Seay Chair in Pediatric Infectious Diseases at The University of Texas Southwestern Medical Center at Dallas.

Further, \$250,000 will be allocated from the \$12,500,000 challenge fund established with MSRDP funds at the U. T. Southwestern Medical Center - Dallas as part of the Private Fund Development Campaign and will be used to increase the endowment to a total of \$500,000.

Additionally, the actual income that will be earned on the \$250,000 gift will be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

See Page 62 related to an appointment to this Chair.

42. U. T. Southwestern Medical Center - Dallas: Acceptance of Gift from The Sarah M. and Charles E. Seay Charitable Trust, Dallas, Texas; Establishment of The Sarah M. and Charles E. Seay Distinguished Chair in Pediatric Medicine; Approval to Allocate Funds from the Private Fund Development Campaign; and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--The Asset Management Committee recommended and the Board accepted a \$500,000 gift from The Sarah M. and Charles E. Seay Charitable Trust, Dallas, Texas, and established The Sarah M. and Charles E. Seay Distinguished Chair in Pediatric Medicine at The University of Texas Southwestern Medical Center at Dallas.

Further, \$500,000 will be allocated from the \$12,500,000 challenge fund established with MSRDP funds at the U. T. Southwestern Medical Center - Dallas as part of the Private Fund Development Campaign and will be used to increase the endowment to a total of \$1,000,000.

Additionally, the actual income that will be earned on the \$500,000 gift will be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

See Page 62 related to an appointment to this Distinguished Chair.

43. U. T. Southwestern Medical Center - Dallas: Acceptance of Gifts and Pledges from Anonymous Donors; Establishment of the Doris and Bryan Wildenthal Professorship; Approval to Allocate Funds from the Private Fund Development Campaign; and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--The Board, upon recommendation of the Asset Management Committee, accepted \$15,000 in gifts and \$35,000 in pledges, payable by January 31, 1997, from anonymous donors for a total of \$50,000 and established the Doris and Bryan Wildenthal Professorship at The University of Texas Southwestern Medical Center at Dallas.

Further, \$50,000 will be allocated from the \$12,500,000 challenge fund established with MSRDP funds at the U. T. Southwestern Medical Center - Dallas as part of the Private Fund Development Campaign and will be used to increase the endowment to a total of \$100,000.

Additionally, the actual income that will be earned on the \$50,000 in gifts and pledges, as received, will be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

See Page 62 related to an appointment to this Professorship.

44. U. T. Medical Branch - Galveston: Acceptance of Bequest from the Estate of Beatrice S. Heidrick, Dallas County, Texas.--Upon recommendation of the Asset Management Committee, the Board accepted a \$2,000 bequest from the Estate of Beatrice S. Heidrick, Dallas County, Texas, to be used for cancer research at The University of Texas Medical Branch at Galveston.

45. U. T. Medical Branch - Galveston: Approval to Accept Bequest from the Estate of Mary Sue Hibbs, Wichita Falls, Texas, and Remainder Interest from the Ellene Collins Ward Trust, Wichita Falls, Texas, and to Establish The Dr. Bailey R. Collins Scholarship Fund.--Approval was given to accept a bequest of 1,142 acres in Haskell County, Texas, realizing sale proceeds of \$222,628.45, from the Estate of Mary Sue Hibbs, Wichita Falls, Texas, and the remainder interest in the Ellene Collins Ward

Trust, Wichita Falls, Texas, valued at \$740,663.60 for a total of \$963,292.05 and to establish The Dr. Bailey R. Collins Scholarship Fund at The University of Texas Medical Branch at Galveston.

Income earned from the endowment will be used to support scholarships for medical school students.

46. U. T. Medical Branch - Galveston: Acceptance of Grant from Houston Endowment Inc., Houston, Texas, and Establishment of the Houston Endowment Distinguished Chair in Environmental Toxicology.--The Asset Management Committee recommended and the Board accepted a \$1,000,000 grant, payable in annual installments of \$500,000 and due by December 31, 1994, from Houston Endowment Inc., Houston, Texas, and established the Houston Endowment Distinguished Chair in Environmental Toxicology at The University of Texas Medical Branch at Galveston.

Income earned from the endowment will be used to fund the Directorship of the newly created Center for Environmental Toxicology at the U. T. Medical Branch - Galveston.

