

MATERIAL SUPPORTING THE AGENDA

XXVIa

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

October 19-20, 1978
November 30-December 1, 1978

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

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

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

Yellow paper - Emergency items distributed at the meeting.

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



BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Material Supporting

Agenda

Meeting Date: **November 30-December 1, 1978**

Meeting No.: **757**

Name: *Official Copy*

BOARD OF REGENTS
of
THE UNIVERSITY OF TEXAS SYSTEM
for
November 30 - December 1, 1978

Headquarters and Meeting Place: Ashbel Smith Hall, Ninth Floor
201 West 7th Street, Austin, Texas

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

Thursday, November 30, 1978

2:00 p. m. Meeting of the Board
Committee Meeting
Buildings and Grounds Committee

*

Friday, December 1, 1978

9:00 a. m. Meeting of the Board - To Consider Issuance
and Sale of:
U. T. Arlington Combined Fee Revenue
Bonds, Series 1978, \$5,500,000
Committee Meetings
System Administration Committee
Academic and Developmental Affairs
Committee
Buildings and Grounds Committee (if
not previously completed)
Health Affairs Committee
Land and Investment Committee
Committee of the Whole
Open Session
Executive Session

Meeting of the Board

Telephone Numbers

Offices:

Board of Regents	471-1265
Chancellor Walker	471-1743

Hotels:

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

Airlines:

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

*The Board for Lease of University Lands will meet at 4:00 p. m. in the fourth floor conference room of O. Henry Hall, 601 Colorado Street.

Meeting of the Board

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

Date: November 30, 1978

Time: 2:00 p. m.

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

A. CALL TO ORDER

B. RECESS FOR COMMITTEE MEETING

Buildings and Grounds Committee. --To discuss and act on items listed on the agenda and any emergency or late items referred to the committee. Unless there are unfinished items, the Buildings and Grounds Committee will complete its meeting on Thursday, November 30.

C. RECESS TO RECONVENE AT 9:00 A.M. ON FRIDAY,
DECEMBER 1, 1978

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

Date: December 1, 1978

Time: 9:00 a. m.

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

A. ...

B. ...

C. ...

D. RECONVENE

E. APPROVAL OF MINUTES OF REGENTS' MEETING HELD
OCTOBER 19-20, 1978

F. SPECIAL ORDER

Board of Regents: (1) Resolution Authorizing the Issuance and Sale of Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1978, \$5,500,000; (2) Designation of Banks of Payment and (3) Award of Contract for Printing. --

BACKGROUND INFORMATION

The Board of Regents authorized that Combined Fee Revenue Bonds, Series 1978, for The University of Texas at Arlington be issued and sold at the meeting of the Board of Regents on August 4, 1978, in the maximum amount of \$3,600,000; on October 20, 1978, the amount of this authorized bond issue was increased to \$5,500,000. Official Notice of this sale prepared by the Bond Counsel has been mailed to you.

Appropriate steps have been taken for the issuance of these bonds, and bids have been called for. The bids for the banks of payment and the bids for printing the bonds will be opened at 10:00 a. m. C. S. T. on November 30, 1978, in the large conference room of Claudia Taylor Johnson Hall, 210 West Sixth Street, Austin, Texas. Bids for the sale of these bonds will be opened at 11:00 a. m. on the same date and at the same place.

RECOMMENDATION AND/OR ACTION REQUIRED

A tabulation of the bids for each of the following will be distributed at the meeting. After due consideration, the following action is required:

1. Adoption of the Resolution set out on Pages B of R 3-16
2. Designation of banks of payment
3. Award of contract for printing bonds

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
THE UNIVERSITY OF TEXAS AT ARLINGTON
COMBINED FEE REVENUE BONDS, SERIES 1978

\$5,500,000

SALE OF THE BONDS.--As authorized, bids were called for and received until 11:00 A.M., CST, on November 30, 1978, and then publicly opened and tabulated. A copy of the tabulation is attached.

It is recommended by the Executive Director for Investments, Trusts and Lands, joined by the Chancellor of The University of Texas System, that the Board of Regents adopt the resolution authorizing the issuance of the bonds and the sale to First City National Bank, Houston, Texas, for the sum of par plus accrued interest to date of delivery, at a net interest cost of 6.224292%.

DESIGNATION OF PAYING AGENCY.--Attached is a tabulation of the bids received and publicly opened and tabulated at 10:00 A.M., CST, on November 30, 1978, in accordance with specifications previously furnished the qualified bidders (Texas Banks with assets in excess of \$200,000,000).

It is recommended by the Executive Director for Investments, Trusts and Lands, joined by the Chancellor of The University of Texas System, that the bid of Capital National Bank, Austin, Texas, to serve as Paying Agent for this issue be accepted. The bank will charge \$0.075 per coupon and \$0.75 per bond paid. Co-paying agent is Citibank, New York.

AWARD OF CONTRACT FOR PRINTING THE BONDS.--Attached is a tabulation of the bids received and publicly opened and tabulated at 10:00 A.M., CST, on November 30, 1978, in accordance with specifications previously furnished companies bidding on University issues in recent years.

It is recommended by the Executive Director for Investments, Trusts and Lands, joined by the Chancellor of The University of Texas System, that the bid of Helms Printing Company, Inc., Dallas, Texas, be accepted for printing the bonds with lithographed borders, as set out in the specifications, for the sum of \$1,055.00, there being seven interest rates.

TABULATION OF BIDS

\$5,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
 THE UNIVERSITY OF TEXAS AT ARLINGTON
 COMBINED FEE REVENUE BONDS, SERIES 1978
 Bids Opened Thursday, November 30, 1978

ACCOUNT	COUPONS	INTEREST COST	EFFECTIVE RATE																												
First City National Bank Houston, Texas	<table border="0"> <tr> <td><u>1980</u></td> <td>to</td> <td><u>1987</u></td> <td><u>6.75%</u></td> </tr> <tr> <td><u>1988</u></td> <td></td> <td><u>1990</u></td> <td><u>6.25%</u></td> </tr> <tr> <td><u>1991</u></td> <td></td> <td><u>1992</u></td> <td><u>5.50%</u></td> </tr> <tr> <td><u>1993</u></td> <td></td> <td><u>1995</u></td> <td><u>5.70%</u></td> </tr> <tr> <td><u>1996</u></td> <td></td> <td><u>1998</u></td> <td><u>6.00%</u></td> </tr> <tr> <td><u>1999</u></td> <td></td> <td><u>2001</u></td> <td><u>6.30%</u></td> </tr> <tr> <td><u>2002</u></td> <td></td> <td><u>2004</u></td> <td><u>6.50%</u></td> </tr> </table>	<u>1980</u>	to	<u>1987</u>	<u>6.75%</u>	<u>1988</u>		<u>1990</u>	<u>6.25%</u>	<u>1991</u>		<u>1992</u>	<u>5.50%</u>	<u>1993</u>		<u>1995</u>	<u>5.70%</u>	<u>1996</u>		<u>1998</u>	<u>6.00%</u>	<u>1999</u>		<u>2001</u>	<u>6.30%</u>	<u>2002</u>		<u>2004</u>	<u>6.50%</u>	Gross: <u>\$5,753,009.61</u> Less Prem: <u>-0-</u> Net: <u>\$5,753,009.61</u>	6.224292
<u>1980</u>	to	<u>1987</u>	<u>6.75%</u>																												
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Morgan Guaranty Trust Company New York, New York	<table border="0"> <tr> <td><u>1980</u></td> <td>to</td> <td><u>1990</u></td> <td><u>7.00%</u></td> </tr> <tr> <td><u>1991</u></td> <td></td> <td><u>1996</u></td> <td><u>6.10%</u></td> </tr> <tr> <td><u>1997</u></td> <td></td> <td></td> <td><u>6.20%</u></td> </tr> <tr> <td><u>1998</u></td> <td></td> <td></td> <td><u>6.30%</u></td> </tr> <tr> <td><u>1999</u></td> <td></td> <td><u>2000</u></td> <td><u>6.40%</u></td> </tr> <tr> <td><u>2001</u></td> <td></td> <td><u>2003</u></td> <td><u>6.50%</u></td> </tr> <tr> <td><u>2004</u></td> <td></td> <td></td> <td><u>5.50%</u></td> </tr> </table>	<u>1980</u>	to	<u>1990</u>	<u>7.00%</u>	<u>1991</u>		<u>1996</u>	<u>6.10%</u>	<u>1997</u>			<u>6.20%</u>	<u>1998</u>			<u>6.30%</u>	<u>1999</u>		<u>2000</u>	<u>6.40%</u>	<u>2001</u>		<u>2003</u>	<u>6.50%</u>	<u>2004</u>			<u>5.50%</u>	Gross: <u>\$5,829,187.00</u> Less Prem: <u>7,870.00</u> Net: <u>\$5,821,317.00</u>	6.2982
<u>1980</u>	to	<u>1990</u>	<u>7.00%</u>																												
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<u>1980</u>	to	<u>1988</u>	<u>7.00%</u>																												
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Rauscher Pierce Refsnes, Inc. (Joint Managers)	<table border="0"> <tr> <td><u>1980</u></td> <td>to</td> <td><u>1988</u></td> <td><u>6.625%</u></td> </tr> <tr> <td><u>1989</u></td> <td></td> <td><u>1995</u></td> <td><u>5.90%</u></td> </tr> <tr> <td><u>1996</u></td> <td></td> <td><u>1997</u></td> <td><u>6.10%</u></td> </tr> <tr> <td><u>1998</u></td> <td></td> <td><u>1999</u></td> <td><u>6.30%</u></td> </tr> <tr> <td><u>2000</u></td> <td></td> <td><u>2001</u></td> <td><u>6.50%</u></td> </tr> <tr> <td><u>2002</u></td> <td></td> <td></td> <td><u>6.60%</u></td> </tr> <tr> <td><u>2003</u></td> <td></td> <td><u>2004</u></td> <td><u>6.70%</u></td> </tr> </table>	<u>1980</u>	to	<u>1988</u>	<u>6.625%</u>	<u>1989</u>		<u>1995</u>	<u>5.90%</u>	<u>1996</u>		<u>1997</u>	<u>6.10%</u>	<u>1998</u>		<u>1999</u>	<u>6.30%</u>	<u>2000</u>		<u>2001</u>	<u>6.50%</u>	<u>2002</u>			<u>6.60%</u>	<u>2003</u>		<u>2004</u>	<u>6.70%</u>	Gross: <u>\$5,888,502.09</u> Less Prem: <u>-0-</u> Net: <u>\$5,888,502.09</u>	6.370884
<u>1980</u>	to	<u>1988</u>	<u>6.625%</u>																												
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<u>1980</u>	to	<u>1990</u>	<u>6.75%</u>																												
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BIDS FOR PAYING AGENCY

\$5,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
THE UNIVERSITY OF TEXAS AT ARLINGTON
COMBINED FEE REVENUE BONDS, SERIES 1978Tabulation of Bids Received
November 30, 1978 - 10:00 A.M., C.S.T.

Bidder	New York Co-Paying Agent	Per Coupon Paid	Per Bond Paid
Capital National Bank Austin, Texas	Citibank	\$.075	\$0.75
The First National Bank of Fort Worth Fort Worth, Texas	The Bank of New York	.10	1.00
The Citizens National Bank of Waco Waco, Texas	The Chase Manhattan Bank, N.A.	.10	2.00
The Fort Worth National Bank Fort Worth, Texas	Bankers Trust Company	.125	1.25
The Austin National Bank Austin, Texas	Bankers Trust Company	.14	1.75
First City National Bank of Houston Houston, Texas	Manufacturers Hanover Trust Company	.15	2.40
Bank of the Southwest, N.A. Houston, Texas	Bankers Trust Company	.15	1.00
Houston National Bank Houston, Texas	Irving Trust Company	.175	2.00
Republic National Bank of Dallas Dallas, Texas	Citibank	.175	1.575
Texas Commerce Bank, N.A. Houston, Texas	Bankers Trust Company	.175	2.00
Continental National Bank of Fort Worth Fort Worth, Texas	Bankers Trust Company	.175	1.50
First International Bank in Houston, N.A. Houston, Texas	The Bank of New York	.20	2.50

BIDS FOR PRINTING BONDS

\$5,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
 THE UNIVERSITY OF TEXAS AT ARLINGTON
 COMBINED FEE REVENUE BONDS, SERIES 1978

Tabulation of Bids Received
 November 30, 1978 - 10:00 A.M., CST

Bidder	One-Coupon Rate	Two-Coupons Rate	Three-Coupons Rate	Four-Coupons Rate	Five-Coupons Rate	Six-Coupons Rate	Seven-Coupons Rate	Number of Working Days
Helms Printing Company, Inc. 2710 Swiss Avenue Dallas, Texas 75204	\$950.00	\$ 967.50	\$ 985.00	\$1,002.50	\$1,020.00	\$1,037.50	\$1,055.00*	15
Hart Graphics & Office Centers, Inc. 8000 Shoal Creek Blvd. Austin, Texas 78758	983.00	1,003.00	1,023.00	1,043.00	1,063.00	1,083.00	1,103.00**	17

*Plus \$17.50 per each additional coupon rate.

**Plus \$20.00 per each additional coupon rate.

RESOLUTION AUTHORIZING THE ISSUANCE OF BOARD
OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,
THE UNIVERSITY OF TEXAS AT ARLINGTON, COMBINED
FEE REVENUE BONDS, SERIES 1978, \$5,500,000

WHEREAS, the Board of Regents of The University of Texas System is authorized to issue the bonds hereinafter authorized pursuant to Chapter 55, Texas Education Code; Now, Therefore,

BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM:

Section 1. That the Board's negotiable, serial, coupon bonds to be designated "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT ARLINGTON, COMBINED FEE REVENUE BONDS, SERIES 1978" (the "Series 1978 Bonds"), are hereby authorized to be issued, sold, and delivered in the principal amount of \$5,500,000 for the purpose of providing funds to acquire, purchase, construct, improve, enlarge and/or equip property, buildings, structures, activities, services, operations or other facilities at The University of Texas at Arlington, under and in strict conformity with the Constitution and laws of the State of Texas, including particularly Chapter 55 of the Texas Education Code, as amended.

Section 2. That the Series 1978 Bonds shall be dated December 1, 1978, shall be numbered consecutively from 1 through 1100 shall be in the denomination of \$5,000 each, and shall mature and become due and payable serially on July 1 in each of the years, and in the amounts, respectively, as set forth in the following schedule:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1980	\$ 95,000	1992	\$195,000
1981	100,000	1993	210,000
1982	105,000	1994	220,000
1983	110,000	1995	235,000
1984	120,000	1996	255,000
1985	125,000	1997	275,000
1986	135,000	1998	305,000
1987	135,000	1999	320,000
1988	155,000	2000	335,000
1989	160,000	2001	355,000
1990	170,000	2002	375,000
1991	185,000	2003	400,000
		2004	425,000

The Series 1978 Bonds may be redeemed prior to their scheduled maturities, at the option of said Board, on the dates stated, and in the manner provided, in the FORM OF BOND set forth in this Resolution.

Section 3. That the Series 1978 Bonds scheduled to mature during the years, respectively, set forth below shall bear interest at the following rates per annum:

<u>YEARS MATURING</u>	<u>INTEREST RATE</u>	<u>YEARS MATURING</u>	<u>INTEREST RATE</u>
1980		1992	
1981		1993	
1982		1994	
1983		1995	
1984		1996	
1985		1997	
1986		1998	
1987		1999	
1988		2000	
1989		2001	
1990		2002	
1991		2003	
		2004	

Said interest shall be evidenced by interest coupons which shall appertain to the Series 1978 Bonds, and which shall be payable on the dates stated in the FORM OF BOND set forth in this Resolution.

Section 4. That the Series 1978 Bonds, and the interest coupons appertaining thereto, shall be payable, shall have the characteristics, and shall be signed and executed (and said Bonds shall be sealed), all as provided, and in the manner indicated, in the FORM OF BOND set forth in this Resolution.

Section 5. That the form of the Series 1978 Bonds, including the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be printed and endorsed on each of the Series 1978 Bonds, and the form of the aforesaid interest coupons which shall appertain and be attached initially to each of the Series 1978 Bonds, shall be, respectively, substantially as follows, with such omissions, insertions and variations as may be necessary and desirable and permitted by this Resolution:

FORM OF BOND:

NO. _____ \$5,000

UNITED STATES OF AMERICA
STATE OF TEXAS
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
THE UNIVERSITY OF TEXAS AT ARLINGTON
COMBINED FEE REVENUE BOND
SERIES 1978

ON JULY 1, _____, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM (the "Board"), for and on behalf of THE UNIVERSITY OF TEXAS AT ARLINGTON, promises to pay to bearer, solely from the Pledged Revenues hereinafter described, the principal amount of

FIVE THOUSAND DOLLARS

and to pay interest thereon from the date hereof at the rate of _____% per annum, payable July 1, 1979, and semiannually thereafter on each January 1, and July 1 until the principal sum is paid. The principal of this bond and the interest coupons appertaining hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and

surrender of this bond or proper interest coupon, at the following, which shall constitute and be defined as the "Banks of Payment" for this series of Bonds:

or, at the option of the bearer, at

THIS BOND IS ONE OF A DULY AUTHORIZED SERIES OF BONDS of like tenor and effect except as to serial number, interest rate, right of prior redemption and maturity, numbered 1 through 1100, both inclusive, in the denomination of \$5,000 each, in the aggregate principal amount of \$5,500,000 issued pursuant to a Resolution (hereinafter called the "Resolution") adopted by the Board on the 1st day of December, 1978, for the purpose of providing funds to acquire, purchase, construct, improve, enlarge and/or equip property, buildings, structures, activities, services, operations or other facilities at The University of Texas at Arlington, under and in strict conformity with the Constitution and laws of the State of Texas, including particularly Chapter 55 of the Texas Education Code, as amended.

THE DATE OF THIS BOND, in accordance with the Resolution, is December 1, 1978.

THIS BOND AND ALL BONDS OF THE SERIES OF WHICH IT IS A PART, together with the Board's other parity revenue bonds from time to time outstanding, are equally and ratably payable from and secured by a first lien on and pledge of certain Pledged Revenues, as provided in the Resolution to which reference is made for all purposes, which Pledged Revenues include: (i) the gross collections of certain student general fees to be charged students regularly enrolled at The University of Texas at Arlington for the general use and availability of the University, (ii) the gross collections of certain student tuition fees to be charged all tuition paying students regularly enrolled at The University of Texas at Arlington; (iii) certain interest and investment income; (iv) certain interest subsidy grants from the United States Government; and (v) any additional revenues, income, receipts, rentals, rates, charges, fees and other resources which may hereafter be pledged to the payment of this series of bonds. This bond and the issue of which it is a part, and the interest thereon, constitute special obligations of the Board and are payable solely from the Pledged Revenues and do not constitute an indebtedness of the State of Texas, the Board or The University of Texas at Arlington. The bearer hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.

ON JULY 1, 1989, OR ON ANY INTEREST PAYMENT DATE THEREAFTER, the Board shall have the option of calling bonds of this series maturing on or after July 1, 1990, for redemption prior to maturity, in whole or in part, at par and accrued interest to the date of redemption, plus a premium (expressed as a percentage of the principal amount of each bond so called for redemption) as follows:

1% if redeemed July 1, 1989 through January 1, 1991;
3/4 of 1% if redeemed July 1, 1991 through January 1, 1992;
1/2 of 1% if redeemed July 1, 1992 through January 1, 1993;
1/4 of 1% if redeemed July 1, 1993 through January 1, 1994;
and
0% if redeemed July 1, 1994 and thereafter.

NOTICE OF REDEMPTION IS TO BE PUBLISHED in a financial publication published in the English language in the City of New York, New York, or in the City of Austin, Texas, at least once, not less than thirty (30) days before the date fixed for such redemption, and thirty (30) days' notice in writing is to be given to the Banks of Payment before the date so fixed for such redemption. On or before the date fixed for redemption, funds shall be placed in the Banks of Payment sufficient to pay the bonds called and accrued interest thereon, plus the amount of premium, if any. If such written notice of redemption is published, and if due provision for such payment is made, all as provided above, the bonds which are to be so redeemed thereby automatically shall be redeemed prior to their scheduled maturities, they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the purpose of being paid by the Banks of Payment with the funds so provided for such payment.

IT IS HEREBY DECLARED AND REPRESENTED that, so long as this bond or the issue of bonds of which it is a part remains outstanding, the Board has covenanted and agreed that it will fix, levy, charge and collect building use fees in the manner provided in the Resolution and general fees at a rate which, together with other Pledged Revenues, will be sufficient to make all deposits required to be made to provide for the payment of principal of and interest on this bond and the series of which it is a part and all outstanding and additional revenue bonds issued on parity therewith.

IT IS FURTHER DECLARED AND REPRESENTED that this bond has been duly and validly issued and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the issuance and delivery of this bond have been performed, existed, and been done in accordance with law; that this series of bonds does not exceed any statutory limitation; and that provision has been made for the payment of principal of and interest on this bond and the series of which it is a part by the irrevocable pledge of the Pledged Revenues.

THE BOARD HAS RESERVED THE RIGHT, subject to the restrictions stated in the Resolution, to issue additional parity revenue bonds which also may be made equally and ratably payable from and secured by an irrevocable first lien on and pledge of the aforesaid Pledged Revenues.

IN WITNESS WHEREOF, the Board of Regents of The University of Texas System has caused the corporate seal of said Board to be impressed, printed or lithographed hereon and has caused this bond and the interest coupons attached hereto to be executed by the imprinted or lithographed facsimile signatures of the Chairman and the Secretary of the Board, respectively.

BOARD OF REGENTS OF THE UNIVERSITY
OF TEXAS SYSTEM

ATTEST: XXXXXXXX By XXXXXXXX
Secretary Chairman

[SEAL]

FORM OF REGISTRATION CERTIFICATE

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that there is on file and of record in my office a certificate of the Attorney General of the State of Texas to the effect that this bond and the proceedings for the issuance hereof have been examined by him as required by law, that he finds that it has been issued in conformity with the Consitution and laws of the State of Texas and that it is a valid and binding special obligation of the Board of Regents of The University of Texas System payable from the revenues and other funds pledged to its payment by and in the proceedings authorizing the same, and I do further certify that this bond has this day been registered by me.

WITNESS MY SIGNATURE AND SEAL OF OFFICE at Austin, Texas, this _____.

Comptroller of Public Accounts
of the State of Texas

[SEAL]

FORM OF INTEREST COUPON:

NO. _____ \$ _____

ON _____ 1, _____

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT ARLINGTON, promises to pay to bearer, solely from the Pledged Revenues described in the bond to which this coupon appertains, the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, unless due provision has been made for the redemption prior to maturity of the bond to which this interest coupon appertains, upon presentation and surrender of this interest coupon, at the

or, at the option of the bearer, at

said amount being interest due that day on the bond, bearing the number hereinafter designated, of that issue of BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT ARLINGTON, COMBINED FEE REVENUE BONDS, SERIES 1978, dated December 1, 1978. The bearer hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation. Bond No. _____.

XXXXXXXXXX

Secretary, Board of Regents,
The University of Texas System

XXXXXXXXXX

Chairman, Board of Regents,
The University of Texas System

Section 6. That as hereinafter used in this Resolution the following terms shall have the meanings set forth below, unless the text hereof specifically indicates otherwise:

The term "Board" shall mean the Board of Regents of The University of Texas System.

The term "University" shall mean The University of Texas at Arlington, Arlington, Texas.

The term "Bonds" shall mean collectively the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1971, authorized by Resolution of the Board on December 4, 1970 (the "Series 1971 Bonds"), the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1971-A, authorized by Resolution of the Board on March 12, 1971 (the "Series 1971-A Bonds"), the Board of Regents of the University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1973, authorized by Resolution of the Board on January 26, 1973 (the "Series 1973 Bonds"), the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1973-A, authorized by Resolution of the Board on September 14, 1973 (the "Series 1973-A Bonds"), the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1974, authorized by Resolution of the Board on November 1, 1974 (the "Series 1974 Bonds"), and the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1978, authorized by this Resolution (the "Series 1978 Bonds").

The term "Building Use Fee" shall mean the gross collections of the building use fee to be fixed, charged, and collected from all tuition paying students regularly enrolled at the University, out of and as a part of the regular student tuition fees at the University, in the manner and to the extent provided in this Resolution, and pledged to the payment of the Bonds and Additional Bonds in accordance with Chapter 55, Texas Education Code.

