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November 8-9, 2007
Austin, Texas

Thursday, November 8, 2007 (9th Floor, Ashbel Smith Hall and San Jacinto Hall, U. T. Austin) **Board/Committee Meetings**

OATH OF OFFICE CEREMONY (9th Floor, Ashbel Smith Hall) 8:30-9:30 a.m.

COMMITTEE MEETINGS (Room 207, San Jacinto Hall, U. T. Austin)

Student, Faculty, and Staff Campus Life Committee (including annual meeting with U. T. System Employee Advisory Council)	10:00 a.m.
Finance and Planning Committee.....	11:00 a.m.
Lunch.....	12:00 p.m.
Facilities Planning and Construction Committee.....	12:30 p.m.
Health Affairs Committee.....	1:30 p.m.
Academic Affairs Committee.....	2:30 p.m.

A. CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, CHAPTER 551 (Room 210, San Jacinto Hall) 3:30 p.m.
Chairman Huffines

1. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074
 - a. **U. T. Southwestern Medical Center – Dallas: Discussion of individual personnel matters related to presidential search**
 - b. **U. T. Health Science Center – Houston: Discussion of individual personnel matters related to presidential search**
 - c. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions), U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors), other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Director of Audits), and U. T. System and institutional employees**

Thursday, November 8, 2007 (continued)

Board Meeting

2. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071

U. T. System Board of Regents: Discussion with Counsel on pending legal issues

Mr. Burgdorf

3. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072

4. Negotiated Contracts for Prospective Gifts or Donations – Section 551.073

U. T. Health Science Center - San Antonio: Discussion and appropriate action related to a proposed negotiated gift

*Mr. Burgdorf
Dr. Safady
President Cigarroa*

- B. RECONVENE IN OPEN SESSION TO CONSIDER ACTION ON EXECUTIVE SESSION ITEMS, IF ANY

5:25 p.m.

- C. RECESS

5:30 p.m.

Friday, November 9, 2007 (*9th Floor, Ashbel Smith Hall*)

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1. U. T. System Board of Regents: Election of officers		1
E. APPROVAL OF MINUTES		
F. CONSIDER AGENDA ITEMS		
2. U. T. System Board of Regents: Historical presentation on former Board Chairman Frank C. Erwin, Jr.	<i>10:15 a.m.</i> Report <i>Mr. Richard Holland, U. T. Austin</i>	1
3. U. T. System: Chancellor's Quarterly Update	<i>10:35 a.m.</i> Report <i>Chancellor Yudof</i>	1
4. U. T. System: Annual report on research and technology transfer	<i>10:50 a.m.</i> Report <i>Dr. McDowell</i>	1
5. U. T. System Board of Regents: Amendment to the Regents' Rules and Regulations to add Series 30107, concerning veteran's employment preferences	<i>11:05 a.m.</i> Action <i>Ms. Frederick</i>	2
6. U. T. System Board of Regents: Amendments to the Regents' Rules and Regulations, Series 30601, concerning U. T. System-wide discipline and dismissal of classified employees	<i>11:08 a.m.</i> Action <i>Mr. Burgdorf</i>	3
7. U. T. System Board of Regents: Amendment of Regents' Rules and Regulations, Series 60301, related to private development campaigns	<i>11:11 a.m.</i> Action <i>Dr. Safady</i>	7
8. U. T. System Board of Regents: Amendments to Regents' Rules and Regulations, Series 80103 (Solicitation), Section 2 to add language concerning restrictions on credit card marketing	<i>11:14 a.m.</i> Action <i>Mr. Burgdorf</i>	8
9. U. T. System Board of Regents: Amendments to Regents' Rules and Regulations, Series 80302 (Building Committees), Section 4, regarding Special Interest Projects	<i>11:17 a.m.</i> Action <i>Mr. O'Donnell</i>	11