47. U. T. Medical Branch - Galveston: Acceptance of Gifts from Various Donors and Mr. Walter G. Hall, Dickinson, Texas, and Transfer of Funds and Establishment of the James Hury Scholarship Fund.--The Board, upon recommendation of the Asset Management Committee, accepted \$5,000 in gifts from various donors, a \$15,000 gift from Mr. Walter G. Hall, Dickinson, Texas, and a \$5,000 transfer of institutional funds for a total of \$25,000 and established the James Hury Scholarship Fund at The University of Texas Medical Branch at Galveston.

Income earned from the endowment will be used to provide scholarship awards to medical students at the U. T. Medical Branch - Galveston.

48. U. T. Medical Branch - Galveston: Acceptance of Gifts from Dr. Herbert M. Seybold and Mr. Martin E. Hamilton, Both of Galveston, Texas, and Establishment of the Herbert M. Seybold Endowed Scholarship Fund.--Upon recommendation of the Asset Management Committee, the Board accepted 146 shares of American Information Technologies Corporation common stock valued at \$19,819.50 and 130 shares of Thermo Electron Corporation common stock valued at \$4,956.25 from Dr. Herbert M. Seybold, Galveston, Texas, 1,000 shares of Keystone International, Inc. common stock valued at \$26,625 from Mr. Martin E. Hamilton, Galveston, Texas, and \$74,635 from various donors for a total of \$126,035.75 and established the Herbert M. Seybold Endowed Scholarship Fund at The University of Texas Medical Branch at Galveston.

Income earned from the endowment will be used to assist in attracting superior students to the U. T. Medical School - Galveston by providing financial assistance to students with demonstrated financial need and superior academic credentials and performance.

49. U. T. Medical Branch - Galveston: Approval to Accept Remainder Interest in The Dr. Seymour and Carmen Fisher Charitable Remainder Annuity Trust from Dr. and Mrs. Seymour Fisher, Galveston, Texas, and Appointment of the U. T. Board of Regents as Trustee of the Trust.-- Approval was given to accept the remainder interest in The Dr. Seymour and Carmen Fisher Charitable Remainder Annuity Trust, initially funded with a gift of 2,600 shares of Unitrin, Inc. common stock valued at \$98,800, from Dr. and Mrs. Seymour Fisher, Galveston, Texas, for the benefit of The University of Texas Medical Branch at Galveston.

In addition, the U. T. Board of Regents accepted appointment as Trustee of the Trust.

The trust agreement provides for the annual distribution of seven percent of the initial net fair market value of the trust assets to be paid quarterly to Dr. and Mrs. Seymour Fisher during their lifetimes. Such payments shall be made from income earned on the trust assets and, to the extent that income is not sufficient, from the corpus. Any income of the trust for a taxable year in excess of seven percent of the initial net fair market value of the trust assets shall be added to the corpus.

Upon termination of the Trust, the corpus of the Trust shall be distributed to the U. T. Board of Regents to establish the Carmen & Seymour Fisher Endowment in the School of Medicine at the U. T. Medical Branch - Galveston with a view to funding research fellowships in the Department of Psychiatry and Behavioral Sciences. A request to formally establish the endowment will be made at a later date.

50. U. T. Medical Branch - Galveston: The William N. and Ida Zinn Alpha Omega Alpha Scholarship Award - Authorization to Amend Endowment Guidelines.--Authorization was given to amend the endowment guidelines for The William N. and Ida Zinn Alpha Omega Alpha Scholarship Award at The University of Texas Medical Branch at Galveston to distribute eighty percent of future earnings from the endowment and reinvest the remaining twenty percent of endowment earnings in the corpus of the endowment.

This amendment was made to more correctly reflect the intent of the donor and had been reviewed and approved by the U. T. System Office of General Counsel.

51. U. T. Health Science Center - San Antonio: Acceptance of Gift from USAA Federal Savings Bank, San Antonio, Texas; Establishment of the Endowed Professorship in the School of Nursing; and Eligibility for Matching Funds Under the Texas Eminent Scholars Program (No Publicity).--The Board accepted a \$100,000 gift from USAA Federal Savings Bank, San Antonio, Texas, and established the Endowed Professorship in the School of Nursing at The University of Texas Health Science Center at San Antonio.

Further, the actual income that will be earned on the \$100,000 gift will be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

It was requested that no publicity be given to this matter.

