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November 11-12, 2009
Austin, Texas

Wednesday, November 11, 2009

A. COMMITTEE MEETING

Academic Affairs Committee *10:00 a.m.*

B. CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, CHAPTER 551 (working lunch) *11:30 a.m.*

1. Negotiated Contracts for Prospective Gifts or Donations - Section 551.073

a. **U. T. Austin: Discussion and appropriate action
regarding proposed negotiated gifts with potential
naming features** *President Powers
Dr. Safady*

b. **U. T. Medical Branch – Galveston: Discussion and
appropriate action regarding a proposed negotiated
gift with a potential naming feature** *President Callender
Dr. Safady*

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

**U. T. Pan American: Discussion and appropriate action
concerning negotiations to purchase a condominium
interest in approximately 25,400 rentable square feet of
an office building with adjacent related surface parking
located at 4302 South Sugar Road in Edinburg, Hidalgo
County, Texas, from Merion Building Management, Inc.,
a Delaware corporation, for a purchase price not to
exceed fair market value as established by independent
appraisals, for use as office space for administrative staff
and other nonacademic uses** *President Sorber
Ms. Mayne*

4. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074

- a. **U. T. Pan American: Consideration of individual personnel matters related to the appointment of Robert S. Nelsen, Ph.D., as President**
- b. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of U. T. System and institutional employees**
- c. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions), U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors), other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive), and U. T. System and institutional employees**

C. RECESS FOR COMMITTEE MEETINGS	<i>1:00 p.m.</i>
Finance and Planning Committee.....	<i>1:00 p.m.</i>
Facilities Planning and Construction Committee.....	<i>2:00 p.m.</i>
Health Affairs Committee.....	<i>3:00 p.m.</i>
Audit, Compliance, and Management Review Committee.....	<i>4:00 p.m.</i>
D. RECESS	<i>5:00 p.m.</i>

Thursday, November 12, 2009

	Board/Committee Meetings	Page
E. COMMITTEE MEETINGS		
Health Affairs Committee -- Special Meeting	8:00 a.m.	
Student, Faculty, and Staff Campus Life Committee	9:30 a.m.	
F. RECONVENE THE BOARD IN OPEN SESSION	10:30 a.m.	
G. APPROVAL OF MINUTES		
H. CONSIDER AGENDA ITEMS		
1. U. T. System Board of Regents: Proposed appointment of Regent Printice L. Gary to the Board of Directors of The University of Texas Investment Management Company (UTIMCO) effective immediately	10:34 a.m. Action	1
2. U. T. System Board of Regents: Proposed appointment of Mrs. Vivien Hester Caven as a Regental Representative to the U. T. Austin Intercollegiate Athletics Council for Women effective immediately	10:36 a.m. Action	2
3. U. T. Health Science Center - San Antonio: Appointment of John P. Howe, III, M.D., as President Emeritus	10:38 a.m. Action	3
4. U. T. System Board of Regents: Presentation on H. J. Lutcher Stark, a Former Chairman of the U. T. System Board of Regents	10:40 a.m. Presentation <i>Dr. Jan Todd and Dr. Terry Todd, U. T. Austin</i>	4
5. U. T. System Board of Regents: Amendment of Regents' <i>Rules and Regulations</i> , Rule 10501 (Delegation to Act on Behalf of the Board) to revise Section 3.1, regarding contracts exceeding \$1 million, and to add new Section 3.3, regarding contracts involving institution names, trademarks, trade dress, or logos	11:00 a.m. Action	5
6. U. T. System Board of Regents: Adoption of Regents' <i>Rules and Regulations</i> , Rule 30108, regarding State law on employment preferences for former foster children	11:02 a.m. Action	8
7. U. T. System Board of Regents: Rescindment of Regents' <i>Rules and Regulations</i> , Rule 50401, regarding State law concerning the immunization of students against hepatitis B	11:04 a.m. Action	10
8. U. T. System: Authorization for the Chancellor to submit Report Concerning Designated Tuition	11:06 a.m. Action <i>Mr. Wallace</i>	12

Thursday, November 12, 2009 (continued)

9. U. T. System: Annual accountability report on research and technology transfer	<i>11:08 a.m.</i> Report <i>Dr. McDowell</i>	12
10. U. T. System: Report on activities of the Office of Federal Relations in Washington, D.C.	<i>11:25 a.m.</i> Report <i>Mr. Shute</i>	37
I. COMMITTEE REPORTS TO THE BOARD	<i>11:40 a.m.</i>	
Audit, Compliance, and Management Review Committee Finance and Planning Committee Academic Affairs Committee Health Affairs Committee Facilities Planning and Construction Committee		
J. ADJOURN	<i>12:00 p.m.</i>	

1. **U. T. System Board of Regents: Proposed appointment of Regent Printice L. Gary to the Board of Directors of The University of Texas Investment Management Company (UTIMCO) effective immediately**

RECOMMENDATION

Chairman Huffines recommends that Regent Printice L. Gary replace Vice Chairman Colleen McHugh on The University of Texas Investment Management Company (UTIMCO) Board of Directors effective immediately. Regent Gary would fill Vice Chairman McHugh's term, which expires April 1, 2011, or until his successor is named.

Vice Chairman McHugh and Regent Gary will abstain from discussion and voting on this item.

BACKGROUND INFORMATION

Pursuant to *Texas Education Code* Section 66.08, the Board of Regents appoints the nine directors of UTIMCO. At least three members of The University of Texas System Board of Regents and the Chancellor are appointed to the UTIMCO Board of Directors upon recommendation of the Chairman of the Board of Regents, by and with the consent of the Board of Regents.

The proposed appointment of Regent Gary has been reviewed by the General Counsel to the Board and was found to be consistent with State law and the provisions of the UTIMCO Code of Ethics.

Vice Chairman McHugh was appointed to the UTIMCO Board on November 10, 2005, and she was reappointed on April 16, 2007 and on May 13, 2009. She will resign from the UTIMCO Board effective with the appointment of her replacement.

Regent Gary was appointed to the U. T. System Board of Regents in October 2007. He is the Chairman of the Facilities Planning and Construction Committee and also serves on the Finance and Planning Committee and on the Student, Faculty, and Staff Campus Life Committee. He is a Regental Representative on the Board for Lease of University Lands.

2. **U. T. System Board of Regents: Proposed appointment of Mrs. Vivien Hester Caven as a Regental Representative to the U. T. Austin Intercollegiate Athletics Council for Women effective immediately**

RECOMMENDATION

Chairman Huffines recommends the appointment of Mrs. Vivien Hester Caven to replace Dr. Susan C. Blackwood as a Regental Representative to the U. T. Austin Intercollegiate Athletics Council for Women for a four-year term beginning November 12, 2009 and ending on August 31, 2013.

BACKGROUND INFORMATION

The U. T. Austin Intercollegiate Athletics Council for Women is composed of nine voting members and one nonvoting member as follows: two students (one nonvoting), an ex-student, two Regental appointees, and five members of the University General Faculty. The Regental appointments are for four (4) year staggered terms.

Dr. Blackwood was appointed to the Council on August 10, 2006, to serve the remainder of Dr. George Willeford's term through August 31, 2009, and she graciously agreed to continue to serve until her replacement was named.

Vivien Caven, a 1972 graduate of the College of Education at U. T. Austin, is a strong supporter of the U. T. System and its commitment to excellence. She has worked tirelessly for programs that acknowledge and support the importance of educating the "whole student", through physical activity, academic work, and community service. She was a volunteer reader and participated in several forums at The University of Texas Elementary School. Mrs. Caven is also on the mentoring team for Rusk Elementary School, Houston, Texas, working with "at risk" students to help with self-esteem, encouraging schoolwork, and being steady support for the student.

She was appointed as a member of the Governor's Commission for Women by Governor Rick Perry and has served in a variety of leadership positions in furtherance of state and local charitable, educational, and philanthropic work.

Mrs. Caven is married to H. Scott Caven, Jr., former Chairman of the Board of Regents and former Athletics Liaison to the academic institutions within the U. T. System.

3. **U. T. Health Science Center – San Antonio: Appointment of John P. Howe, III, M.D., as President Emeritus**

RECOMMENDATION

Chancellor Cigarroa concurs in the recommendation of Executive Vice Chancellor Shine and President Henrich that the U. T. System Board of Regents appoint John P. Howe, III, M.D., as President Emeritus at U. T. Health Science Center – San Antonio. Approval of this recommendation is being requested in accordance with the Regents' *Rules and Regulations*, Rule 20301.

BACKGROUND INFORMATION

Dr. Howe served as President of U. T. Health Science Center – San Antonio from 1985 - 2000, during which time research funding increased from \$32 million to \$124 million and the operating budget of the institution expanded from \$134 million to \$330 million. During his presidency, Dr. Howe presided over construction of 12 buildings and building expansions and a quarter of a billion dollars in philanthropic gifts was raised. Also during that time, the Health Science Center graduated more than 10,000 students. Under Dr. Howe's leadership, the Health Science Center helped launch the Legislature's South Texas/Border Region Health Education Initiative in 1995. Dr. Howe is honored at the Health Science Center with the John P. Howe, III, M.D., Distinguished Chair in Health Policy.

Dr. Howe, a board-certified physician in both internal medicine and cardiology, received his Doctor of Medicine degree from the Boston University School of Medicine in 1969. He served two years in the Army Medical Corps and later completed the Health Systems Management Program at the Harvard Business School. He was Vice Chancellor of the University of Massachusetts Medical School at Worcester before his presidency in San Antonio. Since May 1, 2001, he has served as president and chief executive officer of Project HOPE, which provides health educational opportunities worldwide in an effort to solve health problems.