The term "General Fee" shall mean the gross collections of the general fee to be fixed, charged, and collected from all students regularly enrolled at the University, for the general use and availability of The University of Texas at Arlington, in the manner and to the extent provided in this Resolution, and pledged to the payment of the Bonds and any Additional Bonds in accordance with Chapter 55, Texas Education Code.

The term "Interest Income" shall mean all interest and investment income derived from the deposit and investment of moneys credited to the General Fee Revenue Fund and Combined Fee Revenue Bonds Interest and Sinking Fund.

The term "Interest Subsidy" shall mean all of the annual interest subsidy grants which are received by the Board from the United States Government with respect to the Bonds.

The term "Pledged Revenues" shall mean collectively the Building Use Fee, the General Fee, the Interest Income, and the Interest Subsidy, together with any additional revenues, income, receipts, or other resources, including, without limitation, any grants, donations, or income received or to be received from the United States Government, or any other public or private source, whether pursuant to an agreement or otherwise, which hereafter may be pledged to the payment of the Bonds or the Additional Bonds.

The term "Additional Bonds" shall mean the additional parity revenue bonds permitted to be authorized in this Resolution.

The term "holder" or "holders" shall mean the bearer or bearers of any one or more of the Series 1978 Bonds or the Bonds, as the case may be.

Section 7. (a) That the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1978, authorized by this Resolution, are "Additional Bonds" as permitted by Sections 18, 19, and 20, of the resolutions authorizing the issuance of the Series 1971 Bonds, the Series 1971-A Bonds, the Series 1973 Bonds, the Series 1973-A Bonds, and the Series 1974 Bonds, respectively, and it is hereby determined, declared, and resolved that all of the Bonds are and shall be secured and payable equally and ratably on a parity, and that Sections 7 through 22 of this Resolution are cumulative of Sections 7 through 22 of the resolutions authorizing the issuance of the Series 1971 Bonds, the Series 1971-A Bonds, the Series 1973 Bonds, the Series 1973-A Bonds, and the Series 1974 Bonds, respectively, with said Sections being equally applicable to all of the Bonds.

(b) That the Bonds and any Additional Bonds, and the interest thereon, are and shall be payable from and secured by an irrevocable first lien on the pledge of the Pledged Revenues.

Section 8. That the Bonds and any Additional Bonds and interest coupons appertaining thereto shall constitute special obligations of the Board, payable solely from the Pledged Revenues, and such obligations shall not constitute a prohibited indebtedness of the University, the Board, or the State of Texas. The holders of the Bonds and the Additional Bonds and the coupons attached thereto shall never have the right to demand payment out of funds raised or to be raised by taxation.

Section 9. That effective and commencing with the regular 1971 spring semester, the Building Use Fee was fixed and is hereby confirmed and shall be levied, charged, and collected from each tuition paying student regularly enrolled at the University, as follows:

- (a) \$5.00 per regular semester and summer session for each student enrolled for 12 or more Semester Credit Hours;
- (b) \$0.42 per Semester Credit Hour per regular semester and summer session for each student enrolled for less than 12 Semester Credit Hours;

and said Building Use Fee shall be so levied, charged, and collected in such amounts, and shall not be reduced, so long as Bonds or Additional Bonds are outstanding. All collections of the Building Use Fee shall be deposited directly to the credit of the "Interest and Sinking Fund" hereinafter described.

Section 10. (a) That the Board covenants and agrees to fix, levy, charge, and collect the General Fee from each student regularly enrolled in the University at each regular fall and spring semester and at each term of each summer session, for the general use and availability of the University, in such amounts, without any limitation whatsoever, as will be at least sufficient at all times to provide, together with other Pledged Revenues, the money for making all deposits required to be made to the credit of the Interest and Sinking Fund in connection with the Bonds and any Additional Bonds.

(b) That it is hereby declared and confirmed that the Board has revised the General Fee, effective at the regular 1978 fall semester of the University, and that such General Fee has been and is hereby fixed and is and was collected and effective at the regular 1978 fall semester of the University and is being and will be credited to the Revenue Fund, as follows:

the General Fee for the general use and availability of the University facilities is hereby fixed and shall be collected from each student regularly enrolled at The University of Texas at Arlington, as follows:

\$4.85 per semester credit hour for each of the regular fall and spring semesters, and for each term of each summer session.

(c) That the General Fee shall be increased if and when required by this Section, and may be decreased so long as all Pledged Revenues are sufficient to provide the money for making all deposits required to be made to the credit of the Interest and Sinking Fund in connection with the Bonds and any Additional Bonds. All changes in such General Fee shall be made by resolution of the Board, but such procedure shall not constitute or be regarded as an amendment of this Resolution, but merely the carrying out of the provisions hereof.

Section 11. That there has heretofore been created and established on the books of the Board a separate account entitled the "General Fee Revenue Fund" (hereinafter called the "Revenue Fund"). All collections of the General Fee and any other Pledged Revenues, except the Building Use Fee and Interest Income accruing in the Interest and Sinking Fund, shall be credited to the Revenue Fund.

Section 12. That to pay the principal of and interest on all outstanding Bonds and any Additional Bonds, as the same come due, there has heretofore been created and established at an official depository of the Board (which must be a member of the Federal Deposit Insurance Corporation) a separate fund entitled the "Combined Fee Revenue Bonds Interest and Sinking Fund" (hereinafter sometimes called the "Interest and Sinking Fund"); and there has heretofore been created and ordered to be established within the

Interest and Sinking Fund a debt service reserve which shall be used finally in retiring the last of the outstanding Bonds and any Additional Bonds, or for paying principal of and interest on any outstanding Bonds and Additional Bonds, when and to the extent the amount in the Interest and Sinking Fund is otherwise insufficient for such purpose. All money and investments in the Interest and Sinking Fund in excess of the principal and interest requirements, during the then current fiscal year, on the Bonds and any Additional Bonds, shall constitute the debt service reserve.

Section 13. Money in any Fund maintained pursuant to this Resolution may, at the option of the Board, be placed in time deposits or invested in direct obligations of, or obligations the principal of and interest on which are guaranteed by, the United States of America, and evidences of indebtedness of the Federal Land Banks, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Home Loan Banks, or Federal National Mortgage Association; provided that all such deposits and investments shall be made in such manner that the money required to be expended from any Fund will be available at the proper time or times. Such investments shall be valued in terms of current market value as of the last day of February and August of each year. Interest and income derived from such deposits and investments shall be credited to the Fund from which the deposit or investment was made. Such investments shall be sold promptly when necessary to prevent any default in connection with the Bonds or Additional Bonds.

Section 14. That all money in all Funds created by this Resolution, to the extent not invested, shall be secured in the manner prescribed by law for securing funds of the University, in principal amounts at all times not less than the amounts of money credited to such Funds, respectively.

Section 15. All accrued interest from the sale of the Series 1978 Bonds shall be deposited into the Interest and Sinking Fund, and on or before December 25, 1978, and semiannually on or before each June 25th and December 25th thereafter, the Board shall transfer from the Revenue Fund and deposit to the credit of the Interest and Sinking Fund the amounts as follows:

(1) an amount which will be sufficient, together with other monies then on hand therein and available for such purpose, to pay the interest scheduled to come due on the Bonds on the next succeeding interest payment date; and

(2) an amount which will be sufficient, together with other monies then on hand therein and available for such purpose, to pay one-half of all principal scheduled to mature and come due on the Bonds on the next succeeding July 1; and

(3) an amount equal to 1/10th of the average annual principal and interest requirements of the Bonds; provided, however, that when the money and investments in the debt service reserve are at least equal in market value to the amount of the average annual principal and interest requirements of

the Bonds, then such deposits may be discontinued, unless and until the debt service reserve should be depleted to less than said amount in market value, in which case said deposits shall be resumed and continued until the debt service reserve is restored to said amount.

Section 16. (a) That if on any occasion there shall not be sufficient Pledged Revenues to make the required deposits into the Interest and Sinking Fund, then such deficiency shall be made up as soon as possible from the next available Pledged Revenues, or from any other sources available for such purpose.

(b) Subject to making all deposits to the credit of the Interest and Sinking Fund, including the debt service reserve therein, as required by this Resolution, or any resolution authorizing the issuance of Additional Bonds, the surplus Pledged Revenues may be used by the Board for any lawful purpose.

Section 17. That whenever the total amount in the Interest and Sinking Fund, including the debt service reserve therein, shall be equivalent to (1) the aggregate principal amount of the Bonds and Additional Bonds, if any, outstanding, plus (2) the aggregate amount of all unpaid interest coupons thereto appertaining unmaturred and maturred, no further payment need be made into the Interest and Sinking Fund. In determining the amount of Bonds or Additional Bonds outstanding, there shall be subtracted the amount of any Bonds or Additional Bonds which shall have been duly called for redemption and for which funds shall have been deposited with the paying agents sufficient for such redemption.

Section 18. That the Board shall have the right and power at any time and from time to time, and in one or more series or issues, to authorize, issue, and deliver additional parity revenue bonds (herein called "Additional Bonds") in any amounts, for any lawful purpose. Such Additional Bonds, if and when authorized, issued, and delivered in accordance with this Resolution, shall be secured and payable equally and ratably on a parity with the Bonds, and all other outstanding Additional Bonds, by an irrevocable first lien on and pledge of the Pledged Revenues.

Section 19. (a) Each resolution under which Additional Bonds are issued shall provide that the Interest and Sinking Fund established by this Resolution shall secure and be used to pay all Additional Bonds as well as the Bonds. However, each resolution under which Additional Bonds are issued shall specifically provide and require that, in addition to the amounts required by the provisions of this Resolution and the provisions of any other resolution or resolutions authorizing Additional Bonds to be deposited in the credit of the Interest and Sinking Fund, the Board shall transfer from the Pledged Revenues and deposit to the credit of the Interest and Sinking Fund at least such amounts as are required for the payment of all principal of and interest on said Additional Bonds then being issued, as the same comes due, and that the Board shall transfer from said Pledged Revenues and deposit to the credit of the debt service reserve in the Interest and Sinking Fund at least such amounts as will, together with any other amounts already required to be deposited in the

debt service reserve in connection with the Bonds and any other outstanding Additional Bonds, be sufficient to cause the debt service reserve to accumulate and contain within a period of not to exceed five fiscal years after the date of said Additional Bonds then being issued, a total amount of money and investments at least equal in market value to the average annual principal and interest requirements of such proposed Additional Bonds, the then outstanding Bonds, and any then outstanding Additional Bonds.

(b) The principal of all Additional Bonds must be scheduled to be paid or mature on July 1 of the years in which such principal is scheduled to be paid or mature; and all interest thereon must be payable on January 1 and July 1.

Section 20. Additional Bonds shall be issued only in accordance with this Resolution, but notwithstanding any provisions of this Resolution to the contrary, no installment, series, or issue of Additional Bonds shall be issued or delivered unless:

(a) The senior financial officer of the University signs a written certificate to the effect that the Board is not in default as to any covenant, condition, or obligation in connection with all outstanding Bonds and Additional Bonds, and the resolutions authorizing same, and that the Interest and Sinking Fund contains the amount then required to be therein.

(b) The State Auditor of the State of Texas, or a certified public accountant, signs a written certificate to the effect that, during either the University's fiscal year, or the twelve calendar month period, next preceding the date of execution of such certificate, the Pledged Revenues actually received were at least equal to 1.25 times the average annual principal and interest requirements of all Bonds and Additional Bonds then outstanding.

(c) The senior financial officer of the University signs a written certificate to the effect that during each University fiscal year while any Bonds or Additional Bonds, including the proposed Additional Bonds, are scheduled to be outstanding, beginning with the fiscal year next following the date of the then proposed Additional Bonds, the Pledged Revenues estimated to be received during each of said fiscal years, respectively, will be at least 1.25 times the principal and interest requirements of all then outstanding Bonds and Additional Bonds, and the then proposed Additional Bonds, during each of said fiscal years, respectively.

Section 21. On or before the first day of January, 1979, and on or before the first day of each July and of each January thereafter while any of the Bonds and Additional Bonds, if any, are outstanding and unpaid, there shall be made available to the paying agents therefor, out of the Interest and Sinking Fund, money sufficient to pay such interest on and such principal of the Bonds and Additional Bonds, if any, as will accrue or mature on such January 1 or July 1. The paying agents shall totally destroy all paid Bonds and Additional Bonds, if any, and the coupons appertaining thereto, and shall furnish the Board with an appropriate certificate of destruction.

Section 22. The Board covenants and agrees that:

(a) It will faithfully perform at all times any and all covenants, undertakings, stipulations, and provisions contained in this Resolution and in each and every Bond and Additional Bond; that it will promptly pay or cause to be paid from the Pledged Revenues the principal of and interest on every Bond and Additional Bond, on the dates and in the places and manner prescribed in such Bonds or Additional Bonds; and that it will, at the times and in the manner prescribed herein, deposit or cause to be deposited, from the Pledged Revenues, the amounts of money specified herein.

(b) It is duly authorized under the laws of the State of Texas to create and issue the Bonds; that all action on its part for the creation and issuance of the Bonds has been duly and effectively taken, and that the Bonds in the hands of the holders and owners thereof are and will be valid and enforceable special obligations of the Board in accordance with their terms.

(c) It lawfully owns and is lawfully possessed of the lands upon which the existing campus, buildings, and facilities constituting the University are located, and has a good and indefeasible estate in such lands in fee simple, that it warrants that it has, and will defend, the title to all the aforesaid lands, and every part thereof and improvements thereon, for the benefit of the holders and owners of the Bonds and Additional Bonds against the claims and demands of all persons whomsoever, that it is lawfully qualified to pledge the Pledged Revenues to the payment of the Bonds and Additional Bonds in the manner prescribed herein, and has lawfully exercised such rights.

(d) It will from time to time and before the same become delinquent pay and discharge all taxes, assessments, and governmental charges, if any, which shall be lawfully imposed upon it, or the campus, buildings, and facilities of the University that it will pay all lawful claims for rents, royalties, labor, materials, and supplies which if unpaid might by law become a lien or charge thereon, the lien of which would be prior to or interfere with the liens hereof, so that the priority of the liens granted hereunder shall be fully preserved in the manner provided herein, and that it will not create or suffer to be created any mechanic's, laborer's, materialman's or other liens hereof, or do or suffer any matter or thing whereby the liens hereof might or could be impaired; provided, however, that no such tax, assessment, or charge, and that no such claims which might be used as the basis of a mechanic's, laborer's, materialman's or other lien or charge, shall be required to be paid so long as the validity of the same shall be contested in good faith by the Board.

(e) That it will continuously and efficiently operate and maintain in good condition, and at a reasonable cost, the University and the facilities and services thereof, so long as any Bonds or Additional Bonds are outstanding.

(f) That while the Bonds or any Additional Bonds are outstanding and unpaid, the Board shall not additionally encumber the Pledged Revenues in any manner, except as permitted in this Resolution in connection with Additional Bonds, unless said encumbrance is made junior and subordinate in all respects to the liens, pledges, covenants, and agreements of this Resolution.

(g) Proper books of record and account will be kept in which full, true, and correct entries will be made of all dealings, activities, and transactions relating to the Pledged Revenues, and all books, documents, and vouchers relating thereto shall at all reasonable times be made available for inspection upon request of any bondholder.

(h) That each year while any of the Bonds or Additional Bonds are outstanding, an audit will be made of its books and accounts relating to the Pledged Revenues by the State Auditor of the State of Texas, or a certified public accountant, such audit to be based on the fiscal year of the University beginning on September 1 of each year and ending on August 31 of each year. As soon as practicable after the close of each such fiscal year, and when said audit has been completed and made available to the Board, a copy of such audit for the preceding fiscal year shall be mailed to the original holders, of the Bonds, and to all other bondholders who shall so request in writing. Such annual audit reports shall be open to the inspection of the bondholders and their agents and representatives at all reasonable times.

(i) That the Board covenants that it will not permit to be deposited to the credit of any of the Funds created by this Resolution, or applied to the payment of the principal of or interest on the Bonds or any Additional Bonds, any proceeds from any grant, subsidy, donation, or income received from the United States Government, whether pursuant to agreement or otherwise, if such deposit or application would result in interest payable on the Bonds or Additional Bonds being includable in whole or in part in gross income for Federal income tax purposes.

(j) That the Board covenants that it will comply with all of the terms and conditions of any and all grant or subsidy agreements applicable to the Bonds or Additional Bonds entered into between the Board and any governmental agency in connection with any grant or debt service subsidy; and the Board will take all action necessary to enforce said terms and conditions.

Section 23. That the Board certifies that based upon all facts and estimates now known or reasonably expected to be in existence on the date the Series 1978 Bonds are delivered and paid for, the Board reasonably expects that the proceeds of the Series 1978 Bonds will not be used in a manner that would cause the Series 1978 Bonds or any portion of the Series 1978 Bonds to be an "arbitrage bond" under Section 103(c) of the Internal Revenue Code of 1954, as amended, and the regulations prescribed thereunder. Furthermore, all officers, employees and agents of the Board are authorized and directed to provide certifications of facts and estimates which are material to the reasonable expectations of the Board as of the date the Series 1978 Bonds are delivered and paid for. In particular, all or any officers of The University of Texas System and the University are authorized to certify for the Board the facts and circumstances and reasonable expectations of the Board on the date the Series 1978 Bonds are delivered and paid for regarding the amount and use of the proceeds thereof. Moreover, the Board covenants that it shall make such use of the proceeds of the Series 1978 Bonds, regulate investments of proceeds of the Series 1978 Bonds, and take such other and further action as may be required so that the Series

1978 Bonds shall not be "arbitrage bonds" under Section 103(c) of the Internal Revenue Code of 1954, as amended, and the regulations prescribed from time to time thereunder.

Section 24. That the Board may discharge its obligation to the holders of any or all of the Series 1978 Bonds and coupons appertaining thereto to pay principal, interest and redemption premium (if any) thereon by depositing with the State Treasurer or at the paying agent either: (1) cash equivalent to the principal amount and redemption premium, if any, plus interest to the date of maturity or redemption, or (2) direct obligations of, or obligations the principal and interest of which are guaranteed by, the United States of America, in principal amounts and maturities and bearing interest at rates sufficient to provide for the timely payment of the principal amount and redemption premium, if any, on such Series 1978 Bonds plus interest to the date of maturity or redemption; provided, however, that if any of such Series 1978 Bonds are to be redeemed prior to their date of maturity, provision shall have been made for giving notice of redemption as provided herein. Upon such deposit, the Series 1978 Bonds and coupons appertaining thereto shall no longer be regarded as outstanding and unpaid. Also, whenever provision is made in the above manner for payment of any of the Bonds or Additional Bonds, such bonds shall no longer be deemed outstanding for purposes of any provision contained herein.

Section 25. That the Chairman of the Board is hereby authorized and directed to certify for the benefit of the Attorney General of the State of Texas the project or projects at The University of Texas at Arlington which are authorized by the Board to be financed with the proceeds of the Series 1978 Bonds.

Section 26. That the Chairman of the Board is hereby authorized to have control of the Series 1978 Bonds and all necessary records and proceedings pertaining to the Series 1978 Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Series 1978 Bonds, said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate printed and endorsed on each of the Series 1978 Bonds and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of the Series 1978 Bonds.

Section 27. That the sale of the Bonds is hereby awarded to _____ and Associates, for a price of par plus accrued interest thereon from the date thereof to the date of actual delivery, plus a premium of \$_____, subject to the approving opinions, as to the legality of the Bonds, of the Attorney General of the State of Texas and Vinson & Elkins, Houston, Texas, market attorneys. When said Bonds have been approved by the Attorney General and registered by the Comptroller of Public Accounts of the State of Texas, they shall be delivered to the named purchaser upon receipt of the full purchase price.

Section 28. That the Preliminary Official Statement, Official Notice of Sale and Official Statement, together with any supplements and amendments thereto, are hereby ratified, authorized and approved for use in connection with the solicitation of bids for, and the sale and distribution of, the Bonds.

BOARD OF REGENTS

EMERGENCY ITEM

November 30-December 1, 1978

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F. SPECIAL ITEM

U. T. Arlington - Stadium (Multipurpose Athletic Facility): Request for Authorization to Finance Project with Proceeds of Board of Regents of The University of Texas System, The University of Texas at Arlington Combined Fee Revenue Bonds, Series 1978, \$5,500,000

Below

Documentation

F. SPECIAL ITEM

U. T. Arlington - Stadium (Multipurpose Athletic Facility): Request for Authorization to Finance Project with Proceeds of Board of Regents of The University of Texas System, The University of Texas at Arlington Combined Fee Revenue Bonds, Series 1978, \$5,500,000. --

Recommendation

President Nedderman and System Administration recommend that the proceeds of The University of Texas at Arlington Combined Fee Bonds, Series 1978, after providing for previously authorized bond issuance expenses, be authorized for financing the following project:

STADIUM (Multipurpose Athletic Facility)

Background Information

Section 25 of the resolution authorizing issuance of the bonds also authorizes and directs the Chairman of the Board to certify for the benefit of the Attorney General of the State of Texas the project or projects at The University of Texas at Arlington which are authorized by the Board to be financed with the proceeds of the Series 1978 Bonds.

At its meeting on August 4, 1978, the Board initially authorized the issuance of these bonds and payment from the proceeds thereof the fees of Bond Counsel, Bond Consultant, printing of the bonds, and other miscellaneous costs.

G. INTRODUCTIONS

Les Robertson

H. RECESS FOR COMPLETION OF COMMITTEE MEETINGS

1. System Administration Committee
Committee Chairman Williams
2. Academic and Developmental Affairs Committee
Committee Chairman Sterling
3. Buildings and Grounds Committee (if business not completed on
Committee Chairman Bauerle Thursday)
4. Health Affairs Committee
Committee Chairman Law
5. Land and Investment Committee
Committee Chairman Clark
6. Committee of the Whole
Chairman Shivers
 - a. Open Session
 - b. Executive Session. --The Board of Regents will retire to the Regents' Committee Room and resolve into Executive Session of the Committee of the Whole pursuant to V. T. C. S. , Article 6252-17, Sections 2(e), (f) and (g) to discuss:
 - (1) Pending or Contemplated Litigation - Section 2(e)
 - (2) Land Acquisition and Negotiated Contracts - Section 2(f)

University Cancer Center: Proposed Purchase
of President's Residence
 - (3) Personnel Matters - Section 2(g)

U. T. San Antonio: Report of Advisory Com-
mittee for the Selection of a President

System Administration Committee

SYSTEM ADMINISTRATION COMMITTEE
Committee Chairman Williams

Date: December 1, 1978

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

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

	<u>Page</u> <u>SAC</u>
1. U. T. Austin: Acceptance of Award to Establish Price Waterhouse Auditing Professorship (1-L&I-79)	Below
2. U. T. Austin: Additional Funding for the Center for Statistical Mechanics and Thermodynamics (2-B-79)	2
3. U. T. Arlington, U.T. Austin, U. T. Dallas, Dallas Health Science Center and its Dallas Southwestern Medical School, Galveston Medical Branch (Galveston Medical School), Houston Health Science Center and its Houston Dental Branch, Houston Public Health School, and Houston School of Allied Health Sciences and Medical School, San Antonio Health Science Center (San Antonio Medical School and San Antonio Dental School), University Cancer Center and its M. D. Anderson, and Institute of Texan Cultures: Amendments to the 1977-78 and 1978-79 Budgets (3-B-79)	2

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1. U. T. Austin: Acceptance of Award to Establish Price Waterhouse Auditing Professorship (1-L&I-79)(Page A & D - 6). The Committee received a request from President Rogers, joined by System Administration, asking the Board if it would approve the acceptance of an award from the Price Waterhouse Foundation for the purpose of establishing a Price Waterhouse Auditing Professorship at The University of Texas at Austin. However, since this request was submitted to the Committee, the offer from the Price Waterhouse Foundation has been received and is appropriately submitted for approval on Page A & D - 6.

2. U. T. Austin: Additional Funding for the Center for Statistical Mechanics and Thermodynamics (2-B-79). -- It is recommended by President Rogers and concurred in by System Administration that the Board of Regents approve an additional \$80,000 from the Available Fund Unappropriated Balance to supplement the \$30,000 in the current budget for the Center for Statistical Mechanics and Thermodynamics at The University of Texas at Austin.