52. U. T. M.D. Anderson Cancer Center: Acceptance of Transfer of Funds for Addition to the Blanche Bender Fund and Approval to Redesignate as the Blanche Bender Professorship in Cancer Research.--The Asset Management Committee recommended and the Board accepted a \$102,177.67 transfer of accumulated earnings for addition to the Blanche Bender Fund at The University of Texas M.D. Anderson Cancer Center for a total endowment of \$250,000, and the Fund was redesignated as the Blanche Bender Professorship in Cancer Research.

Income earned from the endowment will be used to support the Professorship.

III. INTELLECTUAL PROPERTY MATTER

U. T. Medical Branch - Galveston: Approval for Dr. George C. Kramer to Acquire Equity in and Serve on the Board of Directors and as a Part-Time Employee of Trauma Products, Inc. (TPI), La Jolla, California.--Pursuant to Section 51.912 of the Texas Education Code and the Intellectual Property Policy of the Regents' Rules and Regulations, Part Two, Chapter XII, Section 6, Subsection 6.2, and Section 7, Subsection 7.1, the Board approved the acquisition by Dr. George C. Kramer, Associate Professor in the Departments of Anesthesiology, Physiology and Biophysics at The University of Texas Medical Branch at Galveston, of an equity interest in Trauma Products, Inc. (TPI), La Jolla, California, and Dr. Kramer's serving on the Board of Directors and as a part-time employee of such company.

Trauma Products, Inc. (TPI) is a California corporation with principal offices in La Jolla, California. The University entered into a Patent License Agreement with TPI effective August 1, 1992, with the U. T. Board of Regents' approval through the December 1992 Docket. The agreement grants TPI an exclusive, worldwide, royalty-bearing license under technology created at U. T. Medical Branch - Galveston by Dr. Kramer in the field of a hypertonic solution for isochloremic resuscitation. TPI may fund further basic research by Dr. Kramer in the amount of \$136,000 per year for two years.

TPI has offered Dr. Kramer 1,350,000 shares of TPI's common stock and the opportunity to serve without compensation as Chairman of TPI's Scientific Board and as a member of TPI's Board of Directors. TPI was formed to commercialize technologies created by Dr. Kramer prior to his becoming an employee of the

U. T. Medical Branch - Galveston and to commercialize the technology created by Dr. Kramer at the U. T. Medical Branch - Galveston. Dr. Kramer contemplates taking a 51% leave of absence from U. T. Medical Branch - Galveston for six months to assist TPI as a part-time employee.

It has been determined that acceptance of the stock by Dr. Kramer would not result in a conflict with his academic and research responsibilities at the U. T. Medical Branch - Galveston.

RECONVENE.--At 11:08 a.m., the Board reconvened as a committee of the whole to consider those items remaining on the agenda.

ITEMS FOR THE RECORD

1. U. T. System: Report on Annual Guideline Distribution Amount Per Unit for the Common Trust Fund for the Fiscal Year 1993-1994.--At the February 1991 meeting, the U. T. Board of Regents established the annual guideline distribution amount per unit for The University of Texas System Common Trust Fund at 17.5¢ per unit.

In keeping with the recommendation of the Investment Advisory Committee and the Asset Management Committee, it is reported for the record that the annual guideline distribution amount per unit of the U. T. System Common Trust Fund will remain at 17.5¢ per unit for the Fiscal Year 1993-1994.

The Charter of the U. T. System Common Trust Fund states that the per unit distribution amount of the Common Trust Fund shall be the lesser of (a) the per unit cash income received plus the per unit amount available in an income reserve or (b) the annual guideline amount per unit established by the U. T. Board of Regents.

2. U. T. Austin: Report on the Dissolution of the Hattie W. Hewlett Scholarship Fund and Will C. Hogg Memorial Scholarship Fund and Assets from Each Fund to be Used to Establish Named Scholarships.--At the January 1968 meeting, the U. T. Board of Regents accepted a \$77,018.71 distribution from the Estate of Hattie W. Hewlett, Travis County, Texas, to establish the Hattie W. Hewlett Scholarship Fund at The University of Texas at Austin for the use and benefit of worthy senior students of Business, Education, Home Economics, Law, and Music.