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11. U. T. System: Authorization for the Chancellor to submit Report Concerning Designated Tuition	11:35 a.m. Action	14
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H. RECONVENE AS A COMMITTEE OF THE WHOLE	12:15 p.m.	
I. RECESS FOR GROUP PHOTO AND LUNCH	12:30 p.m.	
J. RECONVENE IN OPEN SESSION	1:30 p.m.	
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1. **U. T. System Board of Regents: Election of officers**
2. **U. T. System Board of Regents: Historical presentation on former Board Chairman Frank C. Erwin, Jr.**

REPORT

Mr. Richard A. Holland will give a presentation on former Board Chairman Frank C. Erwin, Jr. Mr. Erwin served on the U. T. System Board of Regents from May 1963 to January 1975 and served as Chairman of the Board from December 2, 1966 until March 12, 1971.

Mr. Holland is a Senior Lecturer at U. T. Austin, where he teaches in the Liberal Arts Honors program. His courses have included classes on Texas culture, American music, and the 1960s.

His edited book, *Larry L. King: A Writer's Life in Letters, Or, Reflections in a Bloodshot Eye*, was published by the TCU Press in 1999. In Fall 2006, The University of Texas Press published an anthology by Mr. Holland titled, *The Texas Book: Profiles, History, and Reminiscences of the University*. Mr. Holland wrote the introduction and three chapters of the anthology, two of which are about U. T. System Regents: "Thirteen Ways of Looking at Chairman Frank," and "George W. Brackenridge, George W. Littlefield, and the Shadow of the Past."

Mr. Holland was the special collections librarian at Texas State University in San Marcos and the founding curator of the Southwestern Writers Collection, now a recognized repository for Texas literary archives, southwestern film, and Texas and Mexican photography from 1987-1997.

3. **U. T. System: Chancellor's Quarterly Update**

REPORT

Chancellor Yudof may report on activities of The University of Texas System.

4. **U. T. System: Annual report on research and technology transfer**

REPORT

Dr. H. Keith McDowell, Vice Chancellor for Research and Technology Transfer, will present the annual report on research and technology transfer trends for the U. T. System.

Supplemental Materials: PowerPoint presentation on Pages 1 – 9 of Volume 2.

5. **U. T. System Board of Regents: Amendment to the Regents' Rules and Regulations to add Series 30107, concerning veteran's employment preferences**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations* be amended to add Series 30107 as set forth below regarding veteran's employment preferences:

1. Title

Veteran's Employment Preferences

2. Rule and Regulation

Sec. 1 Preference in Employment. As authorized in Chapter 657 of the *Texas Government Code*, an individual who qualifies for a veteran's preference is entitled to a preference in State employment over other applicants for the same position who do not have greater qualifications.

Sec. 2 Complaint Regarding Employment Decision. Chapter 657 of the *Texas Government Code* provides that an individual entitled to a veteran's employment preference who is aggrieved by a decision of a state agency or institution, relating to hiring or to retention of the individual in the event of a workforce reduction, may appeal the decision by filing a complaint with the governing body of the agency.

Sec. 3 Delegation. The Board delegates to the Chief Administrative Officer of each U. T. System institution the authority to review all such written complaints and to respond within 15 business days of receipt. The Chief Administrative Officer shall review complaints promptly and may render a different employment decision if it is determined that the veteran's preference was not applied. The decision of the Chief Administrative Officer shall be final.

3. Definitions

Chief Administrative Officer – The Chancellor of the U. T. System and the presidents of each of the institutions of the U. T. System.

BACKGROUND INFORMATION

House Bill 1275, passed by the 80th Legislature, Regular Session allows an individual entitled to a veteran's employment preference, who is aggrieved by a decision of a state agency related to hiring the individual or retaining the individual, in the event of a workforce reduction, to appeal the decision by filing a written complaint with the governing body of the agency. The governing body must respond to the complaint not later than the 15th business day after the date of receipt.