In 1994, the Boston University School of Medicine honored Dr. Howe with its Distinguished Alumnus Award. That same year, Dr. Howe was appointed by the Governor of Texas to chair the Texas Statewide Health Coordinating Council, a group directed by the Legislature to develop a health plan for the state. In 1998, Laredo civic leaders named him Mr. South Texas, a tribute reserved for those who have made significant contributions to South Texas.

4. **U. T. System Board of Regents: Presentation on H. J. Lutcher Stark, a Former Chairman of the U. T. System Board of Regents**

REPORT

Dr. Jan Todd, the Roy J. McLean Fellow in Sport History in the Department of Kinesiology and Health Education at U. T. Austin, and her husband, Dr. Terry Todd, fellow director of the H. J. Lutcher Stark Center for Physical Culture and Sports, will give a presentation on former Board Chairman H. J. Lutcher Stark who served on the U. T. System Board of Regents from May 1919 to January 1931 and from January 1933 to February 1945. Mr. Stark served as Chairman of the Board from May 1921 until January 1930 and from March 1935 to February 1937. Mr. Stark's family amassed a timber empire in East Texas that Mr. Stark managed and diversified after he graduated from The University of Texas in 1910. Chairman Stark died in 1965.

The H. J. Lutcher Stark Center for Physical Culture and Sports is an academic unit of U. T. Austin committed to serving as a resource and research center in the fields of physical culture and sports. The Center has the largest physical culture collection in the world.

Working closely with the Nelda C. and H. J. Lutcher Stark Foundation, Orange, Texas, Dr. Jan Todd has achieved an in-depth knowledge and understanding of Regent Stark's contributions to the U. T. System and many of his personal items are located in the Center.

Dr. Todd is a Professor in the Department of Kinesiology and Health Education at U. T. Austin. She has written two books, *Physical Culture and the Body Beautiful: Purposive Exercise in the Lives of American Women* (Mercer University Press, 1998) and, with her husband, *Lift Your Way to Youthful Fitness* (Little-Brown, 1985), the first popular book to argue that weight training could be used to offset the aging process. In addition, Dr. Todd has written more than 100 articles in popular and scholarly journals on various aspects of strength training and exercise.

In the 1970s and early 1980s, Dr. Todd was considered by both *Sports Illustrated* and the *Guinness Book of Records* to be the strongest woman in the world. Setting world records in five bodyweight classes during her 12-year powerlifting career, she was the first woman inducted into the International Powerlifting Hall of Fame in 1981. She was inducted into the National Fitness Hall of Fame in 2009, and she received the 2008 Lifetime Achievement Award from the Oscar Heidenstam Foundation of Great Britain for her work in promoting the study of physical culture. Dr. Terry Todd is also a former champion in powerlifting and weightlifting and has received numerous honors.

5. **U. T. System Board of Regents: Amendment of Regents' Rules and Regulations, Rule 10501 (Delegation to Act on Behalf of the Board) to revise Section 3.1, regarding contracts exceeding \$1 million, and to add new Section 3.3, regarding contracts involving institution names, trademarks, trade dress, or logos**

RECOMMENDATION

It is recommended that Regents' *Rules and Regulations*, Rule 10501, regarding delegation to act on behalf of the Board, be amended as set forth in congressional style on Pages 6 - 7 to revise Section 3.1, regarding contracts exceeding \$1 million, and to add new Section 3.3, regarding contracts involving institution names, trademarks, trade dress, or logos. The Vice Chancellor and General Counsel and the General Counsel to the Board have reviewed and recommend the proposed amendments. Current Subsections 3.3 through 3.5 will be renumbered accordingly.

BACKGROUND INFORMATION

Section 3 of Regents' *Rule* 10501 requires contracts or agreements with a cost or monetary value to the U. T. System or a U. T. System institution of more than \$1 million to be approved by the Board except for specific exceptions listed in the Rule. The proposed amendment to Section 3.1 would clarify that the total cost or monetary value of a contract includes all potential contract extensions or renewals, whether automatic or by operation of additional documentation. Further, all contracts with unspecified amounts of payments with a term of greater than four years are presumed to have a total value of more than \$1 million.

Proposed revisions to Section 3.3 would also require agreements that grant the right to an outside entity to use the name, trademark, trade dress, or logo of a U. T. System institution, regardless of dollar amount, to be approved by the Board. Trade dress generally refers to the visual appearance of a product or packaging that signifies the source of the product to consumers.

The delegation of authority to execute and deliver contracts or agreements resulting from the approval or authorization by the Board of a contract or agreement that falls under Section 3 of *Rule* 10501 is premised upon the understanding that those authorized to execute and deliver the contract or agreement must comply with any special instructions or guidelines related to processing established pursuant to Section 2 of Rule 10501. For example, under Section 2, guidelines have been established requiring that recommendations to the Board to approve or authorize a contract or agreement must first be reviewed and approved by the appropriate Executive Vice Chancellor and the Vice Chancellor and General Counsel.

1. Title

Delegation to Act on Behalf of the Board

2. Rule and Regulation

Sec. 1 Identification of Significant Contracts or Documents. Institutional presidents and executive officers at U. T. System Administration are responsible for identifying contracts, agreements, and other documents that are of such significance to require the prior approval of the Board of Regents. Each such matter so identified shall be presented to the Board by the Chancellor as an agenda or docket item at a ~~regular or special~~ meeting of the Board.

Sec. 2 Compliance with Special Instructions. All authority to execute and deliver contracts, agreements, and other documents is subject to these *Rules and Regulations* and compliance with all applicable laws and special instructions or guidelines issued by the Chancellor, an Executive Vice Chancellor, ~~and/or~~ the Vice Chancellor and General Counsel. Special instructions or guidelines by the Chancellor, an Executive Vice Chancellor, or the Vice Chancellor and General Counsel may include without limitation instructions concerning reporting requirements; standard clauses or provisions; ratification or prior approval by the Board of Regents, or the appropriate Executive Vice Chancellor; review and approval by the Office of General Counsel; and recordkeeping.

Sec. 3 Contracts or Agreements Requiring Board Approval. The following contracts or agreements, including purchase orders or vouchers ~~and binding letters of intent or memorandums of understanding~~, must be ~~approved by~~ submitted to the Board ~~for approval or authorization~~.

3.1 Contracts Exceeding \$1 Million. All contracts or agreements, with a total cost or monetary value to the U. T. System or any of the institutions of more than \$1 million, unless exempted in Section 4 below. The total cost or monetary value of the contract includes all potential contract extensions or renewals whether automatic or by operation of additional documentation.

For purposes of this Rule, all contracts with unspecified amounts of payments with a term of greater than four years are presumed to have a total value of greater than \$1 million.

...

3.3 Contracts Involving Names, Trademarks, Trade Dress, or Logos. Agreements regardless of dollar amount that grant the right to a non-U. T. entity to use the name, trademark, trade dress, or logos of a U. T. institution.

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6. **U. T. System Board of Regents: Adoption of Regents' Rules and Regulations, Rule 30108, regarding State law on employment preferences for former foster children**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Vice Chancellor and General Counsel that the Board of Regents adopt new Regents' *Rules and Regulations*, Rule 30108, regarding employment preferences for certain former foster children as set forth on Page 9.

BACKGROUND INFORMATION

HB 1043, passed by the 81st Texas Legislature and codified as *Texas Government Code*, Chapter 672, provides an individual 25 years of age or younger who was under the permanent managing conservatorship of the Department of Family and Protective Services on the day preceding the individual's 18th birthday to a preference in employment with a State agency, including an institution of higher education, over other applicants for the same position who do not have greater qualifications. An individual entitled to an employment preference who is aggrieved by a decision of a State agency relating to hiring the individual or retaining the individual if the State agency reduces its workforce, may appeal the decision by filing a written complaint with the governing body of the state agency. The governing body must respond no later than the 15th business day after the date of receipt.

In accordance with *Texas Education Code* Section 65.31(b), the Board delegates to the Chief Administrative Officer of each institution of the U. T. System the responsibility and authority for receiving and deciding appeals filed by former foster children who believe they were improperly denied an employment preference.

1. Title

Employment Preferences for Former Foster Children

2. Rule and Regulation

Sec. 1 Preference in Employment. As authorized in Chapter 672 of the *Texas Government Code*, an individual 25 years of age or younger who was under the permanent managing conservatorship of the Department of Family and Protective Services on the day preceding the individual's 18th birthday 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 672 of the *Texas Government Code* provides that a former foster child entitled to an 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 employment 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.

4. Relevant Federal and State Statutes

Texas Government Code, Chapter 672 – Employment Preference for Former Foster Children

7. **U. T. System Board of Regents: Rescindment of Regents' Rules and Regulations, Rule 50401, regarding State law concerning the immunization of students against hepatitis B**

RECOMMENDATION

It is recommended that Regents' *Rules and Regulations*, Rule 50401, as set forth on Page 11, regarding the immunization of students against hepatitis B, be rescinded. Texas law requires that students enrolled in a course of study that involves potential exposure to human or animal blood or bodily fluids receive the hepatitis B vaccine or provide proof of immunity to the virus. As the law can be implemented in the absence of a Regents' Rule, it is recommended that Rule 50401 be rescinded.