3. U. T. Arlington, U. T. Austin, U. T. Dallas, Dallas Health Science Center and its Dallas Southwestern Medical School, Galveston Medical Branch (Galveston Medical School), Houston Health Science Center and its Houston Dental Branch, Houston Public Health School, and Houston School of Allied Health Sciences and Medical School, San Antonio Health Science Center (San Antonio Medical School and San Antonio Dental School), University Cancer Center and its M. D. Anderson, and Institute of Texan Cultures: Amendments to the 1977-78 and 1978-79 Budgets (3-B-79). --

RECOMMENDATION

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

- The University of Texas at Arlington, Page SAC - 3
- The University of Texas at Austin, Pages SAC 3 - 4
- The University of Texas at Dallas, Page SAC - 5
- The University of Texas Health Science Center at Dallas and its Dallas Southwestern Medical School, Pages SAC 5 - 6
- The University of Texas Medical Branch at Galveston (Galveston Medical School), Pages SAC 6 - 7
- The University of Texas Health Science Center at Houston and its Houston Dental Branch, Houston Public Health School, and Houston School of Allied Health Sciences and Medical School, Pages SAC 8 - 9
- The University of Texas Health Science Center at San Antonio (San Antonio Medical School and San Antonio Dental School), Pages SAC 9 - 11
- The University of Texas System Cancer Center and its M. D. Anderson, Pages SAC 11 - 15
- The University of Texas Institute of Texan Cultures at San Antonio, Page SAC - 16

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

THE UNIVERSITY OF TEXAS AT ARLINGTON

1978-79 BUDGET

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
6.	Joyce Beck (Non-tenure) English Academic Rate	Lecturer (F.T.) \$ 13,830 (1977-78)	Lecturer (45% T.) \$ 20,000	9-1-78
7.	Sylvia Major (Non-tenure) English Academic Rate	Lecturer (F.T.) \$ 13,830 (1977-78)	Lecturer (45% T.) \$ 20,000	9-1-78
8.	Elizabeth J. Morgan (Non-tenure) English Academic Rate	Lecturer (F.T.) \$ 13,830 (1977-78)	Lecturer (45% T.) \$ 20,000	9-1-78
9.	Frederick J. Naffzinger (Non-tenure) Business-Finance, Real Estate, Insurance and Law Academic Rate Source of Funds: Unallocated Salaries	Lecturer \$ 19,000 (1977-78)	Lecturer \$ 23,958	9-1-78

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THE UNIVERSITY OF TEXAS AT AUSTIN

1978-79 BUDGET

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
42.	Harvey R. Herbst Communication Center Salary Rate Source of Funds: General Budget and Contract Funds	Director \$ 35,000	Director \$ 37,000	10-1-78

THE UNIVERSITY OF TEXAS AT AUSTIN

1978-79 BUDGET

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
43.	Paul M. Rybski McDonald Observatory Salary Rate Source of Funds: McDonald Observatory Revolving Fund and NSF Grant	Research Scientist Associate V \$ 21,492 (1977-78)	Research Scientist Associate V \$ 23,760	9-1-78
44.	David W. Ross Fusion Research Center Salary Rate Source of Funds: U.S. Department of Energy Contract	Assistant Director - Theoretical Programs \$ 37,454	Assistant Director - Theoretical Programs \$ 40,000	9-1-78
45.	Hagai Netzer (Non-tenure) Astronomy and McDonald Observatory Academic Rate	Assistant Professor and Research Scientist (Faculty) \$ 12,000 (1977-78)	Assistant Professor and Research Scientist (Faculty) \$ 17,000	9-1-78
46.	Clyde D. Zinn Center for Energy Studies Salary Rate Source of Funds: U.S. Department of Energy Contract	Research Engineer \$ 25,000 (1977-78)	Research Engineer \$ 28,000	9-1-78

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THE UNIVERSITY OF TEXAS AT DALLAS

1978-79 BUDGET

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>		<u>Proposed Status</u>		<u>Effective Dates</u>
1.	Kay B. Hutchison (Non-tenure) School of Social Sciences Academic Rate	Visiting Assistant Professor \$ 15,000 (1977-78)		Visiting Assistant Professor \$ 18,000		9-1-78

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THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT DALLAS

1977-78 BUDGET

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>			<u>Proposed Status</u>			<u>Effective Dates</u>
		<u>Salary Rate</u>	<u>Augmentation</u>	<u>Total Compensation</u>	<u>Salary Rate</u>	<u>Augmentation</u>	<u>Total Compensation</u>	
17.	Plant Funds Transfer of Funds	From: Unappropriated Balance- General Funds			To: Unappropriated Plant Funds			
	Amount of Transfer		\$ 2,880,000		\$ 2,880,000		---	

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT DALLAS

1978-79 BUDGET

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Dallas Southwestern Medical School</u>								
18.	Maria E. Ortega (Non-tenure) Anesthesiology Assistant Professor Source of Funds: MSRDP	\$ 34,200	\$ 2,000	\$ 36,200	\$ 34,200	\$ 4,800	\$ 39,000	10-1-78
19.	David K. Lee (Non-tenure) Internal Medicine, Health Care Sciences Assistant Professor Source of Funds: VA Hospital, Unallocated Faculty Salaries & MSRDP	\$ 35,850	---	\$ 35,850	\$ 41,000	\$ 8,251	\$ 49,251	10-1-78

9 - 078

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

1978-79 BUDGET

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Galveston Medical School</u>								
2.	Settimio U. Castellani (Non-tenure) Psychiatry and Behavioral Science Assistant Professor Source of Funds: Unallocated Departmental Salaries & MSRDP	\$ 27,000	\$ 6,000	\$ 33,000	\$ 30,000	\$ 7,500	\$ 37,500	10-1-78

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

1978-79 BUDGET

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>Galveston Medical School</u>								
3.	Arthur M. Brown (Tenure) Physiology and Biophysics Professor and Chairman Source of Funds: HEW Grant	\$ 60,000	---	\$ 60,000	\$ 64,000	---	\$ 64,000	10-1-78
4.	Allan G. Toguri (Non-tenure) Surgery Assistant Professor Source of Funds: Unallocated Departmental Salaries & MSRDP	\$ 24,900	\$ 12,400	\$ 37,300	\$ 29,400	\$ 14,600	\$ 44,000	10-1-78
5.	Alice A. O'Donell (Tenure) Family Medicine and Health Care Sciences Assistant Professor Source of Funds: HEW Grant	\$ 32,400	\$ 6,300	\$ 38,700	\$ 40,500	\$ 2,000	\$ 42,500	10-1-78

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THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

1977-78 BUDGET

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
30.	Plant Funds - Special Projects and Equipment Transfer of Funds Amount of Transfer	From: Unappropriated Balance - General Funds \$ 900,000	To: Special Projects and Equipment - Renovation of Prudential Building \$ 900,000	---

1978-79 BUDGET

SAC - 8

9.	David O. Martinson Purchasing Salary Rate	Assistant Director of Purchasing \$ 19,000	Assistant Director of Purchasing \$ 21,500	11-1-78
10.	Auxiliary Enterprises - Medical School Recreation Center Transfer of Funds Amount of Transfer	From: Medical School Recreation Center Unappropriated Balance via Estimated Income \$ 30,000	To: Medical School Recreation Center 1978-79 Operating Budget: Classified Salaries \$24,000 Maintenance & Operation <u>6,000</u> <u>\$30,000</u>	---

To reestablish for 1978-79 the Medical School Recreation Center and to provide operating funds from the fee income.

Houston Dental Branch

11.	Steven E. Okrei (Non-tenure) General Practice Salary Rate	Assistant Professor \$ 20,000	Assistant Professor \$ 22,000	10-1-78
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THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

1978-79 BUDGET

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>		<u>Proposed Status</u>		<u>Effective Dates</u>
<u>Houston Public Health School</u>						
12.	David T. Courtwright (Non-tenure) Epidemiology Salary Rate	Faculty Associate \$ 12,500		Faculty Associate \$ 16,000		10-1-78
<u>Houston School of Allied Health Sciences and Medical School</u>						
13.	Kathleen E. McBride (Non-tenure) Medical Technology Education and Pathology and Laboratory Medicine Salary Rate	Assistant Professor \$ 18,000		Assistant Professor \$ 21,000		10-1-78

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THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO

1978-79 BUDGET

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>			<u>Proposed Status</u>			<u>Effective Dates</u>
		<u>Salary Rate</u>	<u>Augmentation</u>	<u>Total Compensation</u>	<u>Salary Rate</u>	<u>Augmentation</u>	<u>Total Compensation</u>	
<u>San Antonio Medical School</u>								
12.	Farkhanda J. Husain (Non-tenure) Anesthesiology Assistant Professor Source of Funds: VA Contract and MSRDP	\$ 38,000	\$ 7,200	\$ 45,200	\$ 40,000	\$ 11,000	\$ 51,000	10-1-78

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO

1978-79 BUDGET

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>San Antonio Medical School</u>								
13.	Robert B. Livingston (Tenure) Medicine Associate Professor Source of Funds: MSRDP	\$ 43,627	\$ 900	\$ 44,527	\$ 43,627	\$ 3,300	\$ 46,927	10-1-78
14.	Ernest Urban (Tenure) Medicine Associate Professor Source of Funds: MSRDP	\$ 45,261	\$ 3,300	\$ 48,561	\$ 45,261	\$ 7,300	\$ 52,561	10-1-78
15.	Ricardo H. Asch (Non-tenure) Obstetrics and Gynecology Assistant Professor Source of Funds: MSRDP	\$ 36,000	\$ 2,000	\$ 38,000	\$ 36,000	\$ 6,400	\$ 42,000	10-1-78
16.	John W. Boldt (Non-tenure) Obstetrics and Gynecology Clinical Professor (20%T) Source of Funds: Unallocated Salaries	\$ 46,800	\$ ---	\$ 46,800	\$ 51,500	\$ ---	\$ 51,500	10-1-78
17.	Jesse C. DeLee (Non-tenure) Surgery Assistant Professor Source of Funds: MSRDP	\$ 34,035	\$ 11,000	\$ 45,035	\$ 34,035	\$ 14,600	\$ 48,635	10-1-78
18.	Douglas E. Mattox (Non-tenure) Surgery Assistant Professor Source of Funds: MSRDP	\$ 38,603	\$ 7,500	\$ 46,103	\$ 38,603	\$ 9,500	\$ 48,103	10-1-78

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THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO

1978-79 BUDGET

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>San Antonio Dental School</u>								
19.	William T. Coppola (Non-tenure) Pediatric Dentistry Assistant Professor Source of Funds: Unallocated Salaries	\$ 25,200	---	\$ 25,200	\$ 27,500	---	\$ 27,500	10-1-78

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THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER

1977-78 BUDGET

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
6.	Auxiliary Enterprises - Central Food Service Facility Transfer of Funds	From: Unappropriated Balance - General Funds	To: Central Food Service Facility (Auxiliary Enterprise)	
	Amount of Transfer	\$ 750,000	\$ 750,000	---

THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER

1977-78 BUDGET

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
7.	Plant Funds Projects Transfer of Funds	From: Unappropriated Balance - General Funds	To: Plant Funds Projects: Construction Project Number 703-291 - Remodel Existing Building - Equipment \$ 800,000 Construction Project Number 703-291 - Remodel Existing Building - Allotment Account 3,000,000 Clinic Building Elevator Expansion 300,000 Construction Project Number 703-397 - Cyclotron Addition - Allotment Account 300,000 Auditorium Feasibility Study 25,000 Science Park - Building Expansion 1,300,000 Special Equipment <u>525,000</u>	
	Amount of Transfer	\$ 6,250,000	<u>\$ 6,250,000</u>	---

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THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER

1973-79 BUDGET

SAC - 13

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
3.	<u>M. D. Anderson</u> Thomas P. Haynie, III (Term Appointment) Medicine Internist and Professor of Medicine Source of Funds: Physicians' Referral Service	\$ 39,000	\$ 19,000	\$ 58,000	\$ 39,000	\$ 22,000	\$ 61,000	10-1-78
4.	Benjamin Lichtiger (Non-tenure) Laboratory Medicine Associate Pathologist and Associate Professor of Medicine Source of Funds: Physicians' Referral Service	\$ 37,500	\$ 11,500	\$ 49,000	\$ 37,500	\$ 14,500	\$ 52,000	10-1-78
5.	Jan van Eys (Term Appointment) Pediatrics Pediatrician and Professor of Pediatrics Source of Funds: Physicians' Referral Service	\$ 38,000	\$ 17,000	\$ 55,000	\$ 38,000	\$ 20,000	\$ 58,000	10-1-78

THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER

1978-79 BUDGET

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>M. D. Anderson (Continued)</u>								
6.	Michael E. Bernardino (Non-tenure) Diagnostic Radiology Assistant Radiologist and Assistant Professor of Radiology Source of Funds: Unallocated Salaries and Physicians' Referral Service	\$ 27,000	\$ 13,000	\$ 40,000	\$ 28,500	\$ 16,500	\$ 45,000	10-1-78
7.	Moshe H. Maor (Non-tenure) Radiotherapy Assistant Radiotherapist and Assistant Professor of Radiotherapy Source of Funds: Physicians' Referral Service	\$ 31,000	\$ 12,000	\$ 43,000	\$ 31,000	\$ 16,500	\$ 47,500	10-1-78
8.	Oscar M. Guillaumondegui (Term Appointment) Surgery Associate Surgeon (Head and Neck Surgery) and Associate Professor of Surgery Source of Funds: Physicians' Referral Service	\$ 40,000	\$ 17,000	\$ 57,000	\$ 40,000	\$ 20,000	\$ 60,000	10-1-78

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THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER

1978-79 BUDGET

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary Rate	Augmentation	Total Compensation	Salary Rate	Augmentation	Total Compensation	
<u>M. D. Anderson (Continued)</u>								
9.	Jacques F. Dupuis (Non-tenure) Anesthesiology Associate Anesthesiologist and Assistant Professor of Anesthesiology Source of Funds: Physicians' Referral Service	\$ 37,000	\$ 18,000	\$ 55,000	\$ 37,000	\$ 21,000	\$ 58,000	10-1-78
10.	Jordan U. Gutterman (Term Appointment) Developmental Therapeutics Internist and Professor of Medicine Source of Funds: Physicians' Referral Service	\$ 40,500	\$ 15,000	\$ 55,500	\$ 40,500	\$ 17,500	\$ 58,000	10-1-78

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THE UNIVERSITY OF TEXAS INSTITUTE OF TEXAN CULTURES AT SAN ANTONIO

1978-79 BUDGET

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
1.	Auxiliary Enterprises - Parking Facilities			
	Transfer of Funds	From: Parking Facilities Estimated Income	To: Parking Facilities - 1978-79 Operating Budget: Wages \$ 10,000 Other Operating Expenses 21,000 Unallocated 2,500	
	Amount of Transfer	\$ 23,500	\$ 23,500	---

**Academic & Developmental Affairs
Committee**

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE
Committee Chairman Sterling

Date: December 1, 1978

Time: Following the Meeting of the System Administration Committee

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

	<u>Page A&D</u>
1. U. T. System: Docket of the Chancellor of the System	3
2. U. T. Arlington: Request to Seek Permission from Coordinating Board to Establish a Bachelor of Arts Degree with a Major in Interdisciplinary Studies (Catalog Change)	3
3. U. T. Arlington: Proposed Increase in Rate Schedule for University-Owned Residence Halls (Dormitories) Effective September 1, 1979 (Catalog Change)	4
4. U. T. Arlington: Proposed Increase in Student Services Fee (Optional) for the Purchase of <u>The Reveille</u> , the University Yearbook, Effective September 1, 1979 (Catalog Change)	5
5. U. T. Austin: Proposed Appointment to Lawrence D. Gale Professorship in Small Business Management and Entrepreneurship	5
6. U. T. Austin: Proposed Appointment of Visiting Professor in Latin American Studies to Edward Larocque Tinker Chair for Spring Semester 1979	6
7. U. T. Austin: Recommendation to Accept Pledge and to Establish Price Waterhouse Auditing Professorship in Accounting	6
8. U. T. Austin: Proposed Plaques (Monuments) of Honor for Individuals Who Have Contributed to Longhorn Athletics and Three Proposed Initial Nominations Thereto	8
9. U. T. Dallas: Request for Approval of Bylaws for the Aerospace Heritage Foundation, Inc., and Proposed Appointment of Directors Thereto	11
10. U. T. El Paso: Proposed Increase in Rates for Residence Halls and Married Student Apartments Effective with the Fall Semester, 1979 (Catalog Change)	18
11. U. T. Permian Basin: Proposed Agreement with ERIC, Inc. (Earth Resources Institute Corporation), Odessa, Texas	19

12. U. T. Permian Basin: Request for Authorization to Suspend (a) B.A. Degree in Creative Writing, (b) B.A. Degree in Theatre, (c) B.S. Degree in Physics, (d) the Aviation Management Option Under the B.B.A. Degree Program and (e) the Options in American Literature, British Literature, Comparative Literature and American Studies Under the B.A. Degree in Literature and to Report Same to Coordinating Board (Catalog Change) 23
13. U. T. San Antonio: Proposed Amendments to the Constitution of the Student Representative Assembly 24

✓ 1. U. T. System: Docket No. 1 of the Chancellor of the System (Previously Docket of the President of the System). --

RECOMMENDATION

It is recommended that Docket No. 1 of the Chancellor of the System be approved.

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

2. U. T. Arlington: Request to Seek Permission from Coordinating Board to Establish a Bachelor of Arts Degree with a Major in Interdisciplinary Studies (Catalog Change). --

RECOMMENDATION

President Nedderman

President Nedderman recommends approval to offer a Bachelor of Arts degree with a major in Interdisciplinary Studies at The University of Texas at Arlington.

System Administration

System Administration has reviewed this proposal and recommends approval. If approved by the Board of Regents, the proposal authorizing U. T. Arlington to offer an undergraduate program in Interdisciplinary Studies will be forwarded to the Coordinating Board for appropriate action.

BACKGROUND INFORMATION

Adequate funding is available to offer this program at U. T. Arlington, and existing facilities and resources will be used to implement the program. Since the program will draw upon existing course offerings, no new faculty will be necessary. The program will be administered by a program advisor acting under the supervision of an Interdisciplinary Studies Policy Committee. Current library holdings are adequate to support the program.

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

U. T. Arlington: Proposed Increase in Rate Schedule for University-Owned Residence Halls (Dormitories) Effective September 1, 1979 (Catalog Change).--

PRESIDENT NEDDERMAN

Recommendation

"In planning for the publication of our catalog for the 1979-80 fiscal year, we have reviewed our cost of operation and forecast a need for an adjustment to the Rate Schedule for Dormitories, beginning with the Fall Semester, 1979.

"The Director of Housing has surveyed our anticipated costs, and we are recommending the following charges:

	<u>Current</u>	<u>Effective Sept. 1, 1979</u>
<u>Long Session</u>		
Air Conditioned Halls:		
Lipscomb (North)	\$520	\$620
Trinity	520	620
Non-Air Conditioned Halls:		
Lipscomb (South)	510	610
Pachl	450	550
Brazos	450	550
<u>Summer Session</u>		
Air Conditioned Halls:		
Lipscomb (North)	230	270
Trinity	230	270
Non-Air Conditioned Halls:		
Lipscomb (South)	200	240
Pachl	200	240
Brazos	200	240
Summer Groups	\$3.50/night	\$4.50/night

These recommended changes have been compared with charges at other universities in the North Texas area and will be at or near the lower limit of the rates charged by the other institutions. Our dormitory rates have not been changed since September 1, 1975."

Chancellor Walker

Chancellor Walker concurred in President Nedderman's recommendation.

SECRETARY'S NOTE: The rate schedules have previously provided for conference rates and guest rates. I understand that the conference rates are now referred to as "Summer Groups" and that there are no guest rates.

If this recommendation is approved by the Board of Regents, the minute order will reflect that the next appropriate catalog published will be amended to reflect this action.

4. U. T. Arlington: Proposed Increase in Student Services Fee (Optional) for the Purchase of The Reveille, the University Yearbook, Effective September 1, 1979 (Catalog Change). --

RECOMMENDATION

President Nedderman

President Nedderman recommends that the Student Services Fee (Optional) for The Reveille, the University yearbook, be increased from \$10.00 to \$12.00 for fiscal year 1979-80.

Chancellor Walker

Chancellor Walker concurs with President Nedderman's recommendation.

BACKGROUND INFORMATION

At the January 31, 1975 meeting of the Board of Regents, The University of Texas at Arlington was authorized to establish a Student Services Fee (Optional) of \$10.00 for the purchase of The Reveille, the University yearbook. The State Comptroller's Office has ruled that the sale of the yearbook is subject to State sales tax, and we are requesting that the sales tax be included in the fee. Because of increased costs in production and paper, we are requesting permission to increase the yearbook optional fee to \$12.00, including the sales tax, to be effective September 1, 1979. This would result in a charge of \$11.43 for the yearbook, with the remaining \$.57 attributable to the State sales tax.

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

5. U. T. Austin: Proposed Appointment to Lawrence D. Gale Professorship in Small Business Management and Entrepreneurship. --

RECOMMENDATION

President Rogers

President Rogers recommends the appointment of Dr. Ernest W. Walker to the Lawrence D. Gale Professorship in Small Business Management and Entrepreneurship at The University of Texas at Austin.

System Administration

System Administration recommends approval.

BACKGROUND INFORMATION

This Professorship was established by the Board of Regents on February 10, 1978, and selection of Dr. Walker was in accordance with criteria established by donors of the endowment fund, Mrs. Marie D. Gale and her son, Mr. Edwin M. Gale.

Dr. Walker is a leading scholar in the field of finance and is a widely known authority in small business and entrepreneurship. He is also an outstanding teacher and has pioneered the College of Business Administration's development of courses and programs in the financial management of small business firms. Dr. Walker has received international recognition for contributions to his profession, and is cofounder of the Financial Management Association, a national professional association.

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

RECOMMENDATION

President Rogers

President Rogers recommends the appointment of Dr. Florestan Fernandes to the Edward Larocque Tinker Chair as Visiting Professor in Latin American Studies for the Spring Semester 1979.

System Administration

System Administration has reviewed this request and recommends its approval.

BACKGROUND INFORMATION

Note: On June 9, 1978, the Board of Regents approved the appointment of Dr. Guillermo A. O'Donnell as a Tinker Visiting Professor for the Spring Semester 1979. Consequently, the appointment of Dr. Fernandes during the same semester results in two individuals serving as Tinker Visiting Professors during that semester. The Tinker Foundation has been advised of this and has no objection to the proposed arrangement. Funding for both appointments is available in the endowment income account.

Dr. Fernandes is an internationally known sociologist from the University of San Paulo who has held distinguished visiting appointments at Columbia University, Yale University, and the University of Toronto. He is the author of numerous books and articles in the fields of sociology, economics and political science. Dr. Fernandes will teach in both the Department of Sociology and the Department of Spanish and Portuguese.

7. U. T. Austin: Recommendation to Accept Pledge and to Establish Price Waterhouse Auditing Professorship in Accounting. --

PROPOSAL FROM PRICE WATERHOUSE FOUNDATION

"The Price Waterhouse Foundation ("the Foundation") wishes to support auditing education at The University of Texas at Austin ("the University"). We plan to do this by establishing an annual Price Waterhouse Auditing Professorship ("the Professorship") to be held by a qualified auditing faculty member of professorial rank as nominated by the University. In the event that the person nominated by the University is not of such rank, we agree to provide support for a "Price

Waterhouse Auditing Fellow" who will be in charge of the Price Waterhouse Auditing Program you have proposed. The purpose of this letter is to communicate our understanding to the University.

1. The Foundation will grant \$20,000 per year for a five-year period to the University. It is our understanding that the Budget Council, Department of Accounting, will designate, subject to the Foundation's concurrence, an auditing faculty member, whom we shall refer to as the "Price Waterhouse Auditing Fellow" until the filling of the Professorship. Reference later herein to "The Professorship" includes the Auditing Fellow. He will administer, subject to the Budget Council's approval, the Foundation's support for the advancement of teaching and research in the field of auditing at the University and will direct the program's activities, which may include: support for doctoral students and faculty concerned with auditing study, teaching, and research; travel, secretarial and similar support for auditing faculty; a salary supplement and summer salary for the auditing fellow or professor, to be paid in accordance with the rules of the University; and other reasonable costs of the program.

When the Professorship is filled, the annual support will be allocated as follows:

- (a) \$7,000 is to be paid to the Professor as additional or supplemental compensation. This amount should not in any way substitute for the normal salary the University would pay a person having the credentials expected of an outstanding named Professor.
 - (b) Under the general supervision of the Professor and subject to the Budget Council's approval, the remaining \$13,000 of each year's grant is to be used to provide educational development grants in the amount of \$10,000, and travel expense reimbursement, secretarial or other administrative expenses specifically associated with research or other support functions in the amount of \$3,000.
2. Both the Foundation and the Budget Council shall be consulted as to the appropriateness of potential candidates. The nominee's name shall be forwarded by the Dean of the College of Business Administration for approval to the Board of Regents through the President of the University.
 3. Nothing in this agreement shall preclude the appointment of a present member of the University faculty.
 4. We visualize the Professor to be one whose credentials are nationally recognized in the accounting profession and the academic community, who has an established reputation in teaching and research, and whose professional career should be at a continuing development stage with a significant period of high level contribution remaining.
 5. There will be an annual report provided to the Foundation by the Professor.
 6. The first contribution of \$20,000 will be made to the University immediately. Subsequent payments will be made on September 1 thereafter. If the Professorship becomes vacant the Foundation will then decide the future of the program."