In accordance with *Texas Education Code* Section 65.31(g), the Board delegates to the Chief Administrative Officer for each institution of the U. T. System the responsibility and authority for receiving and deciding appeals filed by individuals who believe they were improperly denied a veteran's employment preference.

6. **U. T. System Board of Regents: Amendments to the Regents' Rules and Regulations, Series 30601, concerning U. T. System-wide discipline and dismissal of classified employees**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Vice Chancellor for Administration, and the Vice Chancellor and General Counsel that Regents' *Rules and Regulations*, Series 30601, concerning discipline and dismissal of employees be amended as a revised policy as set forth in its entirety on Pages 4 - 6.

BACKGROUND INFORMATION

U. T. System Administration and U. T. System institutions are required to comply with the provisions of Regents' *Rules and Regulations*, Series 30601 when disciplining or discharging a classified employee. The current Rule sets out an elaborate process that has worked well since its adoption. The institutions have experience in disciplinary matters, but requested streamlining of the process and the flexibility to make decisions based on the needs of the institution.

These proposed revisions will allow U. T. System Administration and each U. T. System institution to adopt a policy governing discipline and dismissal of classified employees. U. T. System Administration and each U. T. System institution will provide notice to the affected employee and provide an opportunity to respond to avoid mistaken decisions in discipline. Presidents of the institutions have been notified of the proposed revisions and provided no further comment. A model policy has been formulated to assure compliance with provisions of the revised Rule.

1. Title

Discipline and Dismissal of Classified Employees

2. Rule and Regulation

Sec. 1 Policy. It is the policy of The University of Texas System to encourage fair and efficient processes to resolve disputes arising out of the employment relationship and to meet the requirements of State and federal law.

Sec. 2 Establishment of Policies. System Administration and each U. T. System institution shall adopt a policy governing discipline and dismissal of classified employees. Such a policy, at the minimum, shall comply with the provisions below and become effective upon approval by the appropriate Executive Vice Chancellor and the Vice Chancellor and General Counsel.

2.1 Purpose. The purpose of a policy is to provide a procedure for the discipline and dismissal of classified employees who are subject to its provisions.

2.2 At-Will Employees. Classified employees are at-will employees who serve without tenure. No provision of this policy or any policy adopted by System Administration or any U. T. System institution shall confer rights to employees that are contrary to the employment-at-will doctrine.

Sec. 3 Required Provisions. The policy adopted by System Administration and each U. T. System institution shall address the following elements:

3.1 Applicability. The policy shall be applicable to conduct or job performance of a classified employee that results in a decision to impose a disciplinary penalty of demotion, suspension without pay, or dismissal. The policy shall not apply to:

(a) Faculty or Police. Institutional police or faculty who are subject to other approved discipline or dismissal procedures;

(b) Suspension. Suspension with pay pending investigation of allegations relating to an employee;

- (c) Appointed Positions. 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;
 - (d) Positions without Fixed Term. Employees who are appointed to positions without fixed term and serve at the pleasure of a specific administrative officer;
 - (e) Student Status. Persons who are employed in positions that require student status as a condition of employment; or
 - (f) Dismissal. Dismissal of employees:
 - (1) who occupy positions that are dependent upon funding from a specific source and such funding is not received;
 - (2) as a result of a reduction in force;
 - (3) due to financial exigency;
 - (4) during any probationary period of employment;
 - (5) who are appointed for a stated period that is less than 180 days;
 - (6) who are appointed at a per diem or hourly rate and work on an as needed basis;
 - (7) who have not attained or maintained the necessary clearance, certification, or licensure for their positions; or
 - (8) who have exhausted applicable leave entitlements.
- 3.2 Conduct Subject to Disciplinary Actions. The policy shall include provisions pertaining to requisite standards of conduct for employees, work performance, and unacceptable conduct that can subject an employee to disciplinary action.