In order to clarify documentation related to the intent of the donor and in accordance with the Judgment of the 98th District Court of Travis County, Texas, dated April 10, 1967, the record of Regental action of January 26, 1968, was amended to reflect the establishment of five scholarships as named in the Judgment and to separately fund each scholarship by dissolving the Hattie W. Hewlett Scholarship Fund and allocating its assets in equal proportions among the five scholarships as follows:

<u>Endowment</u>	<u>Amount</u>
David Glasson Hewlett Scholarship in Business in the College of Business Administration	\$15,981.35
Sarah Hewlett Radkey Scholarship in Education in the College of Education	\$15,981.34
Louise Shelley Hewlett Brame Scholarship in Human Ecology in the Department of Human Ecology, College of Natural Sciences	\$15,981.34

<u>Endowment</u>	<u>Amount</u>
David Hubbard Hewlett Scholarship in Law in the School of Law	\$15,981.34
Louisa Frances Glasson Hewlett Scholarship in Music in the Department of Music, College of Fine Arts	\$15,981.34

At the January 1937 meeting, the U. T. Board of Regents reported the receipt of a \$120,000 bequest from the Estate of Will C. Hogg, Harris County, Texas, and the establishment of six memorial scholarships funded at \$20,000 each. At a later date, the six memorial scholarships were grouped into one fund for investment purposes and designated as the Will C. Hogg Memorial Scholarship Fund with each scholarship sharing equally in the net income earned by the Fund.

The University of Texas System Office of General Counsel has recently determined that in order to more accurately reflect the intent of the donor and in keeping with the original Board action of January 1937, the Will C. Hogg Memorial Scholarship Fund should be dissolved and its assets allocated equally to reestablish six scholarships as follows:

<u>Endowment</u>	<u>Amount</u>
Arthur Lefevre, Sr., Memorial Scholarship in Mathematics in the Department of Mathematics, College of Natural Sciences	\$40,034.62
Walter Benona Sharp Memorial Scholarship in Geological Sciences in the Department of Geological Sciences, College of Natural Sciences	\$40,034.63
Joseph S. Cullinan Memorial Scholarship in Geological Sciences in the Department of Geological Sciences, College of Natural Sciences	\$40,034.63
James Lockhart Autry Memorial Scholarship in Law in the School of Law	\$40,034.62
Estelle Boughton Sharp Memorial Scholarship in Human Ecology in the Department of Human Ecology, College of Natural Sciences	\$40,034.63
Ima Hogg Memorial Scholarship in Human Ecology in the Department of Human Ecology, College of Natural Sciences	\$40,034.63

3. U. T. Pan American: Report on Name Change of The Pan American University Foundation to The University of Texas-Pan American Foundation.--It is herewith reported for the record that the name of The Pan American University Foundation has been changed to The University of Texas-Pan American Foundation. A Certificate of Amendment has been issued by the Office of the Secretary of State.

4. U. T. Health Science Center - Houston: Continuation of Service of John C. Ribble, M.D., Ronald C. Merrell, M.D., and James D. Hefner, M.D., as Members of the Board of Directors of The University of Texas System Medical Foundation, Inc.--At the December 1991 meeting of the U. T. Board of Regents, John C. Ribble, M.D., Ronald C. Merrell, M.D., and James D. Hefner, M.D. were appointed to terms on the Board of Directors of The University of Texas System Medical Foundation, Inc. to expire on December 31, 1992.

Since the Bylaws of the Foundation state that existing directors will continue to serve until their successors "shall have been appointed and qualified" and since President Low has indicated a desire that the current directors continue in office, it is hereby noted for the record that Doctors Ribble, Merrell, and Hefner will serve as directors of this Foundation until they are replaced by a positive action by the U. T. Board of Regents.

The University of Texas System Medical Foundation, Inc. is a nonprofit corporation organized strictly for educational and scientific purposes and functions within the framework of The University of Texas Health Science Center at Houston for the purpose of training graduate medical students, referred to as house staff or residents. As part of their training, house staff are contracted with and paid a stipend plus fringe benefits for their services by local hospitals participating in the Affiliated Hospitals Residency Training Program at Houston.

REPORT OF BOARD FOR LEASE OF UNIVERSITY LANDS

Regent Ramirez, Vice-Chairman of the Board for Lease of University Lands, submitted the following report on behalf of that Board:

Report

The Board for Lease of University Lands has not met since October 20, 1992. The Board will meet today (February 11, 1993) at 3:00 p.m. to discuss oil and gas lease terms for Frontier Acreage on Permanent University Fund Lands located in Culberson, El Paso, Hudspeth, and Terrell Counties, Texas.