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE

SUPPLEMENTAL MATERIAL

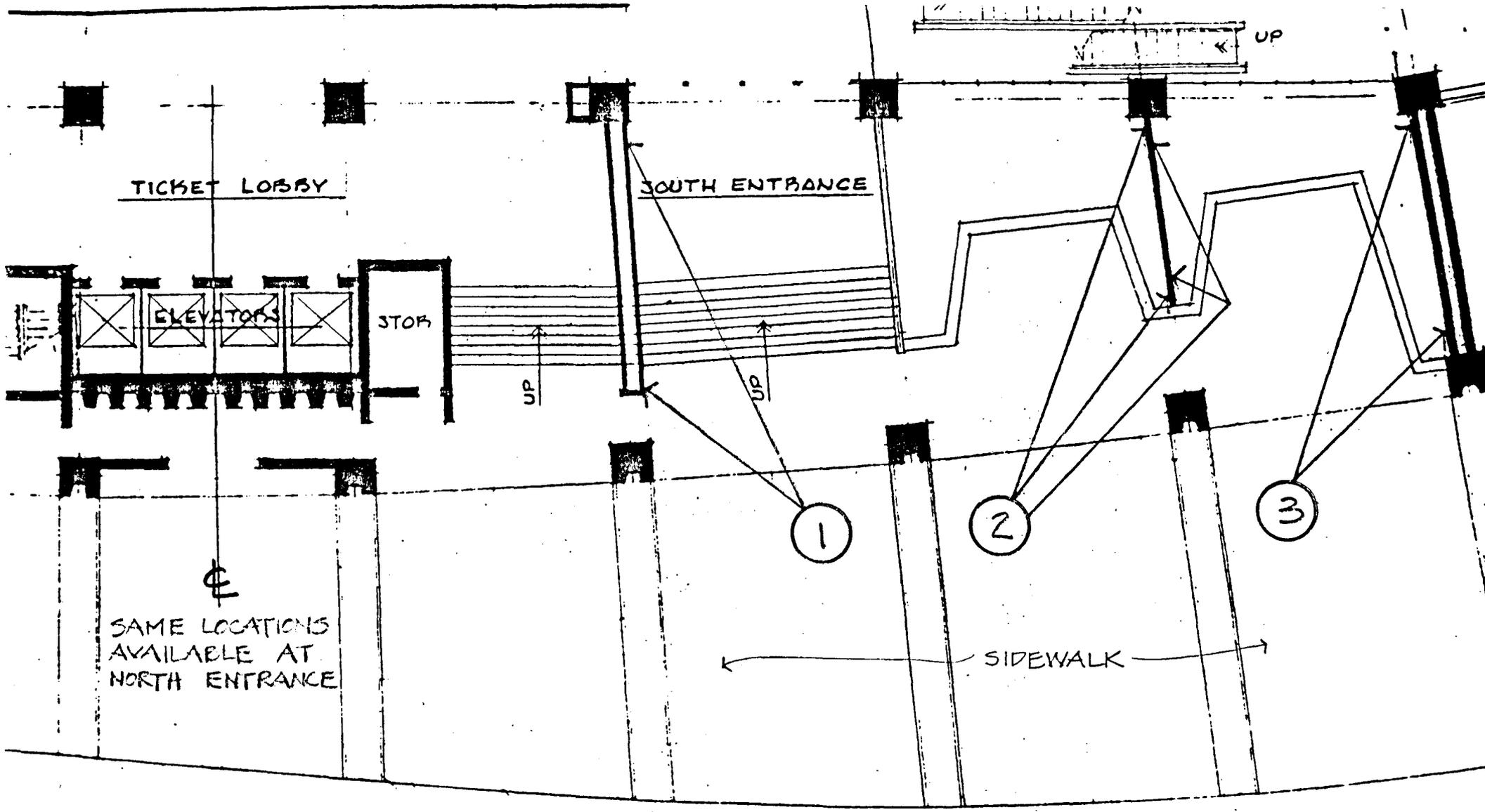
November 30-December 1, 1978

- | | <u>Page</u>
<u>A & D</u> |
|--|---------------------------------|
| 8. U. T. Austin: Proposed Plaques (Monuments) of Honor for Individuals Who Have Contributed to Longhorn Athletics and Three Proposed Initial Nominations Thereto: Sketch Indicating Proposed Location for Plaques (Page <u>A&D - 8</u>) | Below |
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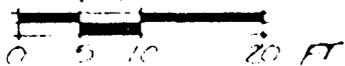
Documentation

8. U. T. Austin: Proposed Plaques (Monuments) of Honor for Individuals Who Have Contributed to Longhorn Athletics and Three Proposed Initial Nominations Thereto: Sketch Indicating Proposed Location for Plaques (See Page A&D - 8). --

Please refer to page A&D-8 of the Agenda Book concerning the item dealing with Monuments of Honor. On the last three lines of page A&D-8 we have indicated that a sketch of how the plaques will look will be prepared by the Office of Facilities Planning and Construction and provided to the Regents for their information. Actually, the Office of Facilities Planning and Construction has provided a sketch of potential locations of the plaques on the side walls in the alcoves on the San Jacinto Street entrance to Belmont Hall. Ten copies of the sketch provided by OFPC are attached. We have indicated that these are potential locations and that the exact location will be determined taking into consideration convenience of viewing, pedestrian traffic patterns, and aesthetic considerations.

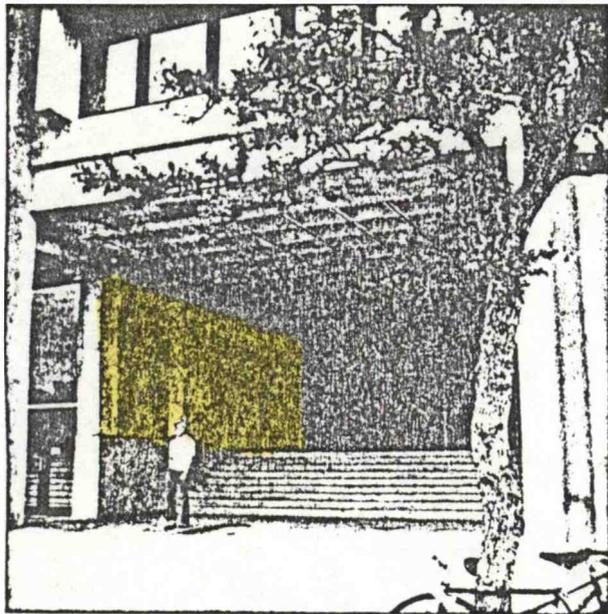


▲ NORTH
 BELLMONT HALL
 LEVEL No. 1

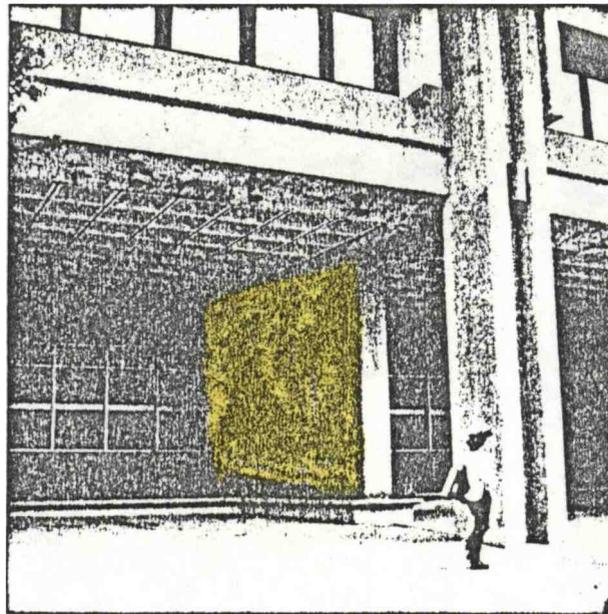


POTENTIAL LOCATIONS
FOR
MONUMENTS OF HONOR

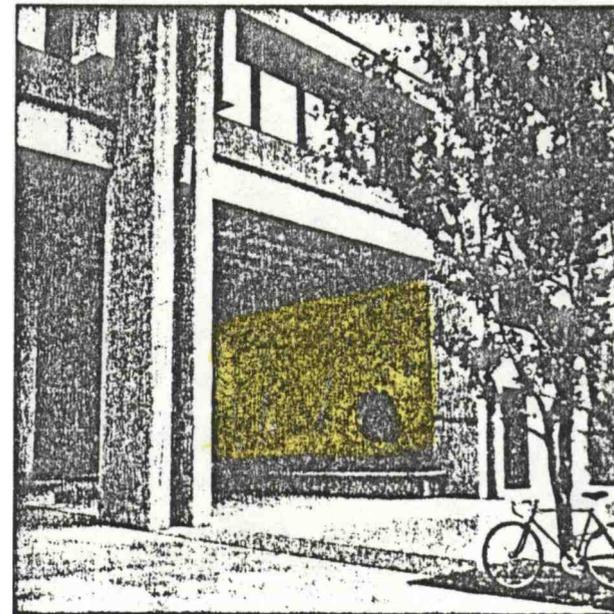
POTENTIAL LOCATION OF THE MONUMENTS OF HONOR PLAQUES



VIEW ①



VIEW ②



VIEW ③

The Monuments of Honor plaques are proposed to be located on the above highlighted side walls in the alcoves and entrance to Belmont Hall. The exact location will be determined taking into consideration convenience of viewing, pedestrian traffic patterns and aesthetic considerations.

RECOMMENDATION

President Rogers

President Rogers recommends the acceptance of an annual pledge of \$20,000 for five years starting September 1, 1978, through 1982, from Price Waterhouse and the establishment of the Price Waterhouse Auditing Professorship in Accounting at The University of Texas at Austin.

System Administration

System Administration concurs with this recommendation.

BACKGROUND INFORMATION

Price Waterhouse conducted an extensive study of ways and means to support auditing education. The study was concluded with U. T. Austin being one of four universities selected nationally for support of a professorship to carry out the functions of teaching and research in the field of auditing. This item was earlier brought to the attention of the Board of Regents in a System Administration Committee letter dated September 29, 1978. (See Page SAC - 1.)

- 8. U. T. Austin: Proposed Plaques (Monuments) of Honor for Individuals Who Have Contributed to Longhorn Athletics and Three Proposed Initial Nominations Thereto.--

Find out if they are to be referred to as Plaques or Monuments.

RECOMMENDATION

President Rogers

President Rogers recommends that Plaques (Monuments) of Honor for individuals who have greatly contributed to Longhorn athletics be established at The University of Texas at Austin and that the initial honorees be Dana X. Bible, Clyde Littlefield, and Edwin Werner Olle.

System Administration

System Administration concurs with President Rogers' recommendation.

BACKGROUND INFORMATION

The Intercollegiate Athletics Council for Men at U. T. Austin has for several years been considering a way of honoring those few individuals that have contributed immeasurably to the Longhorn athletics programs. They propose that those selected be honored by having a bronze bas-relief plaque of the honored individual's bust with a bronze companion plaque with suitable inscription below. The Athletics Council has received advice on the design and sculpturing of the plaque from Professor David Demming of the Art Department who did the bronze bas-relief plaque of Bibb Falk at the baseball field. The plaques are proposed to be located on the side walls in the alcoves on the San Jacinto Street entrances to Belmont Hall. A sketch of how these plaques will look will be prepared by the Office of Facilities Planning and Construction and provided to the Regents for their information.

The Athletics Council unanimously recommends three individuals for the Plaques (Monuments) of Honor to recognize outstanding individuals in athletics. These are Dana X. Bible, Clyde Littlefield, and Edwin Werner Olle. A brief biographical sketch on each of these men is provided herein. Future nominations will be made by the institution only after thorough evaluation by the Athletics Council based on guidelines which will assure that the Plaque (Monument) of Honor is reserved only for those individuals who have given long years of distinguished service to the Longhorn athletic programs.

DANA X. BIBLE

Few honors have escaped Dana X. Bible during more than 50 years of service to athletics at five universities. During his 34 years of coaching he developed 14 conference championship teams and he was near the end of his fourth season as a head coach before he lost his first game. He was hired in 1937 to lead Texas out of the football wilderness and for the next 24 years he served the Longhorns with great success and dignity. Still living in Austin, Bible was 87 years of age on October 8, 1978.

After leading Nebraska to six conference titles in eight years, Bible signed a contract to restore the football fortunes at Texas and to stabilize its athletic program. He achieved his goal within three years through his "Bible Plan" of organizing Texas alumni into a close-knit group. He served 10 years as Longhorn coach and an additional 14 years as director of athletics. During this time his teams won three Southwest Conference titles. The peak of his great career probably was reached in 1941, when he fashioned one of the greatest teams in collegiate history, which were followed by three championships and bowl teams within the next four seasons. After he bowed out as coach at the close of the 1946 season, he continued as athletic director during which time progress in other sports moved at a comparable pace. A graduate of Carson-Newman College in 1912, he coached at Brandon Prep in Shelbyville, Tennessee, Mississippi College, LSU, Texas A&M, Nebraska and Texas. He is a member of all of those colleges' halls of fame. His teams won a total of eight SWC titles in 21 years.

Listed in "Who's Who in America", Bible has achieved virtually every honor available to a man of his field. He was among the first elected to the National Football Hall of Fame, served as a member of the National Football Rules Committee for 27 years, was president of the American Football Coaches Association, was recipient of the Alonzo Stagg award in 1954, was selected as one of the top 25 coaches of a 25-year period by national sports-writers and is a member of both the Texas Sports Hall of Fame and the Longhorn Hall of Honor.

CLYDE LITTLEFIELD

Clyde Littlefield's record as a Longhorn athlete and coach is unexcelled in the annals of sport. He earned 12 letters in three sports at the University -- football, basketball and track -- and if time had permitted he would have been a baseball letterman. As Longhorn track coach for 41 years his teams won 25 Southwest Conference titles. He also coached the Longhorn football team for seven years during which time he won two SWC championships. He co-founded the Texas Relays in 1925 and helped develop it into one of the nation's premier track and field classics.

Littlefield, who still lives in Austin with his wife, Henrietta, was 86 years of age on October 5, 1978. He was all-SWC twice in football and played on the great unbeaten club of 1914. He played on three unbeaten basketball teams and was high point man two of those years while earning all-American honors. He never ran on a losing track team, lost but one hurdles race in his career, equalled the world record in the high hurdles and pitched two wins for the baseball team. But his track duties kept him from lettering in that fourth sport. Following graduation in 1916, he became head coach of three sports at Greenville High School where he met with great success for four years. He returned to UT as head track coach, freshman football coach, freshman basketball coach, and physical education instructor in 1920.

He served as track coach for the next 41 years during which time 12 of his athletes won NCAA championships and another dozen all-American honors. Three of his men were on US Olympic teams and his relay teams set countless records. He was a member of the coaching staff for the US at the 1952 Olympic Games in Helsinki. He is a member of the Helms Foundation Hall of Fame, Texas Sports Hall of Fame, Longhorn Hall of Honor and was named Coach of the Year twice. The record he established as an athlete and coach during almost a half century at UT will remain a distinguished part of the Longhorn's great athletic achievement.

EDWIN WERNER OLLE

Ed Olle served the Longhorn athletic department with distinction for 35 years as business manager and though he's been gone since 1964, his influence is still felt in athletic business offices throughout the United States. Olle, who always demonstrated an enormous capacity for work, was a 24-hour a day man for the Longhorns who still found time to serve in two notable pinch-hit roles while continuing his unbroken string as business manager from 1929 through his death in 1964. He was asked to coach basketball for three years in the 1930's and his 1933 team, led by all-American Jack Gray, won the Southwest Conference championship with a 22-1 record. He also served as athletic director for five years between 1957 and 1962.

A six-letter star in three sports for the Longhorns, Olle received both bachelor and master's degrees in business administration in 1927. He lettered two years each in football, basketball and baseball, earning all-SWC honors in the latter sport. He played professional baseball for two years and coached football and basketball at El Paso High School prior to his returning to the University in the fall of 1929. Even though he had added duties at various times, Olle's chief role for a third of a century was his overseeing of the UT business and ticket offices. He was never far from these offices even while serving as basketball coach, and later as athletic director.

Olle loved the outdoor life and spent what little free time he had fishing in the many rivers and lakes around Austin. In fact, his fatal heart attack occurred during one of these fishing trips, and he died a short time later during the Texas Relays -- April 3, 1964. A native of Flatonia, Texas, Olle graduated from Texas Military College at Terrell prior to enrolling at Texas in the fall of 1924. He lettered in football in 1925 and 1926 and in basketball and baseball each in 1926 and 1927, serving as captain of the baseball team in 1927.

9. U. T. Dallas: Request for Approval of Bylaws for the Aerospace Heritage Foundation, Inc., and Proposed Appointment of Directors Thereeto.--

RECOMMENDATION

President Jordan

President Jordan recommends approval of the Bylaws of the Aerospace Heritage Foundation, Inc., an internal foundation with an approved charter as a Texas nonprofit corporation, and the appointment of the following individuals as Directors of the Foundation to serve initial terms from December 2, 1978 through December 31, 1979:

Mr. George Jalonick III, Dallas
Mr. James E. Lockart, Jr., Dallas
Mr. John J. Hospers, Dallas
Mr. George Haddaway, Richardson
Mr. James L. Crowson, Richardson

These Directors will serve without pay and will replace the initial Board of Directors consisting of Mr. James L. Crowson, Mr. James T. Fitzpatrick, Mr. George Haddaway, Dr. Bryce Jordan, and Mr. E. D. Walker.

Chancellor Walker

Chancellor Walker concurs with this recommendation.

BACKGROUND INFORMATION

On August 4, 1978, the Board of Regents approved the establishment of the Aerospace Heritage Foundation, Inc., an internal foundation at The University of Texas at Dallas, and its Articles of Incorporation. On September 7, 1978, the Secretary of State granted the charter of the Aerospace Heritage Foundation, Inc. The Office of the President at U. T. Dallas and the Office of General Counsel have prepared a proposed set of Bylaws for the Foundation that are herewith presented to the Board of Regents for consideration.* The Foundation will aid U. T. Dallas as it builds one of the major collections in the country on the history of aviation by helping solicit private funds and provide other support for this program.

All documents pertaining to this request have been reviewed and approved by the Office of General Counsel.

*The Bylaws are set out on Pages A&D 12-18.

BY-LAWS OF AEROSPACE HERITAGE FOUNDATION, INC.

A NON-PROFIT CORPORATION

ARTICLE I. OFFICES

Section One. Principal Office. The principal office of the Corporation in the State of Texas shall be located in the City of Richardson, County of Dallas. The street address of the principal office shall be 2201 Waterview Drive, Richardson, Texas 75080; the mailing address shall be P. O. Box 688, Richardson, Texas 75080. The registered agent at such address shall be Mr. Stewart C. Fallis.

Section Two. Other Offices. The Corporation may have such other offices either within or without the State of Texas, as the Board of Directors may determine, or as the affairs of the Corporation may require from time to time.

ARTICLE II. BOARD OF DIRECTORS

Section One. General Powers. The affairs of the Corporation shall be managed by its Board of Directors.

Section Two. Number, Tenure, and Qualification. The Board of Directors shall consist of five persons, with the initial directors being named in the Articles of Incorporation. The initial directors shall serve terms extending through December 1, 1978. Members appointed by the Board of Regents at their meeting of November 30 and December 1, 1978 shall serve through December 31, 1979. Thereafter, directors, on the recommendation of a majority vote of a quorum of the directors in office and with the endorsement of the President of The University of Texas at Dallas and the Chancellor of The University of Texas System, shall be appointed by The Board of Regents of The University of Texas System for terms of one year. The term of each director shall commence on January 1 and shall extend

through the following December 31. Each director shall hold office for the term for which he was appointed and until his successor shall have been appointed and qualified. Any vacancy which occurs on the Board of Directors shall be filled (following the procedure set out for regular term appointments) by appointment of the Board of Regents of The University of Texas System for the unexpired term. Should the number of Directors be reduced below a quorum, the remaining Directors may, by majority vote, recommend persons to fill terms, either regular or unexpired. Directors may succeed themselves without limitation.

Section Three. Regular Meetings. A regular annual meeting of the Board of Directors shall be held without other notice than this By-Law at 10:00 a.m. in the office of its registered agent on the second Tuesday after the first Monday in January of each year. However, the Board of Directors may provide, by resolution, another time, date, and place of such meeting, either within or without the State of Texas, and for the holding of additional regular meetings of the Board without other notice than such resolution. The time, date, and place for the regular annual meeting may be changed by resolution of the Board from time to time.

Section Four. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President or any two directors. The person or persons authorized to call special meetings of the Board may fix any place, either within or without the State of Texas as the place for holding any special meeting of the Board called by them.

Section Five. Notice. Notice of any special meeting of the Board of Directors shall be given at least 7 days previously thereto by written notice delivered personally or sent by mail or telegram to each director at his address as shown by the records of the Corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed with postage thereon pre-paid. If notice be given by telegram, such notice shall be deemed to be

delivered when the telegram is delivered by the telegraph company. Any director may waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at the meeting need not be specified in the notice or waiver of notice of such meeting unless specifically required by law or by these By-Laws.

Section Six. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the directors are present at said meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

Section Seven. Manner of Acting. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these By-Laws.

Section Eight. Compensation. Directors, as such, shall not receive any stated salaries for their services, but, by resolution of the Board of Directors, any director may be indemnified for expenses and costs, including attorney's fees, actually and necessarily incurred by him in connection with a claim asserted against him by action in court or otherwise by reason of his being or having been such director, except in relation to matters as to which he shall have been guilty of negligence or misconduct in respect of the matter in which indemnity is sought.

ARTICLE III. OFFICERS

Section One. Officers. The officers of the Corporation shall be a President, one or more Vice-Presidents (the number thereof to be determined by the Board of Directors), a Secretary, a Treasurer, and such other officers as may be elected in accordance with the provisions of this Article. The

Board of Directors may elect or appoint such other officers, including one or more Assistant Secretaries (which officers need not be members of the Board of Directors) and one or more Assistant Treasurers (which officers need not be members of the Board of Directors), as it shall deem desirable, such officers to have the authority and perform the duties prescribed from time to time by the Board of Directors. Any two or more offices may be held by the same person, except the offices of President and Secretary.

Section Two. Election and Term of Office. The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his successor shall have been duly elected and shall have been qualified.

Section Three. Removal. Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever, in its judgment, the best interests of the Corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section Four. Vacancies. A vacancy in any office, because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

Section Five. President. The President shall be the principal executive officer of the Corporation and shall, in general, supervise and control all of the business and affairs of the Corporation. He shall preside at all meetings of the members and of the Board of Directors. He may sign, with the Secretary or any other proper officer of the Corporation authorized

by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments that the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these By-Laws, or by statute to some other officer or agent of the Corporation; and, in general, he shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

Section Six. Vice-President. In the absence of the President, or in the event of his inability or refusal to act, the Vice-President or, in the event there be more than one Vice-President, the Vice-Presidents in the order of their election shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions on the President. Any Vice-President shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

Section Seven. Treasurer. If required by the Board of Directors, the Treasurer shall give bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine. He shall have charge and custody of and be responsible for all funds and securities of the Corporation; receive and give receipts for monies due and payable to the Corporation from any source whatsoever and deposit all such monies in the name of the Corporation in such banks, trust companies, or other depositories as shall be selected by the Board of Directors; and, in general, perform all the duties incident to the Office of Treasurer and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

Section Eight. Secretary. The Secretary shall keep a record of the meetings of the Board of Directors in one or more books provided for that purpose; see that all notices are duly given in accordance with the

provisions of these By-Laws, or as required by law; be custodian of the Corporate records and of the Seal of the Corporation and see that the Seal of the Corporation is affixed to all documents, the execution of which on behalf of the Corporation under its Seal is duly authorized in accordance with the provisions of these By-Laws; and, in general, perform all duties incident to the Office of Secretary and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

Section Nine. Assistant Treasurers and Assistant Secretaries. If required by the Board of Directors, the Assistant Treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the Board of Directors shall determine. The Assistant Treasurers and Assistant Secretaries, in general, shall perform such duties as shall be assigned to them by the Treasurer or the Secretary, or by the President or by the Board of Directors.