- 3.3 Procedures. The policy shall include disciplinary and appeal procedures consistent with the following provisions:
- (a) Notice and Opportunity to Respond. The employee shall be informed in writing of the reasons for the proposed disciplinary action and the facts upon which the proposed discipline is based. The employee shall be provided with a reasonable opportunity to respond to the proposed disciplinary action before a final decision is made to take disciplinary action.
 - (b) Appeals. The employee shall be provided a process to appeal a disciplinary demotion, suspension without pay, or dismissal to the vice president or administrative equivalent for the employee's department.
 - (1) The vice president or administrative equivalent shall, at his or her discretion, handle the appeal or appoint a delegate(s). The decision of the vice president or administrative equivalent is final.
 - (2) The employee has the right to be represented during the appeal by an attorney or other individual representative. If the employee is represented by an attorney or an individual from an employee organization, the institution may be represented by an attorney from the institution or the Office of General Counsel of The University of Texas System.

3. Definitions

Classified Employee – any employee in a position that has been designated as a classified employee in the Classified Personnel Pay Plan of the employing U. T. System institution.

Financial Exigency – a state in which financial demands call for budget cuts.

Work Performance – includes all aspects of an employee's work including the performance of job duties and adherence to work conduct standards.

7. **U. T. System Board of Regents: Amendment of Regents' Rules and Regulations, Series 60301, related to private development campaigns**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Vice Chancellor for External Relations and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Series 60301 (Development Board of an Institution), Section 7 related to private development campaigns be amended as set forth below in congressional style:

Sec. 7 Private Development Campaigns.

- 7.21 Comprehensive Capital Campaigns. All broad-scale, institution-wide campaigns must be reviewed and approved by the Vice Chancellor for External Relations and the appropriate Executive Vice Chancellor before campaign plans, or any activity, including a silent phase of a campaign, are implemented and consultants retained. ~~Other than planning efforts necessary for appropriate review, no such campaign shall be authorized or undertaken until it is approved by the Board of Regents.~~
- 7.42 Special Purpose Campaigns. From time to time, special purpose campaigns for campus-specific objectives (for example, a significant scholarship fund or faculty endowment program) may be conducted without approval by the Vice Chancellor for External Relations and the appropriate Executive Vice Chancellor ~~Board of Regents~~. However, special purpose campaigns regarding prominent buildings and programs as identified in Series 80307, must be approved as set out in Section 7.1 above ~~by the Board of Regents~~.

BACKGROUND INFORMATION

These amendments are proposed to streamline the approval procedures for the initiation of private development campaigns.

8. **U. T. System Board of Regents: Amendments to Regents' Rules and Regulations, Series 80103 (Solicitation), Section 2 to add language concerning restrictions on credit card marketing**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel that the *Regents' Rules and Regulations*, Series 80103 (Solicitation), Section 2, be amended to add language concerning restrictions on credit card marketing as set forth below in congressional style:

Sec. 1 Prohibition of Solicitation. No solicitation shall be conducted on any property, street, or sidewalk, or in any building, structure, or facility owned or controlled by the U. T. System or any of its institutions unless permitted by the *Regents' Rules and Regulations*.

Sec. 2 Exceptions to Prohibition.

...

2.20 Commonly Used Services.

(a) Delegation. The display and distribution of printed material from tables or booths by providers of services that are commonly utilized by students, faculty, and staff of the U. T. System or any of its institutions, such as financial institutions, long distance telephone carriers, utilities, housing locators, printers and duplicators, tutors, or employment agencies. The Board delegates to the Chancellor or president the authority to designate No more than two one-day periods each academic year ~~may be designated for the activities authorized under this provision and will determine their time and place as well as the number of providers who participate during which all authorized providers may engage in such activities in an area selected by the U. T. System or any of its institutions. The U. T. System or any of its institutions will determine the number of providers authorized to participate on each of the two one-day periods. The activities of a provider must be limited to the time and place designated by the U. T. System or any of its institutions and must be~~