The General Counsel to the Board is authorized by Regents' *Rules and Regulations*, Rule 10201, to editorially amend the Regents' *Rules and Regulations* to keep the *Rules* current and correct. The Board is asked to take action to rescind Rule 50401 so that it is clear that the immunization requirement is not being rescinded and that compliance with State law still requires immunization of certain students against hepatitis B.

BACKGROUND INFORMATION

In accordance with previous versions of *Texas Education Code* Section 51.933 and *Texas Administrative Code* Title 25, Part 1, Section 97.64, Regents' *Rules and Regulations*, Rule 50401 requires all students enrolled in health-related courses that involve direct patient contact in medical or direct care facilities to receive a complete series of hepatitis B vaccine prior to the start of direct patient care or to show serologic confirmation of immunity to hepatitis B.

The 81st Texas Legislature passed SB 291, which amends Section 51.933 of the *Texas Education Code*. Section 51.933 now provides that a rule adopted by the Texas Health and Human Services Commission requiring a hepatitis B vaccination for students may apply only to students enrolled at an institution of higher education in a course of study that involves potential exposure to human or animal blood or bodily fluids. Further, *Texas Administrative Code* Title 25, Part 1, Section 97.64 was also recently amended and is in compliance with the new statutory language of Section 51.933.

The requirements of *Texas Education Code* Section 51.933 and *Texas Administrative Code* Title 25, Part 1, Section 97.64 can be implemented in the absence of Rule 50401.

1. Title

Immunization of Students Against Hepatitis B

2. Rule and Regulation

Sec. 1 Legislative Requirement. Pursuant to *Texas Education Code Section 51.933(b)* the Texas Board of Health may require immunizations against diseases for students at any institution of higher education who are pursuing a course of study in a human or animal health profession. Texas Department of Health Administrative Rules, found in the *Texas Administrative Code Title 25, Part 1, Section 97.64* requires all students enrolled in health-related courses which will involve direct patient contact in medical or direct care facilities to receive a complete series of hepatitis B vaccine prior to the start of direct patient care or show serologic confirmation of immunity to hepatitis B virus.

3. Definitions

None

4. Relevant Federal and State Statutes

Texas Education Code Section 51.933(b) – Immunization Requirements

Texas Administrative Code Title 25, Part 1, Section 97.64 – Required Vaccinations for Students Enrolled in Health-related and Veterinary Courses in Institutions of Higher Education

8. **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, Senate Bill 1, Article III, Section 50 to the Lieutenant Governor, Speaker of the House, Chair of the Senate Finance Committee, Chair of the House Appropriations Committee, and 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, 2010, 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 identifies the amount of designated tuition collected, the purposes for which it was spent, the amount spent for each purpose, the amounts set aside for resident undergraduate and graduate student assistance as required by Sections 56.011 and 56.012 of the *Texas Education Code*, and how those amounts are allocated among various types of student assistance. 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 is not able to be completed in time for approval at this meeting. Upon completion, a copy of the Report will be filed with the Board Office.

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

REPORT

Vice Chancellor McDowell will present the annual Research and Technology Transfer accountability report following a PowerPoint presentation set forth on Pages 13 - 36.

Research and Technology Transfer Accountability Report

Vice Chancellor Keith McDowell, Ph.D.

Board of Regents' Meeting

November 2009



THE UNIVERSITY of TEXAS SYSTEM
Nine Universities. Six Health Institutions. Unlimited Possibilities.

OVERVIEW

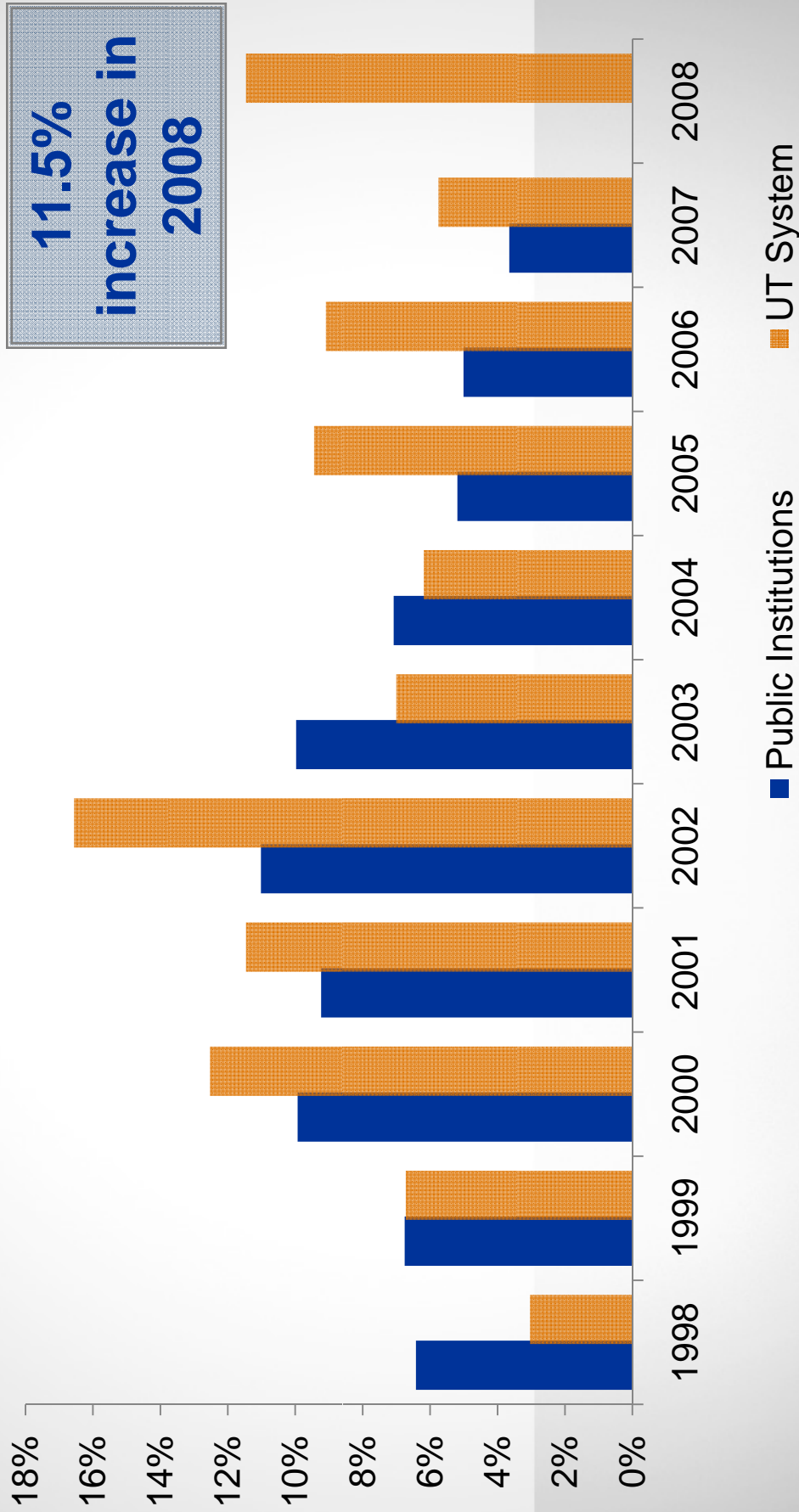
- RESEARCH
 - Research Expenditures
 - Market Share
 - Major Initiatives
 - National Rankings
 - Members of the National Academies
- TECHNOLOGY TRANSFER
 - Texas Ignition Fund
 - Comparison of Technology Transfer Activities
 - Texas Emerging Technology Fund
- RESEARCH & TECHNOLOGY TRANSFER INITIATIVES