ARTICLE IV. MISCELLANEOUS

Section One. Books and Records. The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors.

Section Two. Fiscal Year. The fiscal year of the Corporation shall be the calendar year.

Section Three. Corporate Seal. The Board of Directors shall provide a Corporate Seal with the name of the Corporation thereon.

Section Four. Waiver of Notice. Whenever any notice is required to be given under the provisions of the Texas Non-Profit Corporation Act, or under the provisions of the Articles of Incorporation or the By-Laws of the Corporation, a waiver thereof, in writing, signed by the person or

persons entitled to such notice whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE V. AMENDMENTS

Section One. Power of Directors to Amend By-Laws. These By-laws may be altered, amended or repealed by majority vote at any meeting of the Board of Directors, at which a quorum is present, provided that no alteration, amendment, or repeal of the By-laws shall be effective unless and until approved by the Board of Regents of The University of Texas System.

10. U. T. El Paso: Proposed Increase in Rates for Residence Halls and Married Student Apartments Effective with the Fall Semester, 1979 (Catalog Change). --

PRESIDENT TEMPLETON

Recommendation

"I am recommending that the rates for our residence halls and married student apartments be increased effective with the fall semester of 1979 and request appropriate consideration at the November 30 - December 1 Board of Regents meeting.

"Residence hall rates were previously increased for the fall semester of 1977, when a small increase was approved to compensate for additional days added to the long session and the summer session. The last general rate increase, including student apartments, was effective September, 1975.

"The Housing Committee has proposed these increases for the residence halls and student apartments due to increased costs for food service, as well as rapidly rising costs for salaries, utilities, and maintenance materials."

THE UNIVERSITY OF TEXAS AT EL PASO
Residence Halls and Student Apartments Rates

COMPARISON

<u>Kelly and Barry Halls - Room and Board</u>	<u>Present</u>	<u>Proposed</u>
Semester Contract - 4½ months		
Double Room	\$ 600	\$ 685
Single Occupancy	725	970
Suite (Kelly only)	635	720
Long Session Contract - 9 months		
Double Room	1,150	1,370
Single Occupancy	1,400	1,940
Suite (Kelly only)	1,220	1,440
Summer Session - Each Term		
Double Room	215	265
Single Occupancy	265	370
Suite (Kelly only)	228	280
 <u>Married</u>		
<u>Student Apartments</u>		
Monthly	125	145

CHANCELLOR WALKER

Recommendation

Chancellor Walker concurs with this recommendation. Each room and suite in the residence halls is provided with a telephone. Twenty meals per week are provided for board. The rate for the student apartments includes utilities.

11. U. T. Permian Basin: Proposed Agreement with ERIC, Inc. (Earth Resources Institute Corporation), Odessa, Texas.--

RECOMMENDATION

President Cardozier

President Cardozier recommends that approval be given to the following agreement (Pages A&D 20 - 22) by and between The University of Texas of the Permian Basin and ERIC, Inc. (Earth Resources Institute Corporation), Odessa, Texas, to be effective on the date approved by the Board of Regents.

Chancellor Walker

Chancellor Walker concurs with President Cardozier's recommendation.

BACKGROUND INFORMATION

ERIC, Inc. is a nonprofit corporation chartered in the State of Texas for the purpose of conducting research, development, education and service for public and private organizations and persons, through remote sensing technology. ERIC will occupy space at U. T. Permian Basin under the agreement with rental charges negotiated to cover the full cost of providing the space.

President Cardozier states that ERIC provides an opportunity for U. T. Permian Basin to be of service to the petroleum and certain other industries in West Texas. The agreement is to complement the educational programs.

AGREEMENT

THE STATE OF TEXAS)
)
THE COUNTY OF ECTOR)

This AGREEMENT IS executed on _____, 19__,
by and between THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN,
hereinafter referred to as UTPB, and ERIC, Inc., in Odessa,
Texas, also referred as The Earth Resources Institute Cor-
poration.

WITNESSETH:

WHEREAS, ERIC is a non-profit corporation chartered
in the State of Texas for the purpose of conducting research,
development, education and service for public and private
organizations and persons, principally through the use of
remote sensing technology;

WHEREAS, it is agreed by the parties to be of mutual
interest and advantage that the students and staff of UTPB be
given the opportunity of utilizing both the equipment and the
staff of ERIC for educational purposes;

WHEREAS, it is also agreed by the parties that the presence of ERIC in the Permian Basin area would greatly benefit industry in the area:

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

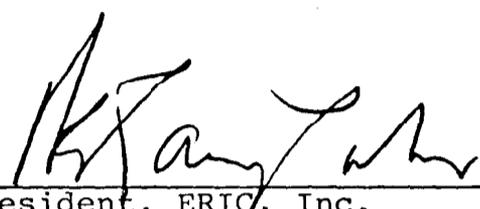
- (1) Space for ERIC will be provided in buildings on the UTPB campus subject to availability of space and conditions of occupancy mutually agreeable to ERIC and UTPB. The rental rate will cover normal maintenance, utilities, security, custodial services and other direct expenses. This rate will be negotiated prior to occupancy and will be renegotiated annually. Telephone, postage, installations, and other special services will be at the expense of ERIC.
 - (A) All installations of signs, advertising, and equipment or modifications of space will be at the expense of ERIC and with the approval of UTPB.
 - (B) UTPB may have access to space occupied by ERIC for inspection, maintenance and for the performance of services.
 - (C) Space provided by UTPB will be returned to its original condition by ERIC in the event of the moving of ERIC to another location.
- (2) Insurance coverage for equipment and ERIC personnel will be provided by ERIC and approved by UTPB. Such insurance shall provide a hold-harmless and indemnification endorsement in favor of UTPB in such an amount and with such terms as are acceptable to UTPB.

- (3) Upkeep and maintenance of equipment used by ERIC will be the responsibility of ERIC.
- (4) This agreement is for a term of one year, and thereafter from year to year unless terminated by either party upon giving six months' advance written notice to the other party by certified mail.

EXECUTED by the parties on the day and year first above written.

ATTEST:

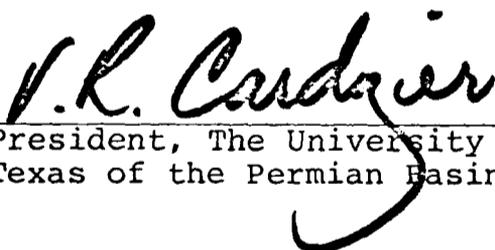

Secretary, ERIC, Inc.

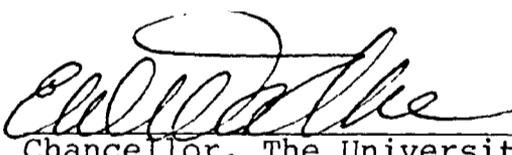

President, ERIC, Inc.

Secretary, Board of Regents
University of Texas System

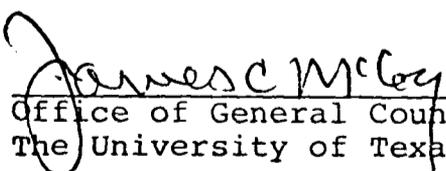
Chairman, Board of Regents
University of Texas System

APPROVED FOR CONTENT:


President, The University of
Texas of the Permian Basin


Chancellor, The University of
Texas System

APPROVED FOR FORM:


Office of General Counsel
The University of Texas System

12. U. T. Permian Basin: Request for Authorization to Suspend (a) B.A. Degree in Creative Writing, (b) B.A. Degree in Theatre, (c) B.S. Degree in Physics, (d) the Aviation Management Option Under the B.B.A. Degree Program, and (e) the Options in American Literature, British Literature, Comparative Literature and American Studies under the B.A. Degree in Literature and to Report Same to Coordinating Board (Catalog Change). --

RECOMMENDATION

President Cardozier

President Cardozier recommends that the following degree programs at The University of Texas of the Permian Basin be suspended effective August 31, 1980: B.A. degree in creative writing; B.A. degree in theatre; B.S. degree in physics; the aviation management option under the B.B.A. degree program; and the options in American literature, British literature, comparative literature and American studies under the B.A. degree in literature. If approved by the Board of Regents, the Coordinating Board will be so advised.

System Administration

System Administration concurs with this recommendation.

BACKGROUND INFORMATION

The University of Texas of the Permian Basin has undertaken a careful review of all the academic programs at the institution with a view toward the most efficient operation commensurate with meeting student demand at the institution. A faculty committee has studied the matter since last January and held hearings at Midland College, Odessa College and Howard College involving students, faculty, administrators and representatives from those towns. Based on enrollment and demand and considering funds generated by the program compared to costs, several programs at the institution should be suspended until the enrollment reaches a level which would economically justify the program and permit the program to be of high quality.

The suspended programs will not be reinstated without approval of the Board of Regents. The August 31, 1980, effective date of suspension of the programs will permit all students now in the programs to complete their degrees. If approved by the Regents, no new students will be permitted to enter the program and the 1979-80 catalog will reflect this change.

SECRETARY'S NOTE: If this recommendation is approved by the Board of Regents, the minute order will indicate that if approved by the Coordinating Board the next appropriate catalog published at U. T. Permian Basin will be amended to reflect this action.

U.T. S.A. Students to appear in Dr. W's
recommendation: Miss Veronica Hernandez,
VP of Student Rep. Assembly.

13. U. T. San Antonio: Proposed Amendments to the Constitution of the Student Representative Assembly. --

ACTING PRESIDENT WAGENER

Against Dr. W's:
Martin Hernandez

Recommendation

Acting President Wagener has submitted to the Administration amendments to the Constitution of the Student Representative Assembly at The University of Texas at San Antonio that have been adopted by the Student Representative Assembly. These amendments provide the following:

1. A historian would be added to the group of Executive Officers.
2. The definitions of the number of semester credit hours required to be classified as a freshman, sophomore, junior, senior, and graduate student would be altered to conform to the definitions used by the Registrar.
3. The regular elections would be held two weeks before the Spring Semester break rather than the week after the Spring Semester break. The freshman class representatives would be elected no later than the first full month of the Fall Semester rather than at the earliest possible date during the Fall Semester as is currently specified.
4. The minimum grade point average required of candidates for the following officers would be lowered from 2.50 to 2.0: President, Vice President, Parliamentarian, Treasurer, Recording Secretary, Corresponding Secretary, and, if authorized, Historian. NOTE: A similar proposal was rejected by the Regents on September 16, 1977, on the recommendation of President Flawn.
5. The General Provisions section of the Constitution would be deleted and a Bylaws section would be added instead. These Bylaws could be amended by a two-thirds vote of the Student Representative Assembly without the approval of the President of the University, the Chancellor, or the Board of Regents.

Acting President Wagener recommends approval of amendments one, two and three. He recommends against approval of amendment four to lower the grade point average required of candidates for student office.

"I recommend against approval of the qualifications amendments for the following reasons. Reducing the eligibility requirements for candidates for student executive office would, in my judgment, be inconsistent with The University's purpose. The business of The University is education and I believe it right and proper for officers of the student body to have demonstrated some competence in academic endeavors. The present 2.50 (or C+) requirement does not seem unduly restrictive nor is it discriminatory to seek better than average students for such high offices in student government. Neither I nor the Dean of Students is persuaded that the lowering of these requirements would automatically result in more candidates seeking executive office in the Student Representative Assembly."

Acting President Wagener recommends that proposed amendment five be modified so that substantive matters are retained in the Constitution and other matters be placed in a set of Bylaws.

SYSTEM ADMINISTRATION

Recommendation

System Administration recommends that the amendments as modified by Acting President Wagener be approved. The Office of General Counsel finds no objection to the proposed amendments.

The revised amendments as recommended by Acting President Wagener are set out on Pages A&D 26-33 in congressional style in the Constitution of the Student Representative Assembly.

BACKGROUND INFORMATION

The present Constitution of the Student Representative Assembly, originally approved by the Board of Regents on October 1, 1976, was amended to allow designated meeting times to be set by the Assembly in Board action of September 16, 1977.

Proposed changes within the General Provisions section include specification of times for elections to fill vacancies in office, deletion of the stipulation that during the summer elected officers and members not attending summer school shall serve as ex officio members without vote, administration of the oath of office by the outgoing Student President rather than the Dean of Students, deletion of the present provision on the co-signing of checks since all Student Representative Assembly disbursements are made through the Dean of Students' office of the University, and an increase from fifty to one-hundred dollars in the annual emergency fund which can be disbursed on majority approval of the Executive Committee for unforeseen needs. There are also some changes in style, wording, and numbering of paragraphs which do not affect the content of existing provisions.

All the amendments are acceptable to the administration of The University of Texas at San Antonio except items four and five in its proposed form. Proposed amendment five is acceptable if modified to retain as General Provisions the substantive matters now contained in the General Provisions and add the remaining procedural items as Bylaws. The latter recommendation has the concurrence of the President of the Student Representative Assembly, the Dean of Students and the Faculty Advisor of the Student Representative Assembly.

CONSTITUTION
and
GENERAL PROVISIONS
for
THE STUDENT REPRESENTATIVE ASSEMBLY
of
THE UNIVERSITY OF TEXAS AT SAN ANTONIO

Preamble

We, the students of The University of Texas at San Antonio, in order to develop and maintain an understanding of democratic processes; to explore student concerns and provide an official student body voice through which student opinion may be expressed; to foster an awareness of the student's role in the academic community; to enhance the quality and encourage the development of our participation in the policy and decision-making processes of the University, do hereby establish this Constitution and Laws for the establishment of the Student Representative Assembly of The University of Texas at San Antonio.

Membership

1. The Student Community shall consist of all persons registered as students of The University of Texas at San Antonio. All members of the Student Community are eligible to vote and are subject to the Constitution and Bylaws of the Student Representative Assembly.
2. The governing body of the Student Community shall be known as the Student Representative Assembly and shall initiate all legislation on behalf of the Student Community and shall have the power to act in all areas of student concern subject to the Rules and Regulations of the Board of Regents of The University of Texas System.

Organization

1. The Student Representative Assembly shall include a President, a Vice President, a Parliamentarian, a Treasurer, a Recording Secretary, ~~[and]~~ a Corresponding Secretary, and a Historian. These officers shall constitute the Executive Committee.
2. The Student Representative Assembly shall also include three delegates elected from each class, defined as follows:

the Graduate Class, those students officially recognized as graduate students;

the Senior Class, those undergraduate students having completed ~~[more-than]~~ ninety (90) or more semester hours;

the Junior Class, those undergraduate students having completed at least ~~[sixty-one-(61)]~~ sixty (60) but no more than ~~[ninety-(90)]~~ eight-nine (89) semester hours;

the Sophomore Class, those undergraduate students having completed at least ~~[thirty-one-(31)]~~ thirty (30) but no more than ~~[sixty-(60)]~~ fifty-nine (59) semester hours;

the Freshman Class, those undergraduate students having completed no more than ~~[thirty-(30)]~~ twenty-nine (29) semester hours.

Executive Officers

1. The executive officers of the Student Representative Assembly shall be the President, the Vice President, the Parliamentarian, the Treasurer, the Recording Secretary, [and] the Corresponding Secretary, and the Historian.
2. The President shall preside over all meetings of the Student Representative Assembly. The President shall be responsible for executing the decisions of the Student Representative Assembly. The President shall act as the official representative and spokesman of the Student Representative Assembly on all formal occasions. The President shall serve as Chairman of the Executive Committee. The President shall serve on the University Assembly. The President shall be charged with jury selection for Impeachment Procedures when the Parliamentarian is being impeached.
3. The Vice President shall preside over meetings when the President is absent or when the President relinquishes the chair. Should the office of the President become vacant, the Vice President shall automatically assume the office of the President. The Vice President shall serve on the Executive Committee. The Vice President shall be Chairman of the External Affairs Committee. The Vice President shall also be an ex officio, non-voting member of all other standing committees. Otherwise, the Vice President shall be of general assistance to the President.
4. The Parliamentarian shall be responsible for advising the President on matters concerning parliamentary procedure. The Parliamentarian shall be familiar with the most current revised edition of Robert's Rules of Order and shall insure that all meetings and activities of the Student Representative Assembly proceed in accordance with the aforementioned text and this Constitution. The Parliamentarian shall be charged with jury selection for Impeachment Proceedings. The Parliamentarian shall be Chairman of the Parliamentary Committee. The Parliamentarian shall also serve on the Executive Committee.
5. The Treasurer shall be responsible for maintaining detailed and accurate records of the financial status of the Student Representative Assembly and shall comply with all University and legal requirements. The Treasurer shall make financial status reports upon request of the Student Representative Assembly, the University, or any legal authorities. The Treasurer shall be responsible for the collection and deposit of all funds of the Student Representative Assembly. The Treasurer shall disburse funds only in accordance with fiscal procedures approved by a majority of the Student Representative Assembly. The Treasurer shall also serve on the Executive Committee.
6. The Recording Secretary shall be responsible for the maintenance and publication of accurate and detailed records of all meetings and proceedings of the Student Representative Assembly. The Recording Secretary shall also serve on the Executive Committee.
7. The Corresponding Secretary shall be responsible for all correspondence directed to and from the Student Representative Assembly. The Corresponding Secretary shall keep accurate records of all such correspondence and shall report on all such correspondence at each meeting of the Student Representative Assembly. The Corresponding Secretary shall be responsible for the publication of the Student Representative Assembly newsletter.
8. The Historian shall be responsible for maintaining a record of all Student Representative Assembly activities, proceedings and transactions. A scrapbook of all S.R.A. activities shall also be maintained.

Standing and Ad Hoc Committees

1. All standing and ad hoc committees of the Student Representative Assembly shall consist of five (5) Student Representative Assembly members unless otherwise constituted. The Student Representative Assembly shall elect all committee chairmen except for those committees otherwise constituted. Committee chairmen shall vote only in case of a tie.
2. The Executive Committee shall be composed of all executive officers of the Student Representative Assembly. These include the President, the Vice President, the Parliamentarian, the Treasurer, the Recording Secretary, [~~and~~] the Corresponding Secretary, and the Historian. The Committee shall be responsible for executing all decisions of the Student Representative Assembly. The Committee shall meet to formulate an agenda for all Student Representative Assembly meetings. The Committee shall be responsible for preparation of the annual operating budget for the Student Representative Assembly. The Committee shall also have other such duties and powers as designated in the General Provisions of this Constitution.
3. The External Affairs Committee shall be responsible for maintaining a liaison relationship with other organizations as determined by the Student Representative Assembly. The Vice President shall be Chairman of the External Affairs Committee. The Committee shall be responsible for the nomination of prospective student candidates to the Dean of Students for positions on the various committees, boards, and panels established by the University in which student participation is deemed most necessary by the Student Representative Assembly. The Committee shall also have other such duties and powers as designated by the General Provisions of this Constitution.
4. The Internal Affairs Committee shall be responsible for coordinating and conducting activities sponsored by the Student Representative Assembly. The Committee shall also have other such duties and powers as designated by the General Provisions of this Constitution.
5. The Elections Committee shall be responsible for conducting fair and impartial elections in accordance with the rules of electoral procedure established in this Constitution.
6. The Parliamentary Committee shall be responsible for the review of the provisions of this Constitution and for the review of proposed amendments thereto. The Committee shall report on all such matters no later than two (2) weeks after the formal introduction of a proposed amendment. The Parliamentarian shall serve as Chairman of the Committee.

Quorum

1. A quorum for all regular and special called meetings of the Student Representative Assembly shall be a majority of the total membership of the Assembly.
2. A quorum for all committee meetings of the Student Representative Assembly shall be a majority of the total membership of the respective committees.

Elections

1. All regular elections for officers and [~~;~~] class representatives [~~;-and other-representatives~~] shall be conducted by the Elections Committee two weeks before [the-week-after] the spring semester break. The regular election of freshman class representatives [~~delegates~~] shall be conducted by the elections committee no later than the first full month of [at-the earliest-possible-date-during] the fall semester.

2. Prospective candidates and office holders shall not be on University scholastic or disciplinary probation. Office holders who are placed on scholastic or disciplinary probation shall automatically relinquish their offices.
3. All prospective candidates for the office of President or Vice President of the Student Representative Assembly shall maintain a grade point average of 2.50 or above, and shall have completed sixty (60) semester hours of college level credit, thirty (30) hours of which must have been completed as a student of The University of Texas at San Antonio.
4. All prospective candidates for executive office shall maintain a grade point average of 2.50 or above. All prospective candidates for other offices shall maintain a grade point average of 2.00 or above.
5. All prospective candidates recognized as Graduate Students by the University must maintain a minimum course load of six (6) hours to hold office. All prospective candidates recognized as Undergraduate Students must maintain a minimum course load of nine (9) hours to hold office.
6. All prospective candidates for any office shall file a completed application with the Chairman of the Elections Committee no earlier than twenty-five (25), and no later than ten (10) days before the first scheduled day of regular balloting. Only those candidates who have filed an application with the Elections Committee shall be on the ballot.
7. On the seventh day prior to the first day of balloting, there shall be a drawing conducted by the Chairman of the Elections Committee, to determine places on the ballot. Names of absent candidates will be drawn by the Chairman of the Committee.
8. By thirty (30) days prior to the first day of balloting, the Elections Committee shall have drawn up election rules and procedures to govern all campaigning and electoral proceedings. The Elections Committee shall also establish guidelines for, and approve of, the number, size and placement of all campaign literature, posters, and banners. Campaign materials shall not be approved until twenty-five (25) days before the first scheduled day of balloting.
9. The Elections Committee shall hold a candidates meeting prior to each election to distribute and explain all election rules to all candidates. All candidates are subject to the rules established by the Elections Committee and approved by the Student Representative Assembly. Violations of said rules may result in disqualification from candidacy by the Elections Committee and/or a recommendation for disciplinary action to be forwarded to the Office of the Dean of Students.
10. Executive officers will be elected by a majority of ballots cast. Officers shall be elected at large by the Student Community. Class representatives shall be elected by a plurality of ballots cast in their respective classes. The three candidates receiving the largest pluralities in their respective classes shall be elected.
11. If at any time during the year a position in the Student Representative Assembly becomes vacant, candidates for the position shall file within two (2) weeks of said vacancy. Candidates shall be elected to fill such vacancies by a majority vote of the Student Representative Assembly.
12. If the position of Vice President becomes vacant, the Student Representative Assembly shall elect a new Vice President from among its membership.

13. All duly elected Student Representative Assembly officers shall be in compliance with their respective candidacy requirements throughout their terms in office, or face immediate and automatic dismissal from office.

Amendments

1. All provisions of this Constitution are subject to amendment. Proposed amendments to this Constitution shall be introduced in writing to the Student Representative Assembly not less than one (1) regular meeting prior to voting, and shall require a two-thirds (2/3) vote of the voting members present at the meeting for approval.
2. Proposed amendments shall become effective upon approval of the Student Representative Assembly, the President of the University, and the Board of Regents of The University of Texas System.
3. Any proposed amendment, together with the parts of the Constitution affected, shall be publicized through all available media to the Student Community.
4. To change the Bylaws of the Student Representative Assembly, a two-thirds (2/3) vote of the voting members present shall be required.

Referendum

1. A proposition shall be defined as any legislative action voted upon by the Student Representative Assembly.
2. Should a member or members of the Student Community wish to subject a proposition to a vote of approval by the entire Student Community, they shall
 - a) notify the Chairman of the Elections Committee within one week of a Student Representative Assembly vote on said proposition, and
 - b) thereafter be given thirty (30) days, in the case of an affirmative vote of the Student Representative Assembly, to petition the Student Community to bring said proposition to a referendum.
3. A referendum shall be defined as a vote by the Student Community requested by a petition upon any proposition previously voted upon by the Student Representative Assembly.
4. Should the number of signatures collected from among the Student Community by the petitioner within the prescribed time limit be equal to at least twenty percent (20%) of the total ballots cast in the last general election of the Student Representative Assembly, said proposition shall then be brought to a referendum by the Elections Committee of the Student Representative Assembly to be held within thirty (30) days after certification by the Elections Committee of fulfillment of the prescribed requirements by the petitioner.
5. Should the petitioner fail to meet the requirements necessary to enact a referendum, the original decision of the Student Representative Assembly on the original proposition shall stand as binding.
6. A majority of the total ballots cast by the Student Community in the referendum election shall be necessary for the approval of the proposition being voted on.

7. Should the referendum fail to receive majority approval by the Student Community, the original decision upon the proposition, as voted upon by the Student Representative Assembly, shall be binding.