conducted in compliance with State law, Section 1 above, and other U. T. System or institutional guidelines specified by the U. T. System or any of its institutions. A provider may not make sales of or take orders for services. The U. T. System or any of its institutions shall charge an appropriate fee for the privilege of conducting such activities. Any provider who violates State law, the Regents' Rules and Regulations or the rules and regulations applicable guidelines of the institution in the course of such activities permitted under this provision, ~~or who has violated a provision of the Regents' Rules and Regulations or the rules and regulations of the institution~~ during the 12-month period preceding a day designated by the institution for activities authorized by this subdivision shall not be permitted to participate in such activities for a period of one (1) year from the date of the violation.

- (b) Restrictions on Credit Card Marketing. An individual who has exercised delegated authority under (a) above to allow campus credit card marketing activities shall comply with all requirements of Subchapter L of the Texas Business and Commerce Code Section 35.131 et seq. and shall assure that a session on credit card and debt education, as well as protecting personal information from identity theft, is included in all orientation programs for new students.

2.21 Athletic Events.

- (a) Delegation. ~~An institution~~ A president may designate a reasonable number of areas immediately adjacent in a reasonable proximity to the exterior of a facility used for intercollegiate athletic events and may authorize such areas to be used for the display of motor-propelled vehicles and for the location of booths, tables, or kiosks to be used for the display of merchandise, the distribution of free samples of merchandise, and the display and distribution of printed material related to merchandise, products, or services. Such activities may be authorized only on the day before and the day of an intercollegiate athletic event or an event that is related to athletics that takes place in the facility. ~~An institution~~ The president may designate a reasonable number of areas inside a facility to be used for intercollegiate athletic events for such activities if the safety officer of the institution approves the designation and use of the area. All persons engaged in or associated with such displays and distributions must conduct those activities in compliance with State law, this

~~Series the Regents' *Rules and Regulations*, and with other guidelines specified by the institution. Such persons may not make sales of or take orders for such vehicles, merchandise, products, or services. The institution shall charge an appropriate fee for the privilege of using such areas. If persons engaged in such activities~~ Persons or entities that violate State law, the Regents' *Rules and Regulations*, or the rules and regulations applicable guidelines of the institution while using designated areas under this provision, such persons, and any entity that they are acting for shall not be permitted to engage in activities under this provision subdivision for a 12-month period of one (1) year from the date of the violation.

- (b) Restrictions on Credit Card Marketing. An individual who has exercised delegated authority under (a) above to allow campus credit card marketing activities shall comply with all requirements of Subchapter L of the *Texas Business and Commerce Code* Section 35.131 et seq. and shall assure that a session on credit card and debt education, as well as protecting personal information from identity theft, is included in all orientation programs for new students.

BACKGROUND INFORMATION

The proposed amendments add language required by House Bill 85, passed by the 80th Legislature, Regular Session (to be codified as Subchapter L of the *Texas Business and Commerce Code* Section 35.131 et seq.). The new legislation provides that a credit card issuer may not engage in credit card marketing activities outside of locations and times designated by the governing board of an institution. The new legislation defines "marketing activities" to include any activity designed to encourage and enable students to apply for a credit card and includes the act of placing a display together with a credit card application. A governing board that allows credit card marketing shall adopt a policy requiring credit card and debt education as a part of new student orientation. The proposed amendments include this requirement and also require the orientation to cover protection against identity theft.

Pursuant to the current Regents' *Rules and Regulations*, limited credit card company activities that do not involve sales or orders, may be allowed under guidelines concerning time, place, and manner as determined by each president. The proposed amendments do not authorize any additional credit card activities.