This acreage will be added to the tracts that are now being nominated for the Oil and Gas Lease Sale set for June 23, 1993, in Midland, Texas.

RECESS TO EXECUTIVE SESSION.--At 11:15 a.m., the Board recessed to convene in Executive Session pursuant to Vernon's Texas Civil Statutes, Article 6252-17, Sections 2(e), (f) and (g) to consider those matters set out in the Material Supporting the Agenda.

RECONVENE.--At 1:25 p.m., the Board reconvened in open session.

EXECUTIVE SESSION OF THE BOARD OF REGENTS

Chairman Beecherl reported that the Board had met in Executive Session in the Regents' Conference Room to discuss matters in accordance with Article 6252-17, Sections 2(e), (f) and (g) of Vernon's Texas Civil Statutes. In response to Chairman Beecherl's inquiry regarding the wishes of the Board, the following actions were taken:

1. U. T. Southwestern Medical Center - Dallas: Settlement of Medical Liability Litigation - Charles J. (Chuck) Gleaves, et al.--Upon motion of Regent Temple, seconded by Regent Loeffler, the Board authorized the Chancellor and the Office of General Counsel to settle on behalf of The University of Texas Southwestern Medical Center at Dallas the medical liability litigation filed by Charles J. (Chuck) Gleaves, et al., in accordance with the proposal presented in Executive Session.

2. U. T. Austin: Approval to Sell a 1.75 Acre Tract of Land in Austin, Travis County, Texas, Associated with the Borden-Superior Dairies Gift and Authorization for the Vice Chancellor for Asset Management to Execute All Related Documents.--Regent Rapoport moved that the Office of Endowment Real Estate be authorized to complete negotiations on behalf of The University of Texas at Austin for the sale of a 1.75 acre tract of land in Austin, Travis County, Texas, associated with the Borden-Superior Dairies gift, according to the parameters outlined in Executive Session and that the Vice Chancellor for Asset Management or his delegate be authorized to execute all documents pertaining to the sale following approval by the President of U. T. Austin, the Executive Vice Chancellor for Academic Affairs, and the Office of General Counsel.

Vice-Chairman Cruikshank seconded the motion which carried without objection.

3. U. T. Permian Basin: Authorization to Sell Residence Located at 1625 Englewood in Odessa, Ector County, Texas, and Authorization for the Executive Vice Chancellor for Academic Affairs to Take All Actions Necessary to Purchase a Replacement Residence Located at #1 Shiloh in Odessa, Ector County, Texas.--Vice-Chairman Cruikshank moved that the Executive Vice Chancellor for Business Affairs or his delegate be authorized on behalf of The University of Texas of the Permian Basin to take all

actions necessary to sell the residence located at 1625 Englewood in Odessa, Ector County, Texas, in accordance with the parameters outlined in Executive Session following approval of all documents by the Office of General Counsel.

Vice-Chairman Cruikshank further moved that the Executive Vice Chancellor for Academic Affairs or his delegate be authorized to take all actions necessary, including request for approval by the Texas Higher Education Coordinating Board if required, to purchase a replacement residence located at #1 Shiloh in Odessa, Ector County, Texas, according to the parameters outlined in Executive Session following approval of all documents by the Executive Vice Chancellor for Business Affairs and the Office of General Counsel.

Regent Moncrief seconded the motion which prevailed by unanimous vote.

4. U. T. Board of Regents: Consideration of the Reorganization of the Board of Regents in Accordance with the Regents' Rules and Regulations, Part One, Chapter I, Sections 3, 4, and 5 (Deferred).--Chairman Beecherl reported that the item related to the proposed reorganization of the Board in accordance with the Regents' Rules and Regulations, Part One, Chapter I, Sections 3, 4, and 5 was included in the posted agenda when it appeared that the three new Regents would be present at this meeting. In accordance with the Board's long-standing policy, action on this matter was deferred until those new Regents are confirmed and eligible to serve.

SCHEDULED MEETING.--Chairman Beecherl announced that the next scheduled meeting of the U. T. Board of Regents would be on April 1, 1993, at The University of Texas Health Science Center at San Antonio.

ADJOURNMENT.--There being no further business, the meeting was adjourned at 1:30 p.m.

/s/ Arthur H. Dilly
Executive Secretary

February 18, 1993