Faculty Advisor

1. The Student Representative Assembly shall have two (2) faculty advisors.
2. The duties of the faculty advisors shall be to offer guidance, encouragement, and support to the organization.
3. The faculty advisors shall serve as ex officio, non-voting members of the Student Representative Assembly.
4. The Student Representative Assembly shall elect these two faculty advisors by a majority vote in the Fall Semester for renewable two-year terms.
5. One of these faculty advisors shall be responsible for co-signing all disbursement checks of the Student Representative Assembly.

Impeachment

1. Failure to execute one's constituted duties shall be sufficient grounds for impeachment. Three (3) consecutive unexcused absences from regularly scheduled meetings of the Student Representative Assembly shall also be sufficient grounds for impeachment.
2. A vote of two-thirds (2/3) of the total membership of the Student Representative Assembly shall be necessary to impeach any member of the Student Representative Assembly.
3. Upon a vote of impeachment, the Parliamentarian shall be charged with the responsibility of securing the names of two hundred (200) members of the Student Representative Community randomly selected by the Office of the Registrar, from which the Parliamentarian shall impartially select sixteen (16) students to comprise a tribunal.
4. An attendance of three-fourths (3/4) of the entire tribunal shall constitute a quorum.
5. A vote of three-fourths (3/4) of the entire tribunal shall be necessary for conviction.
6. The impeached Student Representative Assembly member shall act in his or her own defense.
7. The Student Representative Assembly shall act as a prosecuting body with the option to elect a spokesman on its behalf.
8. The Dean of Students shall act as mediator.
9. The entire impeachment proceedings shall be closed to the public. The proceedings shall be accurately transcribed and recorded; the Dean of Students shall be responsible for the release of relevant information and for the safekeeping of records and transcripts during the proceedings.
10. The hearings shall start within thirty (30) days after a vote of impeachment.

11. Should no verdict be reached within sixty (60) days after the beginning of a hearing, all charges against the accused shall be dismissed.

General Provisions

1. Parliamentary procedure shall be governed by the latest revised edition of Robert's Rules of Order.
- ~~[2: Each member of the Student Representative Assembly shall be responsible for familiarization with Roberts' Rules of Order.]~~
- ~~[3:]~~ 2. This Constitution and Laws of the Student Representative Assembly, and amendments thereto, shall be subject to provisions of the Rules and Regulations of the Board of Regents of The University of Texas System.
- ~~[4:]~~ 3. The powers, rights and privileges granted the Student Representative Assembly by its Constitution shall not be abrogated or usurped by other student organizations at The University of Texas at San Antonio. [This Constitution and Laws shall supercede all previous constitutions and laws.] All laws therefore [theretofore] now in effect and not in conflict with any provisions of the [this] Constitution and laws shall hereby be declared to be binding and valid as statutory enactments.
- ~~[5:]~~ 4. Two elective offices shall not be held simultaneously by the same person, nor shall two persons simultaneously hold the same elective office.
- ~~[6: Every elected official of the Student Representative Assembly of the regular elections; before entering upon the execution of his duties of office shall take the following oath or affirmation:--"I do solemnly swear (or affirm) that I will faithfully execute the duties of my office; and will to the best of my ability uphold the Constitution and Laws of the Student Representative Assembly."--All elected officials shall be sworn in within one week after election to office.--The oath of office shall be administered by the Dean of Students.]~~
- ~~[7:]~~ 5. The Summer Session of The University of Texas at San Antonio shall be considered a regular session for officers[;] and representatives [~~and members of the Student Representative Assembly~~] elected in the Spring. All action taken by the Student Representative Assembly [legislative body] during the Summer Session shall be approved by the Student Representative Assembly during [legislative body at] its first regular meeting of the Fall Semester. [~~Elected officers and members not in Summer School shall serve as ex-officio members without vote.~~]
- ~~[8:]~~ 6. The Constitution and Laws shall take immediate effect and be in force when they shall have been ratified by a majority of ballots cast in an election by the members of the Student Community and approved by the appropriate University authorities.
- ~~[9: All vacancies incurred over the summer shall be filled by a special election in September; to be held concurrently with the regular freshman class delegate elections.--Thereafter, all vacancies shall be filled by a majority vote of the Student Representative Assembly.]~~
- ~~[10:]~~ 7. The Student Representative Assembly shall be empowered to carry out the provisions of the Constitution and [its] Bylaws, shall make such regulations as it considers necessary to attain this end, and shall apply such sanctions as it believes just for infraction of its laws and regulations.

- [11:] 8. All meetings of the Student Representative Assembly shall be open to all students, faculty, and administrators of The University of Texas at San Antonio. Other guests shall be admitted at the discretion of the presiding officer.
- [12:] 9. No proposed constitutional amendment or act of the [this] Student Representative Assembly shall violate the rules of ex post facto.
- [13:] 10. The Student Representative Assembly shall be the highest level of student association of The University of Texas at San Antonio.
- [14:] ~~All checks disbursing funds of the Student Representative Assembly shall be co-signed by the President, the Treasurer, and a designated Faculty Advisor.~~
- [15:] 11. ~~[As part of the annual operating budget, an Executive Account, never to exceed fifty (50) dollars total per fiscal year, shall be established for the purpose of emergency expenditures and shall be allocated to the Executive Committee.]~~ All disbursements [checks disbursing funds] from the Executive Account shall require majority approval of the Executive Committee. Otherwise, all other disbursements [checks disbursing funds] from the General Treasury of the Student Representative Assembly shall be approved by a majority vote of the Student Representative Assembly.
- [16:] ~~The Student Representative Assembly shall meet the first Wednesday at 2:00 p.m. after taking the oath of office to decide upon a regular meeting time.~~

Bylaws

1. Every elected official of the Student Representative Assembly of the regular elections, before entering upon the execution of his duties of office shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the duties of my office and will to the best of my ability uphold the Constitution and Bylaws of the Student Representative Assembly." All elected officials shall be sworn in the first week in May. The oath of office shall be administered by the outgoing President of the Student Representative Assembly.
2. All vacancies incurred over the summer shall be filled by a special election in September, to be held concurrently with the regular freshman class representative election. Thereafter, all vacancies shall be filled by a majority vote of the Student Representative Assembly in an election held at the end of every month of the fall semester and spring semester.
3. As part of the annual budget, an Executive Account, never to exceed one hundred (100) dollars total per fiscal year, shall be established for the purpose of emergency expenditures and shall be allocated to the Executive Committee.
4. The Student Representative Assembly shall meet the first Wednesday at 2:00 p.m. after taking the oath of office to decide upon a regular meeting time.



THE UNIVERSITY OF TEXAS SYSTEM

Office of the Chancellor

601 COLORADO STREET, AUSTIN, TEXAS 78701

November 27, 1978

Mr. Walter G. Sterling
Post Office Box 2891
Houston, Texas 77001

Dear Mr. Sterling:

I tried to call you today both at your office and at home, but was advised that you were out until tomorrow. I had wanted to determine if you had any questions concerning the agenda for the Academic and Developmental Affairs Committee meeting this Friday. I have prepared some notes on the meeting which may be of value to you. Since I will be in San Antonio tomorrow, I will mail these notes to you at this time. I will call on Wednesday to determine if you have any questions on any of the material.

Warmest personal regards.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Ernest T. Smerdon".

Ernest T. Smerdon
Vice Chancellor for Academic Affairs

ETS:bb

Enclosure

xc: Chancellor E. D. Walker
Miss Betty Anne Thedford

NOTES FOR REGENT WALTER STERLING FOR THE DECEMBER 1, 1978, BOARD OF REGENTS MEETING:

Item 1., Page A&D-3:

It is recommended that Docket No. 1 of the Chancellor be approved and that the authority to execute contracts, documents, or instruments approved therein be delegated to the officer or official executing same.

Item 2., Page A&D-3:

System Administration recommends approval of the request from The University of Texas at Arlington for the establishment of a Bachelor of Arts Degree with a major in Interdisciplinary Studies. This program is designed to offer a liberal arts education for students interested in interdisciplinary studies and will draw upon the existing courses, facilities and resources at U.T. Arlington. The program has had careful review and it has been determined that no new faculty or special facilities will be necessary for the program. The program will be administered by a program advisor under the supervision of an interdisciplinary studies policy committee. If approved, the program will be forwarded to the Coordinating Board for its action.

Item 3., Page A&D-4:

The University of Texas at Arlington requests approval for a revised rate schedule for university-owned residence halls effective September 1, 1979. The rate changes are provided on page A&D-4 in the Agenda Book and are necessary because of increased operating costs. The rates which are recommended have been compared with charges at other universities in North Texas and they will be near the lower limits of comparable rates at other institutions. The dormitory rates at U.T. Arlington have not been changes since September 1, 1975.

Item 4., Page A&D-5:

The University of Texas at Arlington requests approval of an increase in the optional student services fee for the purchase of the university yearbook, The Reveille, effective September 1, 1979. The rate will be increased from \$10 to \$12. The increase is necessitated by increased costs of producing the yearbook and to cover the sales tax which the State Comptroller has ruled to be required. The \$12 charge will include \$11.43 for the yearbook and \$.57 for the state sales tax.

Item 5., Page A&D-5:

President Rogers and System Administration recommend approval of the appointment of Dr. Ernest W. Walker to the Lawrence D. Gale Professorship in Small Business Management and Entrepreneurship at The University of Texas at Austin. This professorship was established by the Board on February 10, 1978, and the appointment of Dr. Walker will be effective on December 1, 1978. This appointment of Dr. Walker, a leading scholar in the field of finance, small business, and entrepreneurship is in accordance with the criteria established by the donors of the endowment fund.

Item 6., Page A&D-6:

President Rogers and System Administration recommend approval of the appointment of Dr. Florestan Fernandes to the Edward Laroque Tinker Chair as Visiting Professor of Latin American Studies for the Spring Semester 1979. Dr. Fernandes is an internationally known sociologist from the University of San Paulo and has held many distinguished appointments in major universities of the world. He is the author of numerous books and articles in the field of sociology, economics and political science. Dr. Fernandes will teach both in the Department of Sociology and the Department of Spanish and Portuguese.

Item 7., Page A&D-6:

This action pertains to the recommendation from President Rogers and System Administration to accept a pledge and to establish the Price Waterhouse Auditing Professorship in Accounting. This item was earlier brought to the attention of the Board of Regents and System Administration in a System Administration Committee Letter dated September 29, 1978, in which we were advised that the Price Waterhouse Foundation had pledged to U.T. Austin \$20,000 for five years for the purpose of establishing the Price Waterhouse Auditing Professorship in Accounting. Details of the proposal from the Price Waterhouse Foundation are provided on pages A&D-6 and A&D-7 and include the provision that the funds from this pledge may be used to support a Price Waterhouse Auditing Fellow until the actual filling of the professorship. Also note that this award is a great honor to U.T. Austin in that only four universities in the nation were selected for support of this nature by the Price Waterhouse Foundation.

Item 8., Page A&D-8:

This recommendation is for the establishment of Monuments of Honor for individuals who have made significant contributions to the athletic program at The University of Texas at Austin and the approval of the first three nominations thereto. Based on recommendations of the Athletics Council at U.T. Austin and President Rogers, System Administration recommends the approval of Monuments of Honor for individuals who have greatly contributed to Longhorn athletics and that the initial honorees be Dana X. Bible, Clyde Littlefield, and Edwin Werner Olle. This proposal provides for a bronze bas-relief plaque of the honored individual's bust with a bronze companion plaque with suitable inscription

to be located on the side walls in the alcoves of the San Jacinto Street entrances to Belmont Hall. The Athletics Council has received advice on the design and sculpturing of the plaque from Professor David Demming of the Art Department. Professor Demming did the bronze bas-relief plaque of Bibb Falk at the Baseball field. Future nominations will be made by U.T. Austin only after thorough evaluation by the Athletics Council based on guidelines which assure that the Monument of Honor is reserved only for those individuals who have given long years of distinguished service to the Longhorn athletics program. Pages A&D-9 and A&D-10 provide a brief summary of the outstanding contributions of the first three individuals to be so honored: Dana X. Bible, Clyde Littlefield, and Edwin Werner Olle. These three individuals have made great contributions to Longhorn athletics and I think that their selection establishes the high standard which will be used for the selection of any subsequent honorees. Longhorn athletics owes a great deal to these three gentlemen and I think it is great that we can honor them in this way.

Item 9., Page A&D-11:

President Jordan and System Administration recommend approval of Bylaws for the Aerospace Heritage Foundation and proposed appointment of directors thereto. On August 4, 1978, the Board of Regents approved the establishment of the Aerospace Heritage Foundation, Inc., an internal foundation at The University of Texas at Dallas and its Articles of Incorporation. On September 7 of this year the Secretary of State presented the Charter to the Aerospace Heritage Foundation, Inc. U.T. Dallas now presents the Bylaws of the Aerospace Heritage Foundation, Inc., on pages A&D-12 through A&D-18 of the Agenda Book. U.T. Dallas also recommends the appointment of Mr. George Jalonick III, Mr. James E. Lockart, Jr., Mr. John J. Hospers, Mr. George Haddaway, and Mr. James L. Crowson as the directors to serve from this date until December 31, 1979. These directors will serve without pay and will replace the initial

directors approved on August 4, 1978. All documents pertaining to this request have been reviewed and approved by the Office of General Counsel.

Item 10., Page A&D-18:

President Templeton and System Administration request approval of the increases in rates for residence halls and married student apartments at The University of Texas at El Paso effective in the Fall Semester 1979. The proposed increases are displayed on pages A&D-19 of the Agenda Book. The increases are necessitated by increased costs for food service as well as rapidly rising costs for salaries, utilities and maintenance materials. The last increase in rates for the residence halls was for the Fall Semester 1977.

Item 11., Page A&D-19:

President Cardozier and Chancellor Walker recommend approval of a proposed agreement between The University of Texas of the Permian Basin and ERIC, Inc., (Earth Resources Institute Corporation) Odessa, Texas, effective on this date. ERIC, Inc., is a non-profit corporation chartered in the State of Texas for the purpose of conducting research, development, education and service to public and private organizations and persons, using remote sensing technology. ERIC will occupy space at U.T. Permian Basin under an agreement with rental charges negotiated to cover the full cost of providing the space. President Cardozier states that ERIC provides an opportunity for U.T. Permian Basin to be of service to the petroleum and certain other industries in West Texas. The agreement will complement the education programs of U.T. Permian Basin. The agreement has the approval of the Office of General Counsel and is displayed on pages A&D-20 through A&D-22 of the Agenda Book.

Item 12., Page A&D-23:

President Cardozier and Chancellor Walker recommend approval of authorization to suspend the following degree programs at U.T. Permian Basin

effective August 31, 1980: B. A. degree in Creative Writing; B.A. degree in Theatre; B.S. degree in Physics; the Aviation Management Option under the BBA degree program; and the options in American Literature, British Literature, Comparative Literature, and American Studies under the B.A. degree in Literature. The University of Texas of the Permian Basin has undertaken a careful review of all academic programs at the institution with a view toward the most efficient operation commensurate with meeting student demand at the institution. Discussions have also been held concerning this proposal with the community colleges in the region and leaders in Midland and Odessa. The conclusion is that based on enrollment and demand, and considering funds generated by the programs compared to cost, the programs should be suspended at this time. The suspended programs will not be reinstated without approval of the Board of Regents. The effective date of the suspension of the programs will also permit all students now in the programs to complete their degrees. If approved by the Board of Regents, the Coordinating Board will be so advised.

Item 13., Page A&D-24:

Acting President Wagener and System Administration recommend certain changes in the Constitution of the Student Representative Assembly at The University of Texas at San Antonio. The students recommended to President Wagener that five changes be instituted as follows:

1. A historian would be added to the group of Executive Officers;
2. The definition of the credit hours required to be classified in the various classes would be altered to conform to definitions used by the Registrar;
3. The regular elections would be held two weeks before the spring break rather than the week after the spring break and the freshman class representatives would be elected no later than the first full month of the fall semester;

4. The minimum grade point average required for candidates for the Executive Officers would be lowered from 2.5 to 2.0; and
5. General Provisions of the Constitution would be deleted and the Bylaws section would be added instead.

Acting President Wagener and System Administration recommend approval of the first three changes listed. Dr. Wagener does not approve number four, which lowers the required grade point average for the officers from 2.5 to 2.0. Also, Dr. Wagener recommends that the last proposed amendment concerning the General Provisions section be modified so that the substantive matters are retained in the Constitution and other matters be placed in the Bylaws. Chancellor Walker concurs with these recommendations by Acting President Wagener. The students have been advised of these recommendations.

The entire Constitution of the Student Representative Assembly at The University of Texas at San Antonio with the amendments proposed for regental action provided in Congressional form is displayed on pages A&D-26 through A&D-33 of the Agenda Book.

THIS CONCLUDES THE REPORT OF THE ACADEMIC AND DEVELOPMENTAL
AFFAIRS COMMITTEE.

Buildings & Grounds Committee

ARCHITECTS/ENGINEERS INVITED TO ATTEND
NOVEMBER 30 - DECEMBER 1, 1978 REGENTS' MEETING

U. T. Austin - Little Campus: Presentation of Preliminary Plans
Mr. Ed Beran, Beran & Shelmire

U. T. Austin - Addition to Pharmacy Building: Final Plan Approval
Mr. John Van Ness } --- White, Budd, Van Ness Partnership
Mr. Ray Beets]

U. T. Austin - Townes Hall (Law School Building): Final Plan Approval
Mr. Herbert Crume, Jessen Associates, Inc.
Mr. Fred Day, Jessen Associates, Inc.

BUILDINGS AND GROUNDS COMMITTEE
Committee Chairman Bauerle

Date: November 30, 1978 - If there are unfinished items, the Committee will reconvene on December 1, 1978, following the meeting of the Academic and Developmental Affairs Committee

Time: 2:00 p. m.

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

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B & G

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U. T. ARLINGTON

2. School of Nursing, Including General
Classroom and Office Facilities: Request
for Authorization to Prepare Final Plans 3

U. T. AUSTIN

3. Battle Hall Restoration and Improvements:
Request for: (a) Feasibility Study; (a) Appoint-
ment of Consulting Architect; and (c) Appropria-
tion Therefor 4
4. Communication Building: Report of Revision
of Annual Interest Grant No. 5-7-00401-0 4
5. Townes Hall (Law School Building) - Altera-
tions and Additions: Presentation of Final
Plans and Request for Authorization to
Advertise for Bids 5
6. Little Campus - Preservation of Building "C"
and Related Site Development: Presentation
of Preliminary Plans and Request to Submit
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7. Addition to Pharmacy Building (Including
Renovation of Existing Building): Pre-
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Authorization to Advertise for Bids 6
8. Addition to Pharmacy Building (Including
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9. McDonald Observatory - Visitors Information
Center: Request for Approval of Final Plans
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U. T. SAN ANTONIO

10. Additional Surface Parking: Request (a) for Project; (b) to Submit to Coordinating Board; (c) to Appoint Project Engineer to Prepare Final Plans; (d) to Advertise for Bids Subject to Coordinating Board Approval; (e) to Complete Project; and (f) to Appropriate Funds 8

GALVESTON MEDICAL BRANCH

11. Galveston Hospitals - Graves Hospital - Remodeling for Department of Psychiatry and Behavioral Sciences: Request (a) to Remodel; (b) to Submit to Coordinating Board; (c) to Advertise for Bids after Coordinating Board Approval; (d) to Complete Project; and (e) to Appropriate Funds 8
12. Swimming Pool: Presentation of Final Plans and Request for Authorization to Advertise for Bids Subject to Coordinating Board Approval 9
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HOUSTON HEALTH SCIENCE CENTER AND UNIVERSITY CANCER CENTER

14. Remodeling of Prudential Building: Presentation of Final Plans and Request for Authorization to Advertise for Bids 11

U. T. EL PASO

15. Expansion of Union Facilities: Request for Ratification of Approval of Garland and Hilles to Prepare Feasibility Study and Cost Estimate 12

U. T. SYSTEM

16. Energy Conservation Program: Request for Expanded Program Development (Including Planning, Outside Professional Services and Expanded use of Current Facilities) and Appropriation Therefor 12

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17. Houston Dental Branch - Dental Branch Building and Dental Science Institute: Report of Feasibility Study and Request to Accept Recommendations Therein (Including Project Site); Request to Appoint Project Architect to Prepare Preliminary Plans and to Appropriate Funds Therefor 14

1. U. T. SYSTEM: POLICE ACADEMY - NEW TRAINING FACILITY (PROJECT NO. 101-370) - RECOMMENDED INSCRIPTION ON PLAQUE.--It is recommended that the inscription as set out below be approved for the plaque to be placed on the new training facility of the Police Academy of The University of Texas System.

This inscription follows the standard pattern approved by the Board of Regents at the meeting held October 1, 1966.

POLICE ACADEMY
1978

BOARD OF REGENTS

Allan Shivers, Chairman
Dan C. Williams, Vice-Chairman
James E. Bauerle, D.D.S.
Jane Weinert Blumberg
(Mrs. Roland K.)
Edward Clark
Sterling H. Fly, Jr., M.D.
Jess Hay
Thos. H. Law
Walter G. Sterling

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

Office of Facilities
Planning and Construction
Project Architect
Allied Contracting Company
Contractor

2. U. T. ARLINGTON - SCHOOL OF NURSING, INCLUDING GENERAL CLASSROOM AND OFFICE FACILITIES (PROJECT NO. 301-292): REQUEST FOR AUTHORIZATION TO PREPARE FINAL PLANS.--

BACKGROUND INFORMATION

At the February 10, 1978, Regents' meeting preliminary plans were approved for the U. T. Arlington School of Nursing and General Classroom and Office Facilities at an estimated total project cost of \$9,421,000. The preparation of final plans for bidding documents was authorized subject to Coordinating Board approval. The project was deferred at the April 20, 1978, Coordinating Board meeting pending clarification of funding for the construction of the project by System and U. T. Arlington.

It is the opinion of President Nedderman and System Administration that it is in the best interests of the University to continue with the development of the final plans and specifications for this building. Initiation of the preparation of final plans will expedite completion of the project at such time as funds are available. This proposed activation will minimize the inflationary increases in construction costs and will permit timely bid advertisement, subject to Coordinating Board approval and availability of funds.

RECOMMENDATION

President Nedderman and Chancellor Walker recommend that the Board authorize the preparation of final plans for the U. T. Arlington School of Nursing and General Classroom and Office Facilities which will be presented to the Board for consideration at a future meeting.

3. U. T. AUSTIN: BATTLE HALL RESTORATION AND IMPROVEMENTS - REQUEST FOR FEASIBILITY STUDY, APPOINTMENT OF CONSULTING ARCHITECT AND APPROPRIATION THEREFOR

BACKGROUND INFORMATION

President Rogers and U. T. Austin Administration recommend that Battle Hall be appropriately restored and improved to house University Art Collections. President Rogers' recommendations to Chancellor Walker contained in her letter of September 14, 1978, are summarized as follows:

"The historical significance, architectural quality and location of Battle Hall lead me to recommend that it be more widely used by the University community than its assignment to any one college or school would permit. I have discussed with you and Governor Shivers the possible use of Battle Hall to house University Art Collections beyond the spaces provided in the Michener and Huntington Galleries. The stack spaces in Battle Hall might also help relieve space problems for the Humanities Research Center if they are not needed to store art works. The additional exhibit spaces which could be obtained within Battle Hall might also let us use the Huntington Galleries more directly as a teaching gallery in support of the studio art program.

"The University will attract future donations of art collections only if it has the facilities to exhibit and care for such collections. This is an important consideration in my proposal for Battle Hall. Also, I believe Battle Hall may be the best location for display of the Gutenberg Bible, which we anticipate will attract extensive public interest."

RECOMMENDATIONS

President Rogers and Chancellor Walker recommend that the Board:

- a. Authorize a feasibility study for the Restoration and Improvements of Battle Hall at The University of Texas at Austin
- b. Appoint a Consulting Architect from a list to be submitted at the meeting to work with a Planning Committee from The University of Texas at Austin and the Office of Facilities Planning and Construction in preparing a feasibility study and cost estimate, with recommendations to be brought to a future Board meeting for consideration
- c. Appropriate \$20,000 from Interest on Bond proceeds for the feasibility study including fees and related expenses.

4. U. T. AUSTIN: COMMUNICATION BUILDING (PROJECT NO. 102-27) - REPORT OF REVISION OF ANNUAL INTEREST GRANT NO. 5-7-00401-0

BACKGROUND INFORMATION

At the Regents' meeting held October 23, 1970, Annual Interest Grant No. 5-7-00401-0 for the Communication Building at The University of Texas at Austin in the annual amount of \$149,857 for a period of thirty years was accepted by the Board. This federal grant was for the purpose of paying the excess of interest over and above a 3% interest rate on \$5,000,000 of Combined Fee Revenue Bonds issued by U. T. Austin and allocated to the construction of the Communication Building.