RESEARCH



THE UNIVERSITY OF TEXAS SYSTEM
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YEARLY GROWTH IN R&D EXPENDITURES



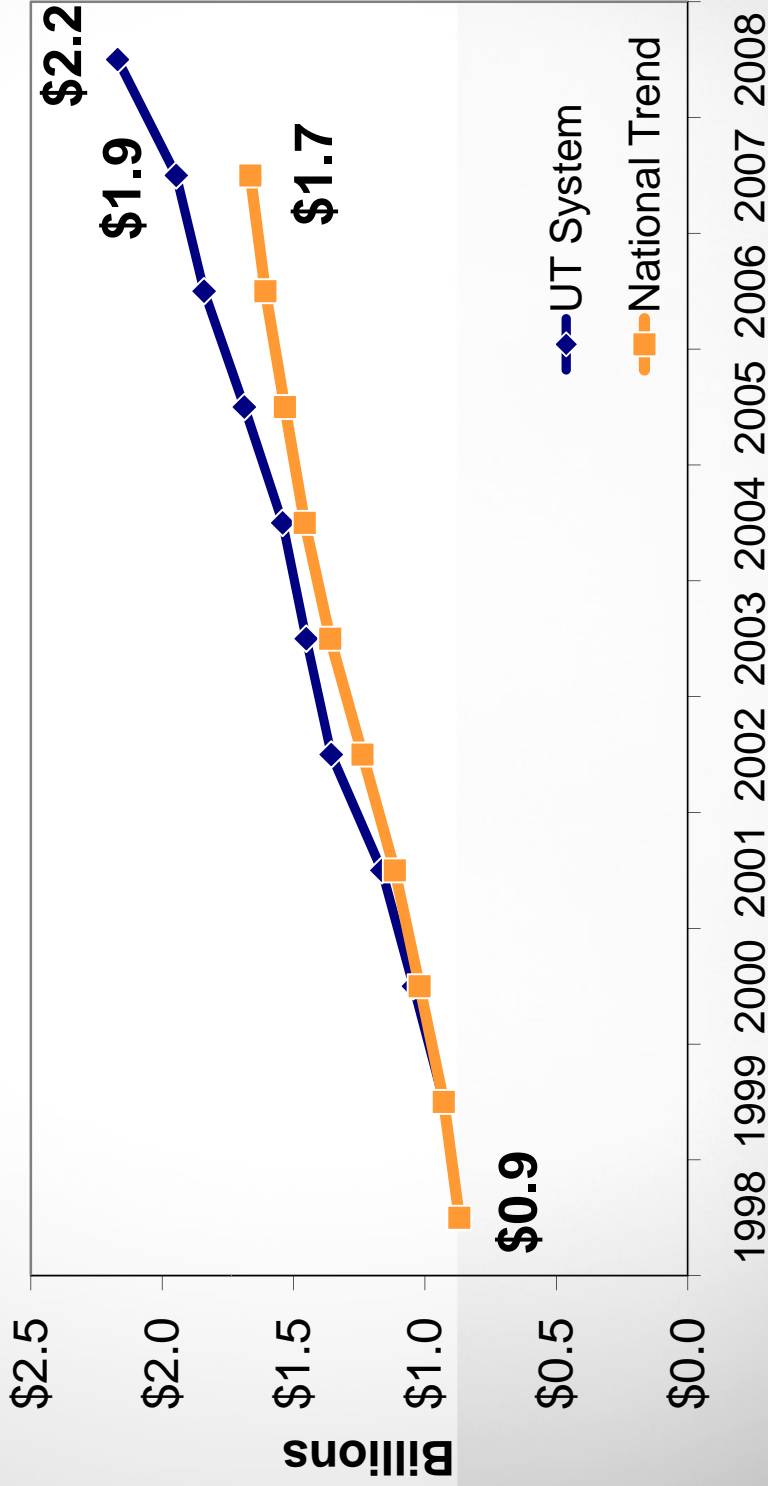
Source: Public Institutions = National Science Foundation, Survey of Research and Development Expenditures at Universities and Colleges. U. T. System Institutions = The Texas Higher Education Coordinating Board Survey of Research Expenditures.



THE UNIVERSITY of TEXAS SYSTEM
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TOTAL RESEARCH EXPENDITURES OUTPACE THE NATIONAL AVERAGE

RESEARCH EXPENDITURES
U. T. SYSTEM AND TREND FOR U.S. PUBLIC INSTITUTIONS

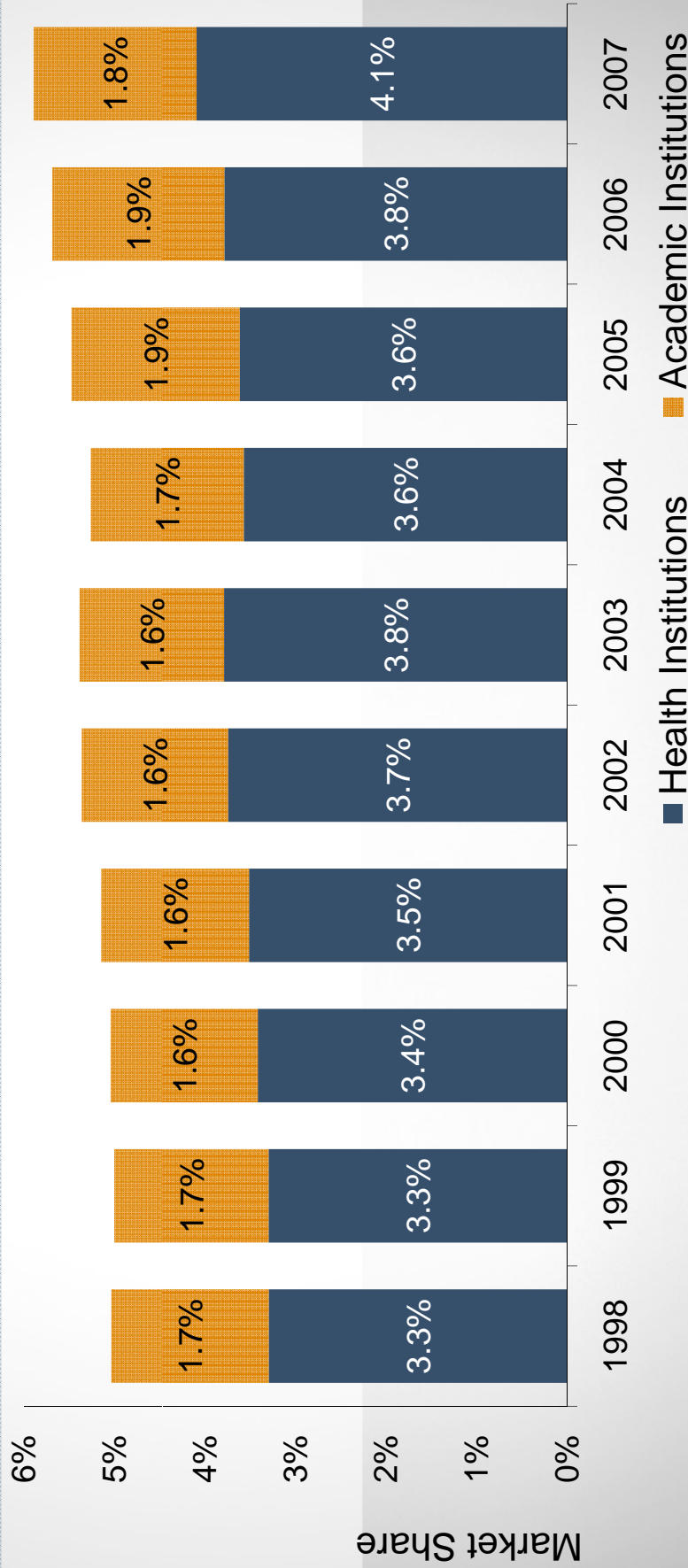


17%
higher
than the
national
average
FY 2007

Note. The national trend is computed using equal starting points in 1998 and adding the average percentage increase in research expenditures for all U.S. public universities and colleges each year (NSF). The U. T. System line reflects actual data (THECB).

MARKET SHARE: TOTAL U.S. PUBLIC INSTITUTION RESEARCH EXPENDITURES

**U. T. System's Total Market Share FY 2007:
5.9%**



Source: National Science Foundation, Survey of Research and Development Expenditures at Universities and Colleges.



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SOLVING “GRAND CHALLENGES” WITH SANDIA NATIONAL LABORATORIES

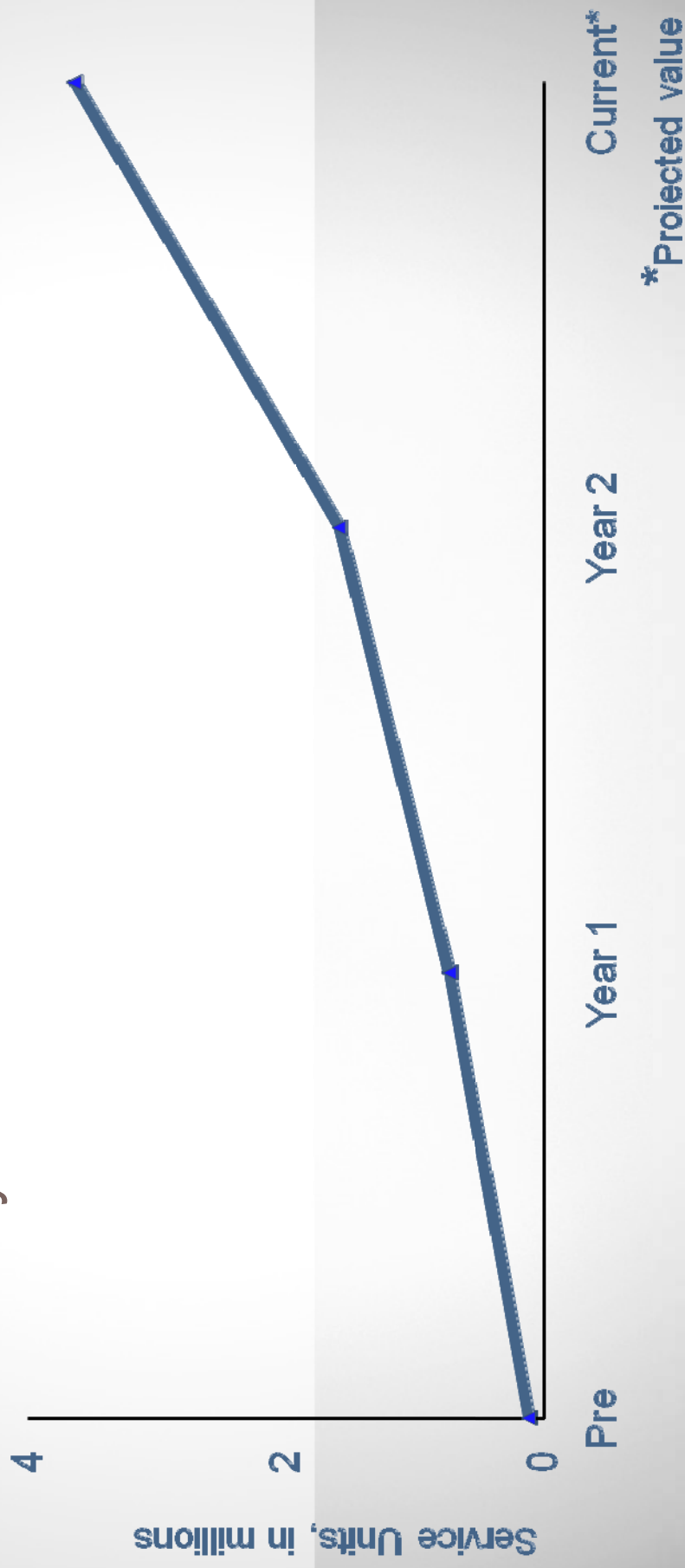
- Outcomes of \$1.875 million investment in partnerships
 - \$30.5 million for two Energy Frontier Research Centers at U. T. Austin, funded by the Department of Energy
 - \$40 million in external funding for the National Initiative for Modeling and Simulation