9. **U. T. System Board of Regents: Amendments to Regents' Rules and Regulations, Series 80302 (Building Committees), Section 4, regarding Special Interest Projects**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Series 80302 (Building Committees), Section 4, regarding Special Interest Projects, be amended as set forth below in congressional style:

Sec. 4 Special Interest Projects. Upon recommendation of the Associate Vice Chancellor for Facilities Planning and Construction following consultation with the Chairman of the Facilities Planning and Construction Committee, a ~~For projects identified~~ may be designated by the Board of Regents to be of special interest because of proposed building site, historical or cultural significance, proposed use, or other unique characteristics, ~~the FPCC will select the architect.~~ For these special interest projects, the institutional president, in consultation with the Office of Facilities Planning and Construction, will appoint an Architect Selection Advisory Committee that may include any two members of the Board of Regents named by the Chairman of the Board. The Architect Selection Advisory Committee will investigate the competence and qualifications of the candidates. Board members of the Architect Selection Advisory Committee will report the findings and recommendations based on the interviews to the FPCC. The FPCC may select an architect from this list, or may ask the Selection Advisory Committee for additional recommendations of architects responding to the Request for Qualifications (RFQ), or may select an architect responding to the RFQ but not on the list on the basis of competence and qualifications. The FPCC may conduct interviews and site visits as necessary and will select the most qualified architect for the project based on demonstrated competence, qualifications, and the criteria published in the RFQ, without consideration of fees or costs.

BACKGROUND INFORMATION

The current process for capital improvements requires that each project be the subject of individual review by the Facilities Planning and Construction Committee and the Board to determine whether it is historically or architecturally significant. In practice, the Chairman of the Facilities Planning and Construction Committee and the Associate Vice Chancellor for Facilities Planning and Construction have recommended the projects for

this designation. These proposed amendments to the Regents' *Rules* would formalize that practice and streamline the process for approval of construction projects. Minor editorial amendments are suggested to delete repetitive language.

10. **U. T. System: Acceptance and approval of the final report from the Task Force on Doctoral Education and the Postdoctoral Experience and authorization to implement the recommendations held within the report**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Health Affairs that the Board accept and approve the final report from the Task Force on Doctoral Education and the Postdoctoral Experience, recognizing the significance of their efforts and the importance of the recommendations contained in the report.

It is also recommended that the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Health Affairs be authorized to implement the recommendations held within the report in the most feasible, practical, and timely manner.

Supplemental Materials: Report on Pages 10 - 54 of Volume 2.

BACKGROUND INFORMATION

A task force with representation by all U. T. System institutions offering Ph.D. programs was appointed in June 2006 by the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Health Affairs. Meetings were held in Austin, Dallas, El Paso, Houston and San Antonio with input from administrative leaders, faculty, doctoral students, and postdoctoral scholars.

Before finalizing the report, the Task Force distributed drafts for review by the institutional presidents, other campus and U. T. System leaders, and the Faculty Advisory Council (FAC).

Dr. George Stancel, Chairman of the Task Force, reported to the Student, Faculty, and Staff Campus Life Committee of the Board of Regents on May 9, 2007, on the progress of the work of the Task Force.

A few of the key recommendations from the Report are as follows:

The U. T. System must

- prominently address doctoral and postdoctoral education in major U. T. System planning efforts;
- hold institutional leaders accountable for establishing and maintaining competitive doctoral and postdoctoral programs in line with System plans and institutional missions; and
- provide health benefits equivalent to those received by faculty and staff for all full-time, salaried doctoral students and postdoctoral scholars.

U. T. System institutions must

- explicitly include doctoral and postdoctoral education in planning, budget preparation, evaluation, and external communications;
- disseminate expectations, commitments, and anticipated timelines for their doctoral and postdoctoral programs; and
- conduct rigorous peer reviews with external reviewers of new proposals and ongoing programs.

In 2006, the U. T. System issued a Strategic Plan for the coming decade to ensure a competitive System, Texas, and nation in the 21st century. The Plan called for a Task Force on Doctoral Education and the Postdoctoral Experience to be convened to consider how to:

- recruit, retain, and graduate more doctoral students and postdoctoral scholars;
- enhance the value and contributions of these programs to their institutions, the U. T. System, and the state; and
- increase the competitiveness and prestige of the U. T. System's research, education, and service programs.