A revision to Annual Interest Grant No. 5-7-00401-0 was accepted by the Board at their meeting of June 14, 1974. This revision reduced the annual amount to \$149,083 in order to reflect a lower net interest cost after deduction of accrued interest purchased.

The Department of Health, Education and Welfare has issued a second "Notification of Reduction of Annual Interest Commitment" which reduces the annual amount to \$121,044. This revision has been made to reflect the maximum Annual Interest Grant payable (for the period 1979 through 2000) as a result of the issuance of \$16,710,000 Combined Fee Revenue Refunding Bonds dated August 1, 1978, refunding the Combined Fee Series 1970 Bonds.

RECOMMENDATION

President Rogers and Chancellor Walker recommend that the Board accept the revisions to Annual Interest Grant No. 5-7-00401-0 as outlined above.

5. U. T. AUSTIN - TOWNES HALL (LAW SCHOOL BUILDING) - ALTERATIONS AND ADDITIONS (PROJECT NO. 102-330): REQUEST FOR APPROVAL OF FINAL PLANS AND FOR AUTHORIZATION TO ADVERTISE FOR BIDS. --

BACKGROUND INFORMATION

At the September 1975 meeting of the Board, authorization was given for facility improvements at the Law School of The University of Texas at Austin. The project for Alterations and Additions to Townes Hall, The Law School Building, includes new construction of 220,000 gross square feet to house 500,000 volumes in a new library space, faculty offices, lobby and support facilities and other alterations to the existing building. The remodeling phase includes improved mechanical systems, provisions for the handicapped, faculty and administrative offices, classrooms, seminar rooms, a new courtroom, an improved auditorium, organizational offices, a placement center and lounges.

In December 1976 a contract award of \$8,631,000 was approved for the new addition now under construction with an anticipated completion date of October 1979. The initiation of the remodeling phase of Townes Hall will follow the completion and occupancy of the new addition. The remodeling phase will require sequenced increments of construction to permit partial building use during the alterations.

In accordance with the October 1976 Board authorization, final plans for the remodeling phase of the Alterations and Additions to Townes Hall have been completed by the Project Architect, Jesson Associates, Inc., Austin, Texas, and are ready for bidding in late 1979 upon completion of the new addition. The current estimated total project cost of \$6,800,000 includes cost escalation to a December 1979 bid date.

With a remodeling contract award in January 1980, a 30-month sequenced construction period is estimated with total completion by June 1982.

Fees and related project expenses for the remodeling phase can be paid from previously appropriated funds. Additional funding will be required for the construction award of the remodeling phase as well as for institutional equipment requirements.

RECOMMENDATIONS

President Rogers and Chancellor Walker recommend that the Board:

- a. Approve the final plans and specifications for the Remodeling Phase of the Alterations and Additions to Townes Hall at The University of Texas at Austin at an estimated total project cost of \$6,800,000, exclusive of institutional equipment
- b. Authorize the Office of Facilities Planning and Construction to advertise for bids which will be presented to a future Board meeting for consideration.

6.

U. T. AUSTIN - LITTLE CAMPUS - PRESERVATION OF BUILDING "C" AND RELATED SITE DEVELOPMENT (PROJECT NO. 102-395) - PRESENTATION OF PRELIMINARY PLANS AND REQUEST TO SUBMIT TO COORDINATING BOARD. --

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on August 4, 1978, preliminary plans and specifications for the preservation of Building "C", and related site development for the Little Campus at The University of Texas at Austin have been prepared by the Project Architect, Beran & Shelmire, Dallas, Texas.

The scope of the project involves preservation of the 5,532 gross square feet of Building "C" for functional re-use as a museum space, associated site development, and a perimeter wall at an estimated total project cost of \$1,650,000. This estimate of cost includes anticipated escalation to a September 1979 bid date. A grant application in the amount of \$250,000 has been submitted to the Texas Historical Commission for assistance in this project.

RECOMMENDATION

President Rogers and Chancellor Walker recommend that the Board:

- a. Approve the preliminary plans and specifications for the preservation of Building "C" and related site development for the U. T. Austin Little Campus at an estimated total project cost of \$1,650,000
- b. Authorize the submission of the project to the Coordinating Board, Texas College and University System

7.

U. T. AUSTIN: ADDITION TO PHARMACY BUILDING (INCLUDING RENOVATION OF EXISTING BUILDING) (PROJECT NO. 102-351) - PRESENTATION OF FINAL PLANS AND REQUEST FOR AUTHORIZATION TO ADVERTISE FOR BIDS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on June 9, 1978, final plans and specifications for the construction of the Addition to the Pharmacy Building at The University of Texas at Austin have been prepared by the Project Architect, The White Budd VanNess Partnership, Houston, Texas.

The scope of the project includes construction of a new addition of approximately 65,000 gross square feet, renovation of certain areas in the existing building for a functionally integrated facility, extension of utilities to serve the building site and institutional procurement of equipment at a total project cost of \$8,878,000, which has previously been appropriated.

RECOMMENDATIONS

President Rogers and Chancellor Walker recommend that the Board:

- a. Approve the final plans and specifications for the Addition to the Pharmacy Building at The University of Texas at Austin at an estimated total project cost of \$8,878,000
- b. Authorize the Office of Facilities Planning and Construction to advertise for bids which will be presented to a future Board meeting for consideration.

U. T. AUSTIN: ADDITION TO PHARMACY BUILDING (INCLUDING RENOVATION OF EXISTING BUILDING) (PROJECT NO. 102-351) - RECOMMENDED INSCRIPTION ON PLAQUE.--It is requested that the inscription as set out below be approved for the Addition to the Pharmacy Building at The University of Texas at Austin with the name of the contractor to be included as soon as the contract is awarded in early 1979:

ADDITION TO THE PHARMACY BUILDING
1979

BOARD OF REGENTS

Allan Shivers, Chairman
Dan C. Williams, Vice-Chairman
James E. Bauerle, D.D.S.
Jane Weinert Blumberg
(Mrs. Roland K.)
Edward Clark
Sterling H. Fly, Jr., M.D.
Jess Hay
Thos. H. Law
Walter G. Sterling

E. D. Walker
Chancellor, The University
of Texas System
Lorene L. Rogers, President
The University of Texas
at Austin

The White Budd VanNess
Partnership
Project Architect

Contractor

9. U. T. AUSTIN: MCDONALD OBSERVATORY - VISITORS INFORMATION CENTER (PROJECT NO. 102-197) - REQUEST FOR APPROVAL OF FINAL PLANS AND FOR AUTHORIZATION TO ADVERTISE FOR BIDS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 19, 1978, final plans and specifications for the construction of a Visitors Information Center for McDonald Observatory of The University of Texas at Austin have been prepared by the Project Architect, Dale E. Selzer Associates, Dallas, Texas.

These plans and specifications provide for the construction of a Visitors Information Center at an estimated total project cost of \$250,000.

Funds have been appropriated for fees and related expenses through completion of final plans and specifications.

RECOMMENDATIONS

President Rogers and Chancellor Walker recommend that the Board:

- a. Approve the final plans and specifications for the Visitors Information Center for McDonald Observatory of U. T. Austin at an estimated total project cost of \$250,000
- b. Authorize the Office of Facilities Planning and Construction to advertise for bids which will be presented to a future Board meeting for consideration.

BUILDINGS AND GROUNDS COMMITTEE

SUPPLEMENTAL INFORMATION

November 30 - December 1, 1978

U. T. AUSTIN

3. Battle Hall Restoration and Improvements:
Recommended Architectural Firms
(Page B & G - 4)

Below

U. T. SAN ANTONIO

10. Additional Surface Parking: Recommended
Engineering Firms (Page B & G - 8)

Below

Documentation

3. U. T. Austin - Battle Hall Restoration and Improvements:
Recommended Architectural Firms. --

CONSULTING ARCHITECT FOR FEASIBILITY STUDY

WILSON/CRAIN/ANDERSON/REYNOLDS	HOUSTON, TEXAS
FORD, POWELL & CARSON	SAN ANTONIO, TEXAS
PRATT, BOX, HENDERSON & PARTNERS	DALLAS, TEXAS
CALHOUN, TUNGATE, JACKSON & DILL	HOUSTON, TEXAS
BELL, KLEIN & HOFFMAN	AUSTIN, TEXAS

10. U. T. San Antonio - Additional Surface Parking: Recommended
Engineering Firms. --

PROJECT ENGINEER

HALLENBERGER GALINDO & ASSOCIATES, INC.	SAN ANTONIO, TEXAS
HENRY C. BAIN	SAN ANTONIO, TEXAS
EDMUND O. SEIDEL & ASSOCIATES	SAN ANTONIO, TEXAS
OZUNA & ASSOCIATES, INC.	SAN ANTONIO, TEXAS
GARCIA & WRIGHT CONSULTING ENGINEERS, INC.	SAN ANTONIO, TEXAS

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U. T. SAN ANTONIO: ADDITIONAL SURFACE PARKING - REQUEST FOR AUTHORIZATION OF PROJECT, TO SUBMIT TO COORDINATING BOARD FOR APPROVAL, APPOINTMENT OF A PROJECT ENGINEER FOR PREPARATION OF FINAL PLANS AND ADVERTISEMENT FOR BIDS SUBJECT TO COORDINATING BOARD APPROVAL; REQUEST TO COMPLETE PROJECT AND APPROPRIATION THEREFOR

BACKGROUND INFORMATION

With an unanticipated enrollment growth (which was 13% this Fall), the existing parking facilities can no longer accommodate all of the vehicles which park on-campus. Upon the completion of the Phase II buildings in 1979 this problem will most certainly increase. Currently, on campus there are 3,021 designed parking spaces available with an additional 382 spaces available by reducing roadway widths and driveways to minimum safe conditions. To meet anticipated enrollment growth the number of designed parking spaces on campus should be increased by approximately 500.

RECOMMENDATIONS

Acting President Wagener and Chancellor Walker recommend that the Board:

- a. Authorize the construction of additional surface parking facilities including the necessary roadway and lighting for approximately 500 cars, at an estimated total project cost of \$400,000
- b. Authorize submission of the project to the Coordinating Board, Texas College and University System
- c. Appoint a Project Engineer from a list to be submitted at the meeting with authorization to prepare final plans and specifications
- d. Authorize advertisement for bids, subject to the approval of the Coordinating Board, and subsequent award of contract and completion of the project
- e. Appropriate \$400,000 from U. T. San Antonio Account No. 27-35235-50 for funding the estimated total project cost.

What is name of this?

Construction contract award will be brought to the Board for ratification at a future meeting.

11.

GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS): GRAVES HOSPITAL - REMODELING FOR THE DEPARTMENT OF PSYCHIATRY AND BEHAVIORAL SCIENCES - REQUEST FOR AUTHORIZATION TO REMODEL, REQUEST TO SUBMIT TO COORDINATING BOARD AND TO ADVERTISE FOR BIDS AFTER COORDINATING BOARD APPROVAL, AND TO COMPLETE THE PROJECT AND APPROPRIATION THEREFOR

BACKGROUND INFORMATION

The Department of Psychiatry and Behavioral Sciences at The University of Texas Medical Branch at Galveston is in need of approximately 1,500 square feet of additional laboratory space in which to locate personnel and equipment necessary for the conduct of ongoing departmental research. Such space is available on the fourth floor of the Graves Hospital; however, remodeling of the space is necessary before it can adequately serve the needs of the research effort.

The remodeling work can be accomplished by the Medical Branch Physical Plant Department with their own forces and/or contract services at an estimated total project cost of \$150,000. Since this project involves remodeling of existing space only, there will be no significant change in the maintenance and operating costs. This project includes a cold room estimated to cost \$16,000 and specialized laboratory casework estimated to cost \$49,000.

RECOMMENDATIONS

President Levin and Chancellor Walker recommend that the Board:

- a. Authorize the remodeling of approximately 1,500 square feet on the fourth floor of the Graves Hospital for the Department of Psychiatry and Behavioral Sciences at an estimated total project cost of \$150,000
- b. Authorize submission of the project to the Coordinating Board, Texas College and University System
- c. Authorize the completion of the project by the Medical Branch Physical Plant Department with its own forces or through contract services, in consultation with the Office of Facilities Planning and Construction
- d. Authorize advertisement for bids after approval of the project by the Coordinating Board
- e. Appropriate \$150,000 from the Galveston Medical Branch Unallocated Plant Funds - Project Allocation for the total cost of this work.

12.

GALVESTON MEDICAL BRANCH: SWIMMING POOL (PROJECT NO. 601-414) - REQUEST FOR APPROVAL OF FINAL PLANS AND FOR AUTHORIZATION TO ADVERTISE FOR BIDS SUBJECT TO COORDINATING BOARD APPROVAL

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 19, 1978, final plans and specifications for the construction of a swimming pool at The University of Texas Medical Branch at Galveston, have been prepared by the Project Architect, Louis Lloyd Oliver and Tibor Beerman, Galveston, Texas.

These plans and specifications provide for a swimming pool at an estimated total project cost of \$400,000. The pool will be constructed adjacent to and immediately north of the present Alumni Field House to take advantage of existing lockers and dressing room facilities.

Funds have already been appropriated for fees and related project expenses through completion of final plans and specifications. At the October 1978 Regents' meeting, authorization was given for the submission of the project to the Coordinating Board. The next meeting of the Coordinating Board is scheduled for mid-January 1979. Completion and approval of the final plans with authorization for bid advertisement, subject to Coordinating Board approval, is deemed necessary to avoid additional delays and inflationary increases in construction costs.

RECOMMENDATIONS

President Levin and Chancellor Walker recommend that the Board:

- a. Approve the final plans and specifications for the Swimming Pool at the Galveston Medical Branch at an estimated total project cost of \$400,000
- b. Subject to the approval of the Coordinating Board, authorize the Office of Facilities Planning and Construction to advertise for bids which will be presented at a future Board meeting for consideration.

- ✓ 13. GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS): HELIPORT - REQUEST FOR AUTHORIZATION OF PROJECT, TO SUBMIT TO COORDINATING BOARD FOR APPROVAL, AND TO ADVERTISE FOR BIDS SUBJECT TO COORDINATING BOARD APPROVAL; REQUEST TO COMPLETE PROJECT AND APPROPRIATION THEREFOR

BACKGROUND INFORMATION

President Levin has prepared the following information pertaining to and in justification for the construction of a full service day/night heliport for The University of Texas Medical Branch at Galveston:

JUSTIFICATION FOR HELIPORT AT UTMB HOSPITALS

September 1, 1978

The University of Texas Medical Branch at Galveston is one of the few major medical centers in the country which is not equipped with a full service day/night heliport. The Medical Branch is a major trauma center and a major burn care center. This fact, combined with the nature of the industries in the Texas Gulf Coast area, serves to highlight the void created by this lack of a heliport. At the present time there are an estimated 30,000 to 40,000 people working off-shore of the Texas and Louisiana Gulf Coast. These people are employed in a hazardous industry which has a fairly high rate of accidents. Presently most of these patients are transported to Gulf Coast Hospitals equipped with Heliports. Provided the injuries occur and the patient is transported during daylight hours, they occasionally are brought to The University of Texas Medical Branch. In addition, the Gulf Coast region from Freeport to Port Arthur includes a heavy concentration of Petro-Chemical Processing Plants. Accidents which occur in these facilities normally produce burn victims who are generally referred to The University of Texas Medical Branch for care. Their transport to our facility during times other than daylight hours is severely hampered by lack of a night time heliport facility.

At the present time the Medical Branch utilizes a segment of the athletic field for use as a helicopter landing site. This area is not lighted for nighttime landings and is so situated as to prohibit its licensure as a fully certified day/night heliport. Although of significant size, this athletic field is surrounded on four sides by residential and institutional development. This development poses an impediment to any pilot who should need to select an emergency landing site in the event of power failure on a helicopter attempting to land. Should such power failure occur on a nighttime landing the result could be a crash landing into an occupied building.

In order to provide a helicopter landing facility which can be fully licensed for both daytime and nighttime activity it is necessary to relocate the landing site to an area which would allow emergency landing capability without posing a threat to either the helicopter personnel or to other parties. Furthermore, it is essential that the heliport constructed be designed to accommodate various sizes of helicopters. Most of the helicopters used to serve the off-shore industry differ in design and operation from those used specifically for emergency medical purposes (such as those employed by the Hermann Hospital in Houston). The majority of the potential traffic which this heliport is intended to serve would be transported by the Helicopter Services which serve the off-shore industries. Any heliport which can accommodate those helicopters will readily accommodate the helicopters utilized by medical services such as Hermann Hospital's Life-Flight and the U. S. Coast Guard.

The patients who would be brought to us by the Petroleum Helicopter Industry would virtually all be full pay patients whose financial responsibility to the hospital would be guaranteed by their employer. Thus the heliport would facilitate the entry into our institution of patients who would incur charges which are virtually one hundred percent recoverable. In this light the heliport should pay for itself within a short period of time.

Initial contact has been made with the District Office, Southwest Region, Federal Aviation Administration. They have made an airspace review of the proposed heliport and have no objection to the proposal.

RECOMMENDATIONS

President Levin and Chancellor Walker recommend that the Board:

- a. Authorize the construction of a 50' x 50' full service day/night heliport on the campus of the Galveston Medical Branch to be located on land adjacent to and southwest of the Marine Science Institute Building at an estimated total project cost of \$125,000
- b. Authorize submission of the project to the Coordinating Board, Texas College and University System
- c. Authorize preparation of final plans and specifications and completion of the project through all necessary actions of the Galveston Medical Branch Administration and the Physical Plant Department with their own forces or through contract services, in consultation with the Office of Facilities Planning and Construction
- d. Authorize advertisement for bids, subject to the approval of the Coordinating Board
- e. Appropriate \$125,000 from Galveston Medical Branch Unallocated Plant Funds for the total cost of this work.

*Submitted
Cam*

14.

HOUSTON HEALTH SCIENCE CENTER AND UNIVERSITY CANCER CENTER - REMODELING OF PRUDENTIAL BUILDING (PROJECT NO. 701-380) - REQUEST FOR APPROVAL OF FINAL PLANS AND FOR AUTHORIZATION TO ADVERTISE FOR BIDS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on August 4, 1978, final plans and specifications have been prepared by the Project Architect, John S. Chase and Golemon & Rolfe, Houston, Texas, for the Remodeling of the Prudential Building as a joint project of the Houston Health Science Center and the System Cancer Center.

The scope of work includes rehabilitation of the building exterior, improvement of mechanical systems and remodeling of three floors for use by the Nursing School and the Allied Health School. \$5,318,043 was appropriated for this remodeling project by the 65th Legislature.

RECOMMENDATIONS

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

- a. Approve the final plans and specifications for the Remodeling of the Prudential Building, Houston, Texas, at an estimated total project cost of \$5,318,043
- b. Authorize the Office of Facilities Planning and Construction to advertise for bids which will be presented at a future Board meeting for consideration.

15 U. T. EL PASO - EXPANSION OF UNION FACILITIES: REQUEST FOR RATIFICATION OF APPROVAL OF GARLAND AND HILLES, EL PASO, TEXAS, TO PREPARE FEASIBILITY STUDY AND COST ESTIMATE. -- At the meeting on October 19-20, the Long Range Campus Development Plan submitted to the Coordinating Board for The University of Texas at El Paso following the Regents' meeting on July 9, 1976 was amended. Included in the amendment was the Expansion of Union Facilities. Because of the time element involved and the necessity of having plans and specifications prepared prior to submission to the Coordinating Board, President Templeton asked that the architectural firm of Garland and Hilles of El Paso, Texas, be selected to do a feasibility study and cost estimate for the Union Facilities to be submitted to the Board of Regents at a later date. Though this item was not on the agenda, it was approved with instructions that it be resubmitted for ratification at the Regents' meeting on November 30 - December 1.

It is herewith submitted for ratification.

16. U. T. SYSTEM - ENERGY CONSERVATION PROGRAM (PROJECT NO. 101-357): REQUEST FOR EXPANDED PROGRAM DEVELOPMENT (INCLUDING PLANNING, OUTSIDE PROFESSIONAL SERVICES AND EXPANDED USE OF CURRENT FACILITIES) AND APPROPRIATION THEREFOR. --

BACKGROUND INFORMATION

National Energy Conservation Act

Title III of the National Energy Conservation Act pertains to energy conservation for schools and hospitals owned by local and state government and will apply to every building owned by The University of Texas System.

Some of the more significant provisions of Title III are as follows:

- a) The Secretary of Energy will require each state to submit preliminary energy audits (which are evaluations of the energy conservation needs of the State and its institutions), to submit energy audits (which are detailed studies of individual buildings to determine energy consumption characteristics and to identify energy conservation measures), and to submit a State energy plan which will carry out the requirements of the Act.
- b) Through several fiscal years the Act authorizes \$25,000,000 for grants for preliminary energy audits and energy audits, and \$875,000,000 for energy conservation projects which flow from these audits. No state can receive more than 10% of any total national annual allocation.

The Secretary of Energy can grant up to 50% of the cost of any preliminary energy audit, energy audit or energy conservation project.

- c) Grant applications for audits or for energy conservation projects must be submitted through the State energy agency. Depending on how a State organizes to comply with the Act, grant applications may also require the prior approval of a State hospital facilities agency or a State school facilities agency.
- d) Principal factors to be considered by the Secretary of Energy in allocating grant money are: population of the state, climate, availability and cost of fuel, and the amount of fuel or other energy consumed by the applicant.

Previous Board Action:

To comply with Senate Bill No. 516, 64th Legislature R.S., 1975 (Energy Conservation in Buildings Act), the Board at its meeting on October 1, 1976, authorized the Director of the Office of Facilities Planning and Construction to 1) direct all Architects/Engineers to follow the provisions of ASHRAE Standard 90-75 in the design of all new buildings, 2) work cooperatively with Architects/Engineers in complying with that standard and selecting efficient environmental control systems, and 3) select existing building(s) for computer simulation studies for energy savings.

Discussion:

The Office of Facilities Planning and Construction has implemented the actions specified by the Board at its October 1976 meeting. Significant progress has been made over the last two years in the design and installation of new automated facilities control and monitoring systems in which major reductions in installation costs have already been achieved. Substantial energy cost savings are anticipated when these improved systems become fully operational.

At this time, without knowledge of what specific requirements will be demanded in (a) preliminary energy audits, (b) energy audits or (c) grant applications, it is estimated that it will take between \$250,000 to \$500,000 for program development, professional fees and services, minor equipment needs, computer services and miscellaneous expenses. In preparation for the preliminary energy audits it will be necessary to purchase and install meters or measuring devices in the service lines either within or outside buildings.

It is apparent that the State and The University of Texas System will be deeply involved in compliance with Title III of this Act. An early start in this effort by the University may improve its chances of obtaining maximum federal participation in the aforementioned energy audits and energy conservation projects.

RECOMMENDATIONS

To ensure the earliest possible compliance with Title III of the National Energy Conservation Act, Chancellor Walker recommends that the Board:

- a. Authorize an expanded program for energy conservation on a System-wide basis to include planning, outside professional services, and expanded use of automated facilities control and management systems
- b. Appropriate \$250,000 from interest on PUF Bond proceeds to meet the initial costs of fees, equipment purchases or rentals, services and miscellaneous expenses.

17. HOUSTON HEALTH SCIENCE CENTER (HOUSTON DENTAL BRANCH) - DENTAL BRANCH BUILDING AND DENTAL SCIENCE INSTITUTE (PROJECT NO. 701-393): REPORT OF FEASIBILITY STUDY AND REQUEST TO ACCEPT RECOMMENDATIONS THEREIN (INCLUDING PROJECT SITE); REQUEST TO APPOINT PROJECT ARCHITECT TO PREPARE PRELIMINARY PLANS AND TO APPROPRIATE FUNDS THEREFOR. --

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on September 16, 1977, initial investigative studies and evaluations of program requirements for facilities improvements within the Houston Dental Branch Building and the Dental Science Institute have been made by the Dental Branch Administration, the Office of Facilities Planning and Construction and the Consulting Architect, MacKie and Kamrath, Houston, Texas.

The scope of facilities improvements recommended in this feasibility study include the following items:

- 1) Relocation of the Dental Science Institute from the present antiquated off-campus location to a new facility adjacent to the Dental Branch Building in the Texas Medical Center
- 2) Increased clinical and laboratory space for the Postgraduate School of Dentistry and Continuing Education
- 3) Allocation of space for the recently created Department of Oncology
- 4) Additional support and faculty space for both the undergraduate and postgraduate programs.