TEXAS ADVANCED COMPUTING CENTER

2006: \$3 million by U. T. System Board of Regents

2009: Utilization by U. T. System researchers doubles each year



CANCER PREVENTION & RESEARCH INSTITUTE OF TEXAS

- Organized U. T. System research infrastructure working groups
- Teamed with other Texas university systems and research entities:
 - Intellectual property terms
 - Proof-of-concept funding program
 - Research superiority recruitment program
- Provide input into the formation of grants administration process (i.e., indirect costs, matching)
- Serve as a liaison to U. T. institutions

NATIONAL RANKINGS: SCIENCE & ENGINEERING RESEARCH EXPENDITURES 2004-2008

Academic Institutions

Institution	Public Institutions (N = 394)		Public & Private Institutions (N = 680)	
	Change 04-08	2008 Rank	Change 04-08	2008 Rank
U. T. Arlington	28	133	45	181
U. T. Austin	2	21	6	30
U. T. Brownsville	--	241	--	330
U. T. Dallas	22	116	34	161
U. T. El Paso	24	125	36	173
U. T. Pan American	9	238	19	327
U. T. Permian Basin	--	279	--	404
U. T. San Antonio	23	148	34	203
U. T. Tyler	--	264	--	368

Note. Source: WebCASPAR database, National Science Foundation, Survey of Research and Development Expenditures at Universities and Colleges, accessed 10/19/09.



THE UNIVERSITY of TEXAS SYSTEM
Nine Universities. Six Health Institutions. Unlimited Possibilities.

NATIONAL RANKINGS: SCIENCE & ENGINEERING RESEARCH EXPENDITURES 2004-2008

Health Institutions				
Institution	Public Institutions (N = 394)		Public & Private Institutions (N = 680)	
	Change 04-08	2008 Rank	Change 04-08	2008 Rank
U. T. Southwestern Medical Center – Dallas	2	26	0	42
U. T. Medical Branch – Galveston	(6)	68	(7)	98
U. T. Health Science Center – Houston	7	62	8	90
U. T. Health Science Center – San Antonio	10	60	14	86
U. T. M. D. Anderson Cancer Center	7	15	13	22

Note. Parentheses indicate a decline in ranked position (to a higher number). Source: WebCASPAR database, National Science Foundation, Survey of Research and Development Expenditures at Universities and Colleges, accessed 10/19/09.

RESEARCH CAPACITY: NATIONAL ACADEMIES MEMBERS

Institution	NAS Members (Peer Average)	NAE Members (Peer Average)	IOM Members (Peer Average)	Total Members
U. T. Austin	15 (32)	48 (20)	--	63
U. T. Dallas	1 (4)	2 (7)	--	3
UTSWMC	17 (31)	--	19 (23)	36
UTMB	-- (10)	--	4 (12)	4
UTHSCH	2 (20)	--	5 (13)	7
UTHSCSA	-- (8)	--	5 (7)	5
UTMDA	-- (6)	--	3 (8)	3
U. T. System	35	50	36	121

Source: U. T. System Accountability and Performance Report, 2009; peer comparisons: awards membership directories, accessed 7/09.
 NAS: National Academy of Sciences; NAE: National Academy of Engineering; IOM: Institute of Medicine



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TECHNOLOGY TRANSFER

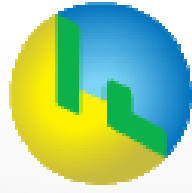


TEXAS IGNITION FUND SUPPORTS EARLY STAGE DEVELOPMENT

- TIF Annual Report (March 2009)
- 37 awards made
 - \$1.6 million awarded to 11 institutions
 - 89 proposals received
- \$393,000 for current funding round

TEXAS IGNITION FUND RESULTS

Five start-up companies with
two more in formation



Organic Fuels



Lone Star Advanced Technology

ZT Solar

XANAPATH
Advanced Cellular Profiling



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TEXAS NATIONAL COMPARISONS

FY 2006	Texas Rank among States	Number/ \$
U.S. patents filed	10	354
U.S. patents issued	4	190
Licenses/options executed	3	277
Start-up companies formed	9	19
Licensing revenue	8	\$47.6 million
Research expenditures	4	\$2.6 billion

Source: Data from Association of University Technology Managers (AUTM); state calculations by the State Science & Technology Institute. AUTM FY 2006 data includes only UT Austin, UTSWMC, UTMB, UTHSCH, UTMACC, Baylor, Rice, TAMU, SMU, and UNTHSC.



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U. T. SYSTEM - STATE COMPARISON

FY 2008	U. T. System Total	% of Texas Total
Invention disclosures	716	72%
U.S. patents filed	368	58%
U.S. patents issued	99	73%
Licenses/options executed	194	76%
Start-up companies formed	25	81%
Licensing revenue	\$37.2 million	72%
Research expenditures	\$2.2 billion	78%

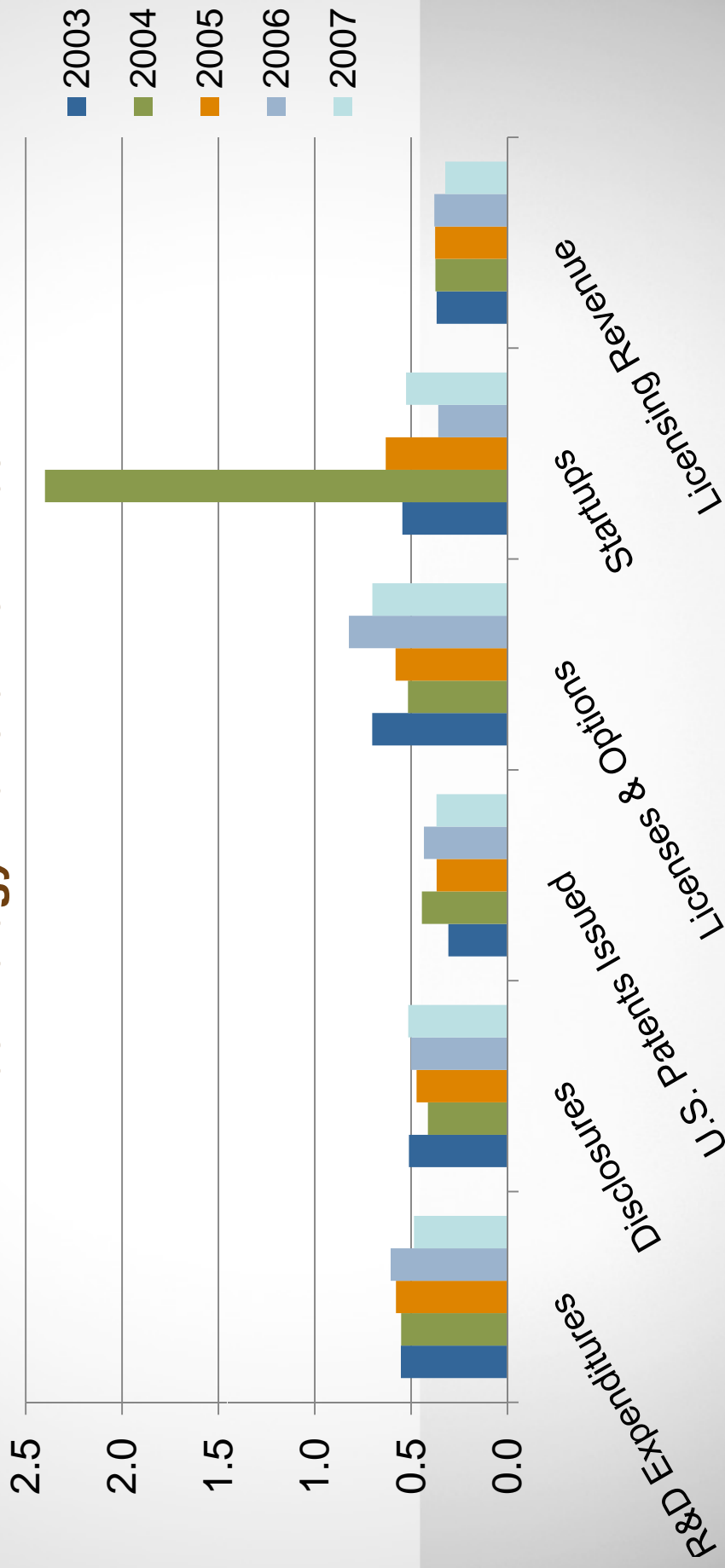
Source: The Texas Higher Education Coordinating Board Technology Development and Transfer Survey, FY 2007 and FY 2008. The report includes all Texas public universities and health-related institutions.