These recommendations are but the beginning of what must be a continuing process to achieve the U. T. System's strategic goals. In addition to recommendations, the report includes several key appendices to assist the U. T. System and institutions, guide the implementation of recommendations, and aid programmatic reviews. It is further suggested that additional metrics be proposed for future accountability reports.

11. **U. T. System: Authorization for the Chancellor to submit Report Concerning Designated Tuition**

RECOMMENDATION

It is requested that the Board of Regents grant authority to the Chancellor to submit on its behalf the "Report Concerning Designated Tuition" as required by the General Appropriations Act, House Bill 1, Article III, Section 52 to the Lieutenant Governor, the Speaker of the House, the Chair of the Senate Finance Committee, the Chair of the House Appropriations Committee, and the members of the Legislative Oversight Committee on Higher Education.

BACKGROUND INFORMATION

A Report Concerning Designated Tuition is to be filed not later than January 1, 2008, by the governing board of each public institution of higher education that charges students designated tuition under Section 54.0513, *Texas Education Code*. The Report consists of two principal sections. For selected years, the first section of the Report identifies the amount of designated tuition collected, the purposes for which it was spent, the amount spent for each purpose, and the amounts set aside for resident undergraduate and graduate student assistance as required by Sections 56.011 and 56.012, *Texas Education Code*. For specific semesters, the second section of the Report includes the total academic cost for resident undergraduates enrolled for 15 semester credit hours as derived from actual fee bills.

Completion of the Report requires certain financial information contained in the pending annual financial report, and therefore the Report can not be completed in time for approval at this meeting. Upon completion, the Report will be provided to members of the Board for review prior to delivery to the appropriate oversight bodies on or before January 1, 2008.

12. **U. T. System Board of Regents: Approval to amend the Resolution regarding the list of individuals authorized to negotiate, execute, and administer classified government contracts (Key Management Personnel)**

RECOMMENDATION

The National Industrial Security Program Operating Manual (NISPOM) defines Key Management Personnel (KMP) as "officers, directors, partners, regents or trustees." The manual requires that the senior management official and the Facility Security Officer must always be designated KMPs and be cleared at the level of the Facility Clearance. Other officials or KMPs, as determined by the Defense Security Service,

must be granted Personal Security Clearances or be formally excluded by name from access to classified material. To comply with the Department of Defense NISPOM requirements, approval is requested to amend the following Resolution adopted by the Board in February 2004 to update the list of members of the Board:

BE IT RESOLVED:

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

Members of the U. T. System Board of Regents (in alphabetical order):

John W. Barnhill, Jr.
H. Scott Caven, Jr.
James D. Dannenbaum
Robert A. Estrada
Paul Foster
Printice L. Gary
James R. Huffines
Colleen McHugh
Robert B. Rowling

BACKGROUND INFORMATION

The Resolution was last approved on February 4, 2004. The Student Regent is not listed since he is a nonvoting member.

A list of Key Management Personnel is not needed as in the past because there is no requirement to do so. Changes to the KMPs require only the signature of someone on the KMP list.

13. **U. T. System Board of Regents: Opportunity for public comment and discussion regarding the Brackenridge Tract Task Force Report**

BACKGROUND INFORMATION

On October 12, 2007, Mr. Larry E. Temple, Chairman of the Brackenridge Tract Task Force, reported the findings and recommendations of the Task Force to the U. T. System Board of Regents, who accepted the report of the Task Force for further review and discharged the Task Force with appreciation for their work. Chairman Huffines suggested the Board continue to review the findings and recommendations contained in the report and provide a formal opportunity for additional public comment at the Board's November meeting.

Individuals who provide written requests in advance to the General Counsel to the Board will have an opportunity to provide comments on the Brackenridge Tract Task Force Report.