The currently estimated construction cost is \$10,700,000 exclusive of fees, contingencies, movable furnishings and price escalation. Within this estimated cost, \$1,251,000 is reserved for utility improvements and \$1,921,000 for built-in equipment. This expansion project of 75,200 gross square feet of new construction and 5200 gross square feet of remodeled basement area is estimated to cost approximately \$118 per square foot for the seven-level structure.

RECOMMENDATIONS

President Blocker and Chancellor Walker recommend that the Board:

- a. Accept the recommendations of the feasibility study and approve the project site location southwest of and adjacent to the Dental Branch Building in the Texas Medical Center
- b. Authorize a facilities improvement project for the Houston Dental Branch and Dental Science Institute at an estimated construction cost of \$10,700,000
- c. Appoint the Consulting Architect, MacKie and Kamrath, Houston, Texas, as the Project Architect with authorization for the preparation of preliminary plans and cost estimate which will be presented to a future Board meeting for consideration
- d. Appropriate \$100,000 from Permanent University Fund Bond proceeds for fees and related project expenses through completion of preliminary plans.

BUILDINGS AND GROUNDS COMMITTEE

EMERGENCY ITEMS

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18. U. T. ARLINGTON: STADIUM (MULTIPURPOSE ATHLETIC FACILITY) (PROJECT NO. 301-364) - RECOMMENDED AWARD OF CONTRACTS TO WALKER CONSTRUCTION COMPANY, FORT WORTH, TEXAS, SUPERTURF, INC., GARLAND, TEXAS, AND CASEY & GLASS, INC., CORPUS CHRISTI, TEXAS, AND ADDITIONAL APPROPRIATION THEREFOR

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 20, 1978, bids were called for and were received, opened and tabulated on November 22, 1978, as shown on the attached sheets, for the construction of a stadium (Multipurpose Athletic Facility) at The University of Texas at Arlington.

This multipurpose stadium will provide athletic facilities for physical education instruction and training, intramural sports functions, inter-collegiate football, track, soccer and other outdoor events on the U. T. Arlington campus. This initial phase of construction provides for approximately 12,664 spectator seats in permanent concrete stands. The west side of the stadium will provide 7,990 seats with a press box and ground level facilities such as: locker rooms, restrooms, physical education classrooms, training rooms, offices, laundry room, storage and concession areas. The east side of the stadium will initially provide 4,674 permanent spectator seats and restrooms. Future expansion of spectator seating has been designed to be increased incrementally to a total capacity of 30,000 seats. In addition to the above, this project includes field and track lighting, perimeter road, lighted parking area for 810 cars, and other landscape site development.

In November 1977, this project was authorized at an estimated total project cost of \$5,500,000 and included a Multipurpose Athletic Stadium with approximately 12,664 seats and provisions for an alternate bid for 3,432 additional seats. All reasonable efforts have been made to reduce the project costs, but it is now apparent that the initial cost estimate did not include an adequate reserve for inflation and rising construction costs. Plans were distributed to nine contractors with five contractors maintaining an active interest until the last week of bidding. However, increased construction activity in the North Texas area reduced final bidder interest on the stadium project to two contractors.

Evaluation of bids by the Office of Facilities Planning and Construction and U. T. Arlington Administration indicates that rising costs have eroded the initial cost estimate and that re-bidding of the project would most likely result in increased cost escalation. Therefore, the Administration of U. T. Arlington has concluded that construction of the project at this time is to the advantage of the University.

Funds in the amount of \$255,000 from Unappropriated Plant Funds have been previously appropriated for fees and related project expenses.

RECOMMENDATIONS

President Nedderman and Chancellor Walker recommend that the Board:

- a. Award the construction contracts for the U. T. Arlington Stadium (Multipurpose Athletic Facility) to the lowest responsible bidders, Walker Construction Company, Superturf, Inc., and Casey & Glass, Inc., as follows:
- | | |
|--|--------------------|
| 1. Walker Construction Company, Fort Worth, Texas,
for the General Construction | \$5,851,000 |
| 2. Superturf, Inc., Garland, Texas, for the
Synthetic Turf | 348,296 |
| 3. Casey & Glass, Inc., Corpus Christi,
Texas, for the Synthetic Track | <u>148,438</u> |
| TOTAL RECOMMENDED AWARDS | <u>\$6,347,734</u> |

b. Authorize a revised total project cost of \$6,700,000 to cover the recommended construction contract awards, equipment, landscaping, fees and other related project expenses

c. Appropriate additional funds from the following sources to provide for the total project cost:

\$ 120,584: Unappropriated Plant Funds-Interest
on Bond proceeds

\$6,324,416: Combined Fee Revenue Bonds

STADIUM (MULTIPURPOSE ATHLETIC FACILITY)
 THE UNIVERSITY OF TEXAS AT ARLINGTON
 Bids Received at 2:00 p.m., C.S.T., November 22, 1978
 at The University of Texas at Arlington
 Arlington, Texas

<u>Bidder</u>	<u>Base Bid</u>	<u>ADD ALTERNATES</u>						<u>Bidder's Bond</u>
		<u>Alt. Bid 1</u>	<u>Alt. Bid 2</u>	<u>Alt. Bid 3</u>	<u>Alt. Bid 4</u>	<u>Alt. Bid 5</u>	<u>Alt. Bid 6</u>	
J. A. Jones Construction Company, Dallas, Texas	\$5,239,700	\$ 330,000	\$ 240,000	\$ 63,000	\$ 405,000	\$ 343,000	\$ No Bid	5%
Walker Construction Company, Fort Worth, Texas	5,086,000	324,000	234,000	65,000	415,000	350,000	28,000	5%

SYNTHETIC TURF STADIUM SURFACE AND/OR SYNTHETIC TRACK SURFACING MATERIAL
 STADIUM (MULTIPURPOSE ATHLETIC FACILITY)
 THE UNIVERSITY OF TEXAS AT ARLINGTON
 Bids Received at 2:00 p.m., C.S.T., November 22, 1978
 at The University of Texas at Arlington
 Arlington, Texas

<u>Bidder</u>	<u>Base Bid "A"</u>	<u>Base Bid "B"</u>	<u>Base Bid "C"</u>	<u>Base Bid "D"</u>	<u>Base Bid "E"</u>	<u>Base Bid "F"</u>	<u>Comb. Base Bid "G"</u>	<u>Bidder's Bond</u>
Casey & Glass, Inc., Corpus Christi, Texas	\$ No Bid	\$ No Bid	\$ No Bid	\$ No Bid	\$ 148,438	\$ 230,099	\$ No Bid	5%
Monsanto Company, St. Louis, Missouri	376,000	No Bid	5%					
Niggel Associates of Houston, Inc., Houston, Texas	No Bid	261,540	No Bid	5%				
Rubaturf Sports Surfaces Company, Incorporated, Seattle, Washington	No Bid	No Bid	No Bid	202,185	No Bid	No Bid	No Bid	5%
Superturf, Inc., Garland, Texas	No Bid	348,296	No Bid	5%				

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19. U. T. SAN ANTONIO: CLASSROOM AND OFFICE BUILDING AND ADDITION TO ARTS BUILDING (PHASE II BUILDINGS) (PROJECT NO. 401-334) - RECOMMENDED AWARD OF CONTRACTS FOR CARPET AND DRAPERIES TO CARPET SERVICES, INC., AUSTIN, TEXAS, AND TO E. G. JENKINS CO., INC., DALLAS, TEXAS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on June 10, 1977, bids for Carpet and Draperies were called for and were received, opened and tabulated on November 22, 1978, as shown below:

	<u>Base Bid "A"</u>	<u>Base Bid "B"</u>	<u>Bid Bond or Cashier's Check</u>
Bexar Floor Covering Company, San Antonio, Texas	\$87,990.00	No Bid	B.B. 5%
Carpet Services, Inc., Austin, Texas	84,400.00	No Bid	B.B. 5%
Highland Interiors, Inc., Lubbock, Texas	92,340.00	\$27,903.00	B.B. 5%
Horton Draperies of Texas, Inc., Houston, Texas	No Bid	30,353.95	C.C. \$1,517.75
E. G. Jenkins Co., Inc., Dallas, Texas	No Bid	16,838.00	C.C. \$ 841.90
Paul's Interiors, Austin, Texas	No Bid	48,765.00	None*
Rockford Furniture & Carpets, Inc., Austin, Texas	92,706.00	No Bid	B.B. 5%
San Antonio Floor Finishers, Inc., San Antonio, Texas	89,870.00	No Bid	B.B. 5%
Sherrill Draperies, Inc., Irving, Texas	No Bid	25,823.00	B.B. 5%
Tri County Floor Finishers, San Marcos, Texas	92,500.00	No Bid	B.B. 5%

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

RECOMMENDATIONS

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

Carpet Services, Inc., Austin, Texas Base Bid "A" (Carpet)	\$ 84,400.00
E. G. Jenkins Co., Inc., Dallas, Texas Base Bid "B" (Draperies)	<u>16,838.00</u>
GRAND TOTAL RECOMMENDED CONTRACT AWARD	<u>\$101,238.00</u>

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

20. DALLAS HEALTH SCIENCE CENTER (DALLAS SOUTHWESTERN MEDICAL SCHOOL) - PHILIP R. JONSSON BASIC SCIENCE RESEARCH BUILDING - REMODELING OF ANIMAL AREAS AND ACADEMIC SPACE (PROJECT NO. 303-403) - RECOMMENDED AWARD OF CONTRACT TO LEE-EMMERT, A CORPORATION, RICHARDSON, TEXAS, AND ADDITIONAL APPROPRIATION THEREFOR

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on October 20, 1978, bids for the Remodeling of Animal Areas and Academic Space in the Philip R. Jonsson Basic Science Research Building at the Dallas Health Science Center were called for and were received, opened and tabulated on November 21, 1978, as shown below:

<u>Bidder</u>	<u>Base Bid</u>	<u>Bidder's Bond</u>
Angroson, Inc., Dallas, Texas	\$748,000.00	5%
Lee-Emmert, A Corp., Richardson, Texas	511,460.00	5%
The McCally Company, Inc., Dallas, Texas	555,555.55	5%
NICO INDUSTRIES, INC., Dallas, Texas	525,000.00	5%

Total project cost for remodeling of approximately 10,000 square feet for Animal Resources, Psychiatry and the Graduate School was initially estimated at \$650,000. A Legislative appropriation of \$500,000 has been authorized for this project with an additional \$25,000 having been previously appropriated from Dallas Health Science Center Unexpended Plant Funds. The recommended contract award and related project expenses can be provided within a decreased total project cost of \$600,000.

RECOMMENDATIONS

President Sprague and Chancellor Walker recommend that the Board:

- a. Award the construction contract for the Remodeling of Animal Areas and Academic Space in the Philip R. Jonsson Basic Science Research Building at the Dallas Health Science Center to the lowest responsible bidder, Lee-Emmert, A Corporation, Richardson, Texas, in the amount of the base bid of \$511,460.00
- b. Authorize a revised total project cost of \$600,000 to cover the recommended construction contract award, air balancing, fees and other related project expenses
- c. Appropriate additional funds in the amount of \$75,000 from Dallas Health Science Center Unappropriated Balance Plant Fund Account No. 729910 to provide for the total project cost.

21. GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS) - TEXAS DEPARTMENT OF CORRECTIONS HOSPITAL (PROJECT NO. 601-385) - REQUEST FOR APPOINTMENT OF A COMMITTEE TO AWARD CONSTRUCTION CONTRACTS FOR THE SITE PREPARATION AND FOUNDATION CONSTRUCTION

BACKGROUND INFORMATION

At the October 20, 1978 Regents' meeting, approval was given for the phasing of construction for the Texas Department of Corrections Hospital at the Galveston Medical Branch. In accordance with this authorization, completed plans for site preparation and foundation construction were issued to bidders. Prior to the scheduled bid date of Tuesday, November 28, 1978, the Project Architect, Bernard Johnson, Inc., and Jessen Associates, Inc., A Joint Venture, received petitions for an extension of the bidding period because of increased bidding activity in the construction industry during November 1978. The Office of Facilities Planning and Construction and Galveston Medical Branch Administration evaluated this request and have concluded that an extension of the bidding period to Tuesday, December 12, 1978, would be to the advantage of the University.

Therefore, to expedite the construction start of site preparation and foundation construction prior to the February 1979 Regents' meeting, it is recommended that a committee be appointed to award construction contracts within previously appropriated funds.

RECOMMENDATIONS

President Levin and Chancellor Walker recommend that the Board appoint a Committee consisting of President Levin, Director Kristoferson, Vice Chancellor Boyd, Chancellor Walker, Committee Chairman Bauerle and Board Chairman Shivers to award the construction contracts for the Texas Department of Corrections Hospital site preparation and foundation construction, within the funds previously appropriated.

The results of the Committee action will be presented to the Board at a future meeting.

22. SAN ANTONIO HEALTH SCIENCE CENTER - EXPANSION OF THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO (PHASE IV) (PROJECT NO. 402-288) - RECOMMENDED AWARD OF CONTRACTS FOR FURNITURE AND FURNISHINGS TO ABEL CONTRACT FURNITURE & EQUIPMENT COMPANY, INC., AUSTIN, TEXAS; CARPET SERVICES, INC., AUSTIN, TEXAS; AND SHERRILL DRAPERIES, INC., IRVING, TEXAS

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on February 11, 1977, bids for Furniture and Furnishings were called for and were received, opened and tabulated on November 22, 1978, as shown on the attached sheet, for the Expansion of The University of Texas Health Science Center at San Antonio (Phase IV).

Base Bid "A" (Wood Furniture and Desks) is for furniture which exactly matches and will be intermingled with existing pieces. Although three bidders were expected to bid on this matching furniture, only one bidder was able to submit a bid. The two other bidders were unable to bid on this item due to existing commitments. The bid received is less than the estimated cost, and is considered to be reasonable in the existing market.

Base Bid "B" (Steel and Miscellaneous Furniture) resulted in two bids. Other bidders submitted alternate items for consideration which could not be considered because they did not meet the specifications called for in the proposal. The low bid received is less than the estimated cost. Re-bidding of either Item A or B at this time would probably not produce improved results.

RECOMMENDATIONS

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

Abel Contract Furniture & Equipment Co., Inc., Austin, Texas		
Base Proposal "A" (Wood Furniture)	\$14,757.70	
Base Proposal "B" (Misc. Furnishings)	<u>53,998.67</u>	
Total Contract Award to Abel Contract Furniture & Equipment Co., Inc.		\$68,756.37
Carpet Services, Inc., Austin, Texas		
Base Proposal "C" (Carpeting)		1,205.00
Sherrill Draperies, Inc., Irving, Texas		
Base Proposal "D" (Draperies)		<u>2,968.00</u>
GRAND TOTAL RECOMMENDED CONTRACT AWARDS		<u>\$72,929.37</u>

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

FURNITURE AND FURNISHINGS FOR PHASE IV,
 EXPANSION OF THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO
 Bids Received at 2:00 p.m., Central Standard Time, Wednesday, November 22, 1978
 Office of Facilities Planning and Construction, The University of Texas System, Austin, Texas

	<u>Base Proposal "A"</u>	<u>Base Proposal "B"</u>	<u>Base Proposal "C"</u>	<u>Base Proposal "D"</u>	<u>Bidder's Bond or Cashier's Check</u>
Abel Contract Furniture & Equipment Co., Inc., Austin, Texas	\$14,757.70	\$53,998.67	No Bid	No Bid	B.B. 5%
Bexar Floor Covering Company, San Antonio, Texas	No Bid	No Bid	\$1,445.00	No Bid	B.B. 5%
Carpet Services, Inc., Austin, Texas	No Bid	No Bid	1,205.00	No Bid	B.B. 5%
Custom Interior Con- tractors, Houston, Texas	No Bid	No Bid	No Bid	\$3,299.00	B.B. 5%
E. G. Jenkins Co., Inc., Dallas, Texas	No Bid	No Bid	No Bid	3,980.00	C.C. \$199.00
Rockford Furniture & Carpets, Inc., Austin, Texas	No Bid	56,886.51	1,445.50	No Bid	B.B. 5%
San Antonio Floor Finishers, Inc., San Antonio, Texas	No Bid	No Bid	1,518.00	No Bid	B.B. 5%
Sherrill Draperies, Inc., Irving, Texas	No Bid	No Bid	No Bid	2,968.00	B.B. 5%

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23. UNIVERSITY CANCER CENTER (M. D. ANDERSON): SCIENCE PARK, CAMP SWIFT DIVISION AT BASTROP - SCIENCE PARK CHIMPANZEE FACILITY (PROJECT NO. 703-382) - RECOMMENDED AWARD OF CONTRACT TO RIO CONSTRUCTION COMPANY, AUSTIN, TEXAS, AND ADDITIONAL APPROPRIATION THEREFOR

BACKGROUND INFORMATION

In accordance with authorization of the Board of Regents at its meeting on July 29, 1977, bids were called for were received, opened and tabulated on November 28, 1978, as shown below, for the Science Park Chimpanzee Facility at the Science Park, Camp Swift Division at Bastrop of The University of Texas System Cancer Center:

<u>Bidder</u>	<u>Base Bid</u>	<u>Bidder's Bond</u>
Joe Badgett Construction Company, Inc., Austin, Texas	\$1,245,569	5%
Thomas Hinderer Company, Austin, Texas	1,153,000	5%
Lawless & Alford, Inc., Austin, Texas	1,300,000	5%
Rio Construction Company, Austin, Texas	1,096,000	5%

The construction of this facility will enable the Science Park Veterinary Division to maintain approximately 150 chimpanzees in an optimum animal care and breeding environment. The facilities to be constructed will provide approximately 49,500 gross square feet for receiving and evaluation, animal dens, clinic treatment areas, nursery, diet kitchen and support functions. Additionally, eight large security compounds with sixteen foot walls will be constructed for outdoor areas adjacent to the enclosed animal care housing.

The committee appointed at the October 1978 Regents' meeting to award a construction contract within the previously appropriated funds of \$950,000 was unable to take any action due to the bids received. However, it is felt that the close range of the four bids received indicates a true current market value for the unique type of construction required for this project. A federal grant in the amount of \$827,832 has been received for the operation and maintenance of the facility for a five year period.

RECOMMENDATIONS

President LeMaistre and Chancellor Walker recommend that the Board:

- a. Award the construction contract for the Science Park Chimpanzee Facility at the Science Park, Camp Swift Division at Bastrop of The University of Texas System Cancer Center to the lowest responsible bidder, Rio Construction Company, Austin, Texas, in the amount of the base bid of \$1,096,000
- b. Authorize a total project cost of \$1,186,660 to cover the recommended building construction contract award, fees and other related project expenses
- c. Appropriate additional funds in the amount of \$236,660 from Account No. 187-291 Science Park Building Expansion Funds to provide for the total project cost.

Health Affairs Committee

HEALTH AFFAIRS COMMITTEE
Committee Chairman Law

Date: December 1, 1978

Time: Following the meeting of the Academic and Developmental Affairs Committee unless the Buildings and Grounds Committee does not finish its business on November 30 and reconvenes on December 1, 1978

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

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

- ✓ 1. U. T. Arlington: Proposed Affiliation Agreement with Otis Engineering Corporation, Carrollton, Texas.--

RECOMMENDATION

It is recommended by President Nedderman and System Administration that approval be given to the affiliation agreement by and between The University of Texas at Arlington and Otis Engineering Corporation, Carrollton, Texas, to be effective on the date approved by the Board of Regents.

PURPOSE

This agreement will permit additional educational facilities primarily for the nursing students at U. T. Arlington.

- ✓ 2. U. T. El Paso: Proposed Affiliation Agreement with Hotel Dieu Hospital and Medical Center, El Paso, Texas.--

RECOMMENDATION

It is recommended by President Templeton and System Administration that approval be given to the affiliation agreement by and between The University of Texas at El Paso and Hotel Dieu Hospital and Medical Center, El Paso, Texas. The agreement was executed by the appropriate officials on July 12, 1978 to be effective upon approval by the Board of Regents.

PURPOSE

The agreement will permit additional educational facilities primarily for the nursing students at U. T. El Paso.

- ✓ 3. U. T. San Antonio: Proposed Affiliation Agreement with Home Health-Home Care, Inc., San Antonio, Texas.--

RECOMMENDATION

It is recommended by Acting President Wagener and System Administration that approval be given to the affiliation agreement by and between The University of Texas at San Antonio and Home Health-Home Care, Inc., San Antonio, Texas. The agreement was executed by the appropriate officials on June 28, 1978 to be effective upon approval by the Board of Regents.

PURPOSE

This agreement will permit additional training opportunities primarily for students in the health care services field.

4. U. T. San Antonio and San Antonio Health Science Center: Request to Seek Permission from Coordinating Board to Establish a New Program to be Jointly Administered and to Award the Master of Science Degree in Medical Technology (Catalog Change). --

RECOMMENDATION

Acting President Wagener and President Harrison

Acting President Wagener and President Harrison request approval to offer a joint graduate program leading to a Master of Science Degree in Medical Technology at The University of Texas at San Antonio and The University of Texas Health Science Center at San Antonio. The program will make maximal use of educational resources at the two institutions to provide needed advanced education in Medical Technology.

System Administration

System Administration recommends approval; and if approved by the Board of Regents, the proposal will be forwarded to the Coordinating Board for action.

BACKGROUND INFORMATION

The development of baccalaureate degree Medical Technology programs has occurred without the simultaneous training of educators and managers in the field. As a result, a severe shortage of graduate educated medical technologists now exists. The National Accrediting Association for Clinical Laboratory Sciences (NAACLS) has just instituted the requirement that a director of an integrated Medical Technology B.S. program must have at least a master's degree. The current trend toward integrated programs, the new ruling by NAACLS and the increasingly complex nature of medical laboratory analytical procedures have created the need for an advanced degree in Medical Technology.

All but four of the graduate courses for this program already are available either at U. T. San Antonio or at the U. T. Health Science Center at San Antonio. In the proposed program, each student will take a core curriculum of 25 hours minimum and will select a concentration in the clinical laboratory from the following areas: Clinical Chemistry, Hematology, Immunohematology, Clinical Microbiology, and Laboratory Management and Education. U. T. San Antonio's portion of the funding will be generated from formula funding based on enrollment in the program. The U. T. Health Science Center at San Antonio will request the needed monies as part of its legislative budget. The program will become self-supporting at U. T. San Antonio in its second year. No new facilities are required and present library holdings at U. T. San Antonio and the U. T. Health Science Center at San Antonio are adequate to support this program. Graduates of the program can be expected to play an important role in continuing to improve the quality and efficiency of clinical laboratory science in the South and South Central Texas region.

SECRETARY'S NOTE: If this recommendation is approved by the Board of Regents, the minute order will reflect that after the program is approved by the Coordinating Board, the next appropriate catalogs published will be amended to reflect this action.

5. Dallas Health Science Center: Proposed Appointment to the M. T. "Pepper" Jenkins Professorship in Anesthesiology. --

RECOMMENDATION

President Sprague

President Sprague recommends the appointment of Dr. A. H. "Buddy" Giesecke to the M. T. "Pepper" Jenkins Professorship in Anesthesiology at The University of Texas Health Science Center at Dallas as set forth in the following letter.

"I would like to submit for your consideration and subsequent action by the Board of Regents the name of Dr. A. H. Buddy Giesecke to the M. T. Pepper Jenkins Professorship in Anesthesiology at this institution. The Jenkins Professorship was accepted from The Eugene McDermott Foundation and established officially at Southwestern Medical School in honor of Dr. Jenkins at the November 11, 1977 meeting of the Board of Regents. Dr. Jenkins, Chairman of the Department of Anesthesiology, enthusiastically recommends that Dr. Giesecke be named to this professorship, and Dr. Frederick Bonte, Dean of The University of Texas Southwestern Medical School, concurs in this recommendation. Dr. Giesecke currently serves as Vice Chairman of the Department. As attested to by the attached curriculum vitae, Dr. Giesecke has an outstanding national and international reputation in anesthesiology.

"I should add that Mrs. McDermott and the trustees of the Eugene McDermott Foundation are also enthusiastic regarding Dr. Giesecke's nomination to this professorship.

"I would, therefore, like to request your approval and that of the Board of Regents of this nomination."

System Administration

System Administration has reviewed this recommendation. Dr. Giesecke is a distinguished faculty member, an effective teacher, and an outstanding anesthesiologist. The System Administration enthusiastically endorses the recommendation.