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UNIVERSITY OF CALIFORNIA SYSTEM COMPARISON

Ratio of U. T. System to U. C. System Technology Transfer Activities

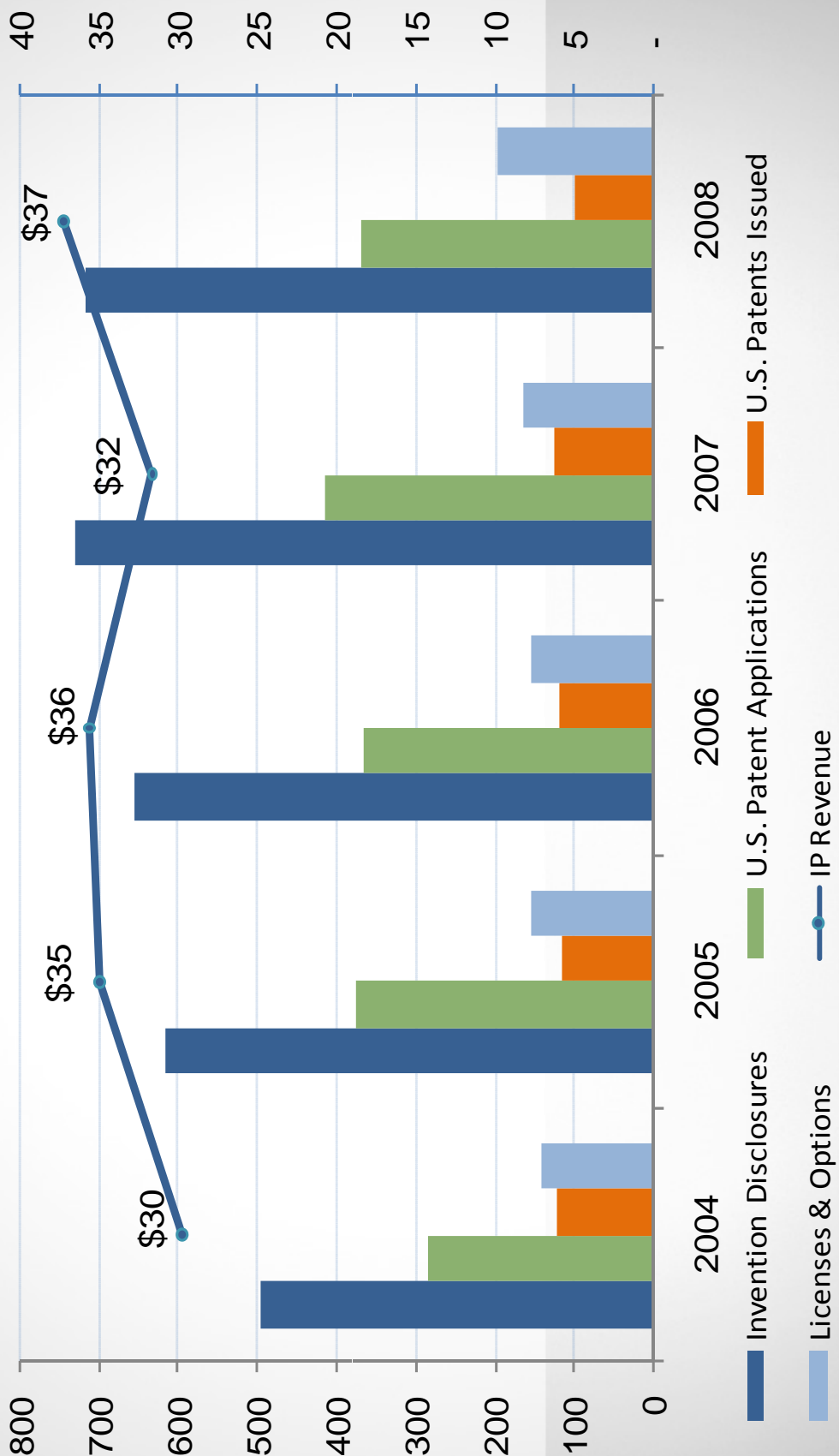


Source: AUTM STATT Data Warehouse, accessed 7/10/09.



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INCREASES IN TECHNOLOGY TRANSFER ACTIVITY



Source: The Texas Higher Education Coordinating Board Technology Development and Transfer Survey.



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TECHNOLOGY TRANSFER ACTIVITY

	2004	2005	2006	2007	2008	TOTAL
Invention disclosures	494	615	655	727	716	3,207
U.S. patent applications	282	374	364	412	368	1,800
U.S. patents issued	120	114	117	122	99	572
Licenses/Options executed	141	154	186	162	194	837
Start-up companies formed	12	12	14	20	25	83
IP revenue (millions)	\$29.7	\$34.9	\$35.6	\$31.6	\$37.2	\$168.9

TEXAS EMERGING TECHNOLOGY FUND AWARDS

Received 69% of 106 awards granted

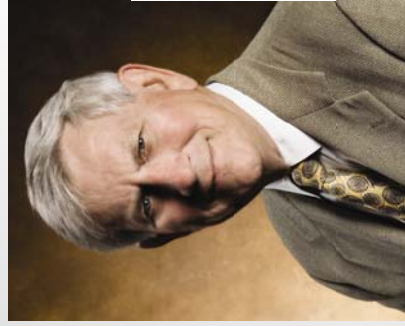
Program	Awards Benefiting U. T. System Institutions		Total All TETF Awards		% Awards Benefiting U. T. System Institutions
	\$ (millions)	#	\$ (millions)	#	
Research Superiority	\$30.3	7	\$62.2	15	47%
Commercialization	\$62.9	58	\$81.6	78	74%
Research Matching	\$25.8	8	\$84.9	13	62%
Total	\$119.0	73	\$228.7	106	69%

Source: Texas Governor's Office, as of 7/7/09; only includes awards with signed contracts



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EXAMPLE: EMERGING TECHNOLOGY FUND RESEARCH SUPERIORITY AWARDS TO THE U. T. SYSTEM



Thomas Caskey, MD, FACP
UTHSCH



Brent L. Iverson, Ph.D.
U. T. Austin

Texas Therapeutics Institute

- \$6 million to create a therapeutic molecule pipeline in Texas
- Matched with over \$16 million, including \$3 million in STARS
- Strong partnership between U. T. Austin, UTHSCH, and UTMDACC



Garth Powis, D.Phil.
UTMDACC



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OFFICE OF RESEARCH & TECHNOLOGY TRANSFER INITIATIVES

• Key research administration initiatives

- Research Assurance Plan
- Export Controls
- Time and Effort Reporting
- Institutional Review Board (IRB) Taskforce
- Institutional Biosafety Committee (IBC) Conference

• Key commercialization initiatives

- Commercialization Workshop (January 2009)
- Outreach Campaign
 - World's Best Technology Showcase
 - National Council of Entrepreneurial Tech Transfer (NCET2)
(Conference Co-host December 2009)



OFFICE OF RESEARCH AND TECHNOLOGY TRANSFER

PROMOTING A CULTURE OF INNOVATION AND ENTREPRENEURSHIP



10. **U. T. System: Report on activities of the Office of Federal Relations in Washington, D.C.**

REPORT

Vice Chancellor Shute will report on the activities of the U. T. System Office of Federal Relations in Washington, D.C., following a presentation set forth on Pages 38 - 54.

The Office of Federal Relations

William Shute – Vice Chancellor for Federal Relations
November, 2009



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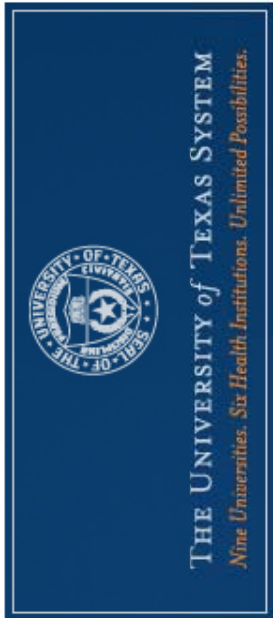
Board of Regents'
Meeting



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The Office of Federal Relations

- Provides analyses of federal policies
- Assists with federal research projects, grants, and contracts
- Manages the Archer Fellowship Program



University of Texas System

http://www.utsystem.edu/ofr/WashingtonUpdate.htm

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Federal Relations

- Mission Statement
- Vice Chancellor
- Contact Information

Washington Update

- Reports
- Appropriations Timeline
- Policy for Contacting Federal Officials
- Grant Opportunities
- Recent Legislative Activity
- Resources
- Archer Center



October 2, 2009

Washington Update is a legislative briefing prepared by Office of Federal Relations (OFR) staff to track progress on federal policies relevant to the University of Texas System component institutions and their employees. Use the table of contents below to navigate between topics.

In this issue:

Currently in Washington Top Stories

- Appropriations
- Health Care
- Laboratory Security

Education

- Student Loan Reform
- State Department Exchange Visitors Program

Science & Technology

- Cyber Security
- SBIR Extension
- Climate Change Legislation

Recovery Act

- Solicitations

Recently Introduced Legislation

Previous Updates

Currently in Washington

Congressional activity this week follows the same paradigm that has persisted through much of the fall session. Both the House and Senate remain focused on passing spending bills for the upcoming fiscal year, while the relevant committees in both chambers continue debate over health care overall legislation. The House has passed all 12 appropriations bills, while in the Senate 6 bills have yet to be voted on (Defense, Commerce/Justice/Science, Military/VA, State/Foreign Ops, Financial Services, Labor/HHS/Education). This week the Senate will first consider the FY10 Defense



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Analysis of Federal Policy

- Coordinate policy concerns and solutions with Board of Regents, System administration, and the Chancellor
- Solicit / receive policy concerns from Presidents and campus administrators
- Develop Beltway strategy
- Enlist System administration and institution personnel as appropriate



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Policy Issues

- Healthcare Reform
- COMPETES Act / STEM Issues
- Higher Education Act
- Patent Reform
- Laboratory Safety
- Taxes
- Immigration / Visa Issues



Federal Research

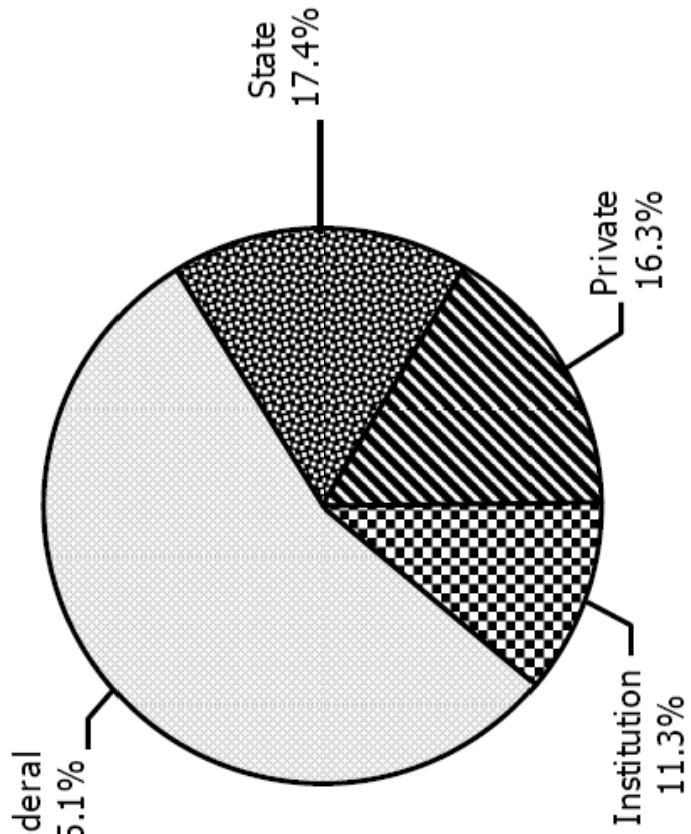
- Identifies research opportunities for campus investigators
- Facilitates meetings between campus researchers and federal program managers
- Manages annual Appropriations process



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Federal Research

Sources of Expenditures for Research and Development at Texas Institutions of Higher Education, FY 2008



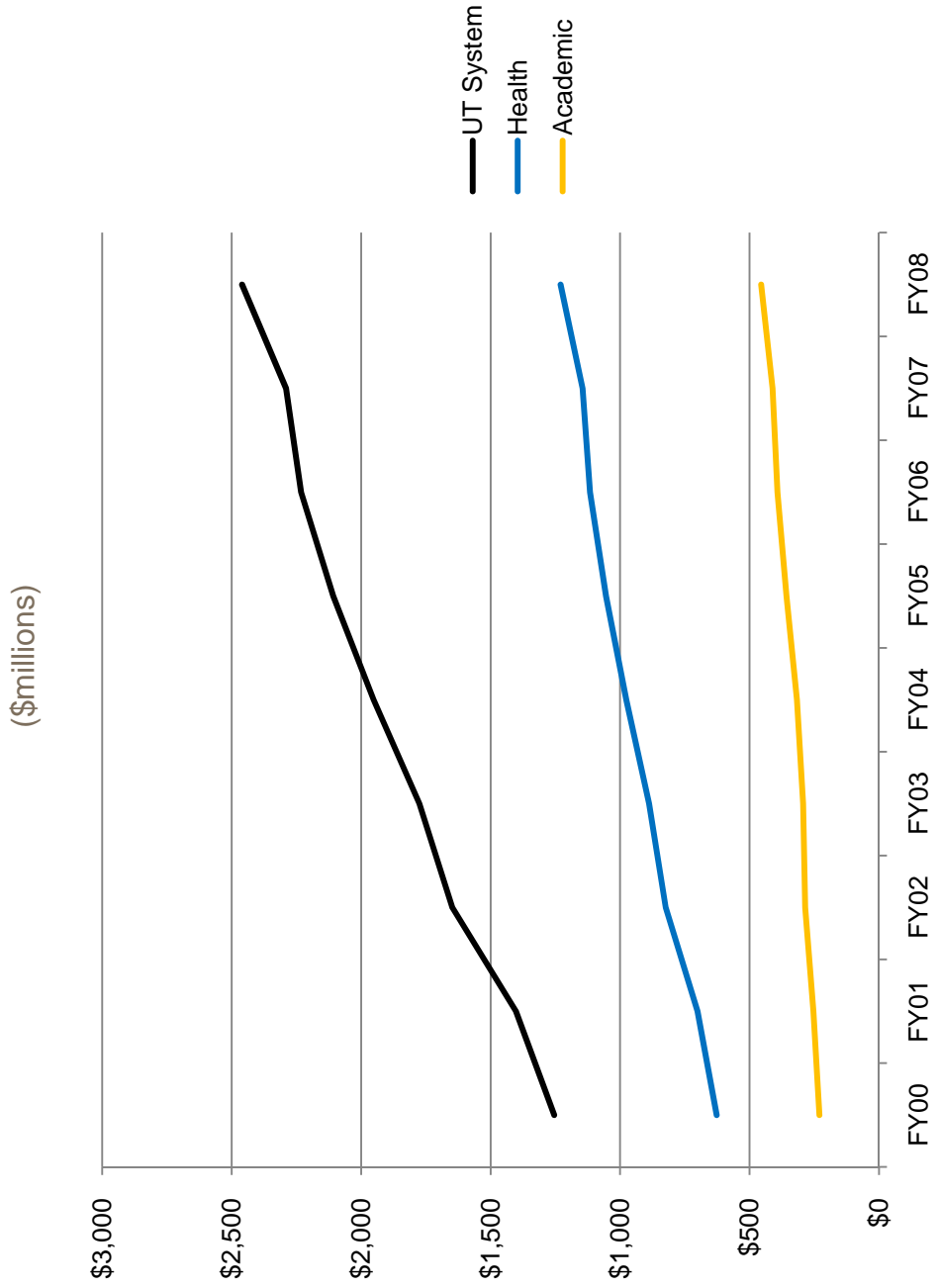
RESEARCH EXPENDITURES
Texas Public Universities and Health-Related Institutions
September 1, 2007 – August 31, 2008

Texas Higher Education Coordinating Board June 2009



Federal Research Trends

Federal Research Expenditures FY2000 – FY2008





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Recovery Act Funding

- Higher Ed Association Task Force
- Shovel-Ready Projects
- Coburn Amendment
- Notices to Presidents, Vice Presidents of Research, and Researchers
- State Stabilization Funds v. Agency Grants



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Recovery Act Funding cont.

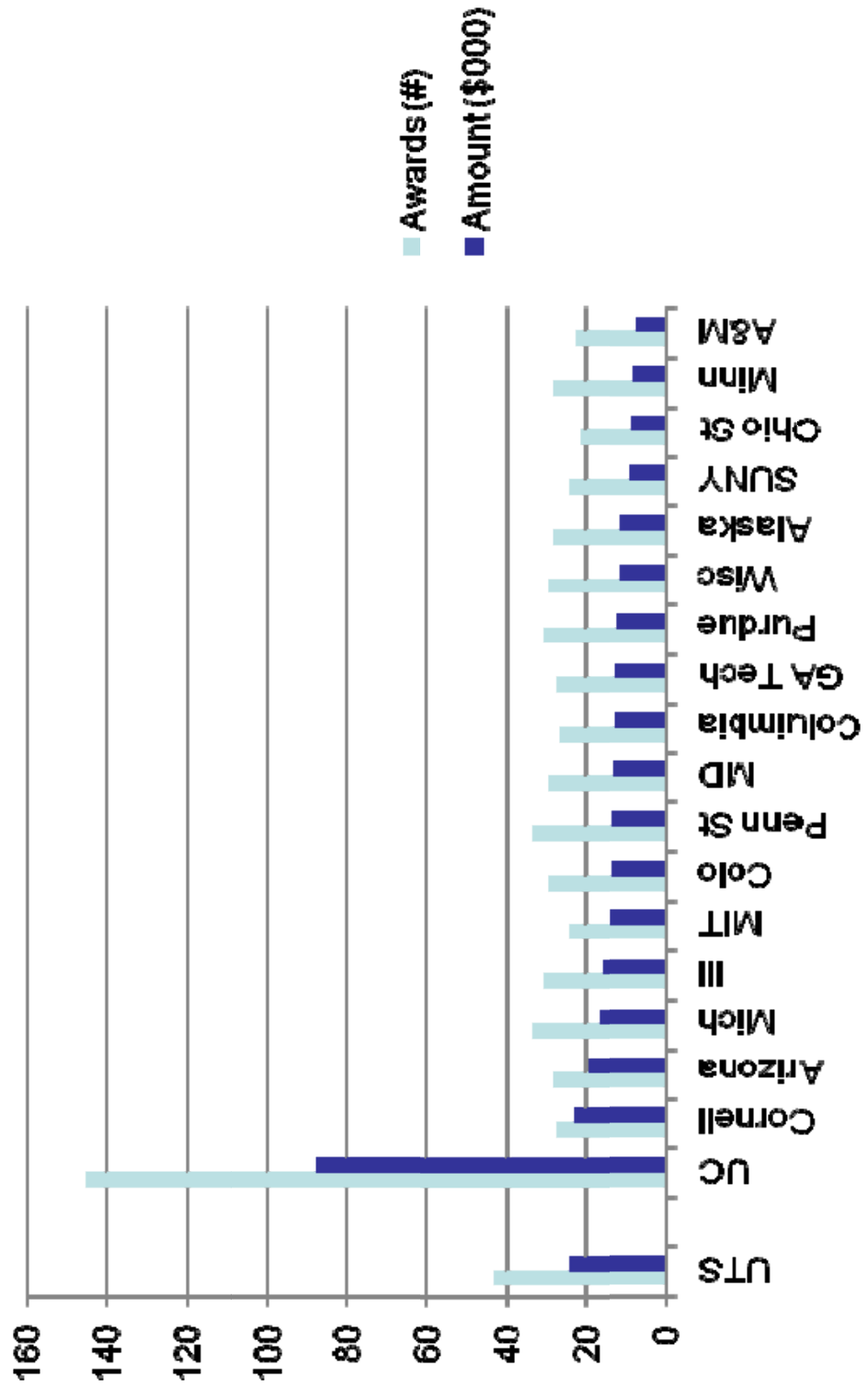
Recovery Act Funds for Federal Research (as of February 20, 2009)

Health	Workforce Training	Titles VII and VIII	Research Facility Construction	Shared Instrumentation	Comparative Effectiveness	Health IT
	\$250M	\$200M	\$1B	\$300M	\$1.1B	\$2B
NSF	Research and Related Activities	Major Research Instrumentation	Research Equipment and Facilities Construction	Academic Facilities Modernization	Education and Human Resources	Robert Noyce Scholarships
	\$2.5B	\$300M	\$400M	\$200M	\$100M	\$60M
NASA	Science	Aeronautics	Cross Agency	Exploration		Defense
	\$400M	\$150M	\$50 M	\$400M		Renewable Energy Research
	Tier 1 Earth science climate research	aviation safety, environmental impact, and Next Gen Air Transpo System	restore hurricane-damaged NASA facilities			\$300M
Energy	Climate	High-Energy Physics	Nuclear Physics	Fusion Energy	Sequestration	Fossil Fuel Research
					\$20M	\$3.4B
						Smart Grid
						Biopass Program
						ARPA-E Energy Efficiency
NIST	Scientific and Technical Research and Services	Academic Research Facility Construction		NOAA	Habitat and Fisheries Restoration	Climate Modeling
	\$220M	\$180M			\$400M	\$170M
NIH	Meritorious research grants will be the main recipients of the research funds. During FY08, there were about 14,000 RO1 research project grant applications that could not be funded. These will be reviewed for possibilities of two-year awards. There is a possibility that some new proposal will be considered, but it is likely that the bulk of RO1s funded from ARRA money will go to proposals that have already been reviewed.	Some current grants will receive supplemental funds, including some supplements that may be made according to themes, such as equipment and training. The supplements will be awarded following existing procedures for supplemental grants.	The NIH will issue a new request for applications (likely in the next week or two) to make grants for meritorious, innovative work which will advance science in a meaningful way and can be accomplished in two years. The Challenge Grants will seek to serve priorities of the ICs and cross-cutting research. Funding for each grant is estimated at \$500,000 per year for two years.			



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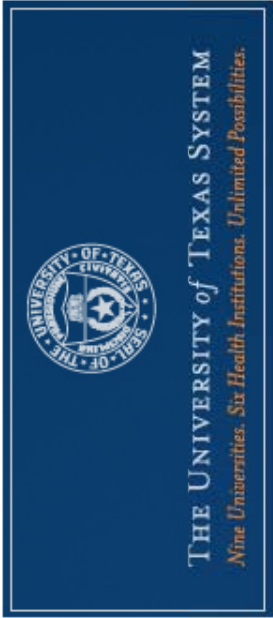
ARRA Grants





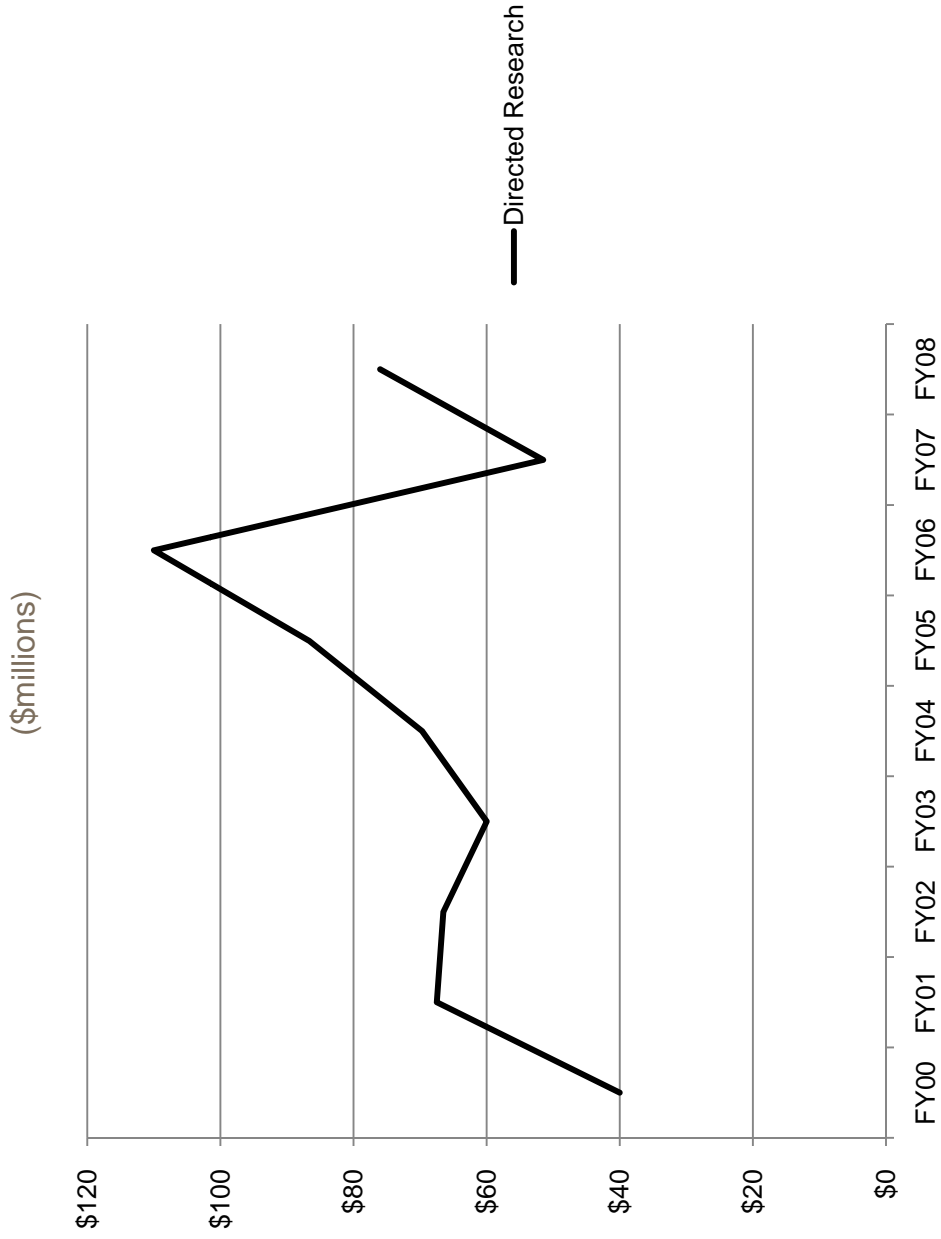
Congressionally Supported Research

- If there is no federal program funding available
- Unique research
- Short-term, “jump start” funding needed
- Time-sensitive / results can be shown in one or two years



Congressionally Supported Research Trends

Congressionally Supported Research Expenditures



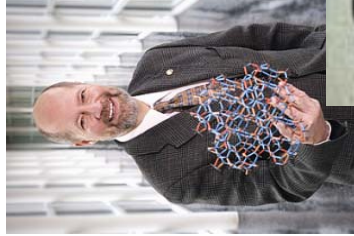


Agency Grants

- Daily notifications from key agencies
- Information gathered from agency meetings
- Disseminated to Vice Presidents of Research and designated campus contacts
- Grants Conferences on campus



Supported Projects





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The Archer Center



THE ARCHERCENTER

THE UNIVERSITY OF TEXAS SYSTEM IN WASHINGTON, D.C.

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- ★ About Us
- ★ Our Programs
- ★ Current Fellows
- ★ Prospective Fellows
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"The Archer Program gave me the greatest semester of my life."

Chris Alnatt
 Archer Fellow, Spring 2005

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The Archer Center is a self-supporting center that strives to enable students from across the State of Texas to take advantage of opportunities in Washington, D.C.

Giving to The Archer Center helps students from all UT System campuses pursue their goals.

[Click here to learn how to donate.](#)

News and Highlights

11/20/2009 Archer Fellow Scholarship Reception at Bauer House in Austin, TX. [Click here to learn more and for ticket information.](#)

9/8/2009 The 2010-2011 Archer Fellow Application is now available online. [Click here for more info.](#)

9/1/2009 The Fall 2009 Archer Fellows arrive in Washington, D.C. [Click here to view their photos and biographies.](#)

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The Archer Center "Where Texas meets the world." The University of Texas System 1901 Pennsylvania Avenue, NW, Suite 700 Washington, D.C. 20006 phone 202.955.9091 fax 202.955.9039 email archer@utsystem.edu



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The Archer Center Impact



“The internship, classes, and city all met my expectations; it was how I would change that I never expected.”

Kate Lummus – U. T. Austin
Archer Fellow, Spring 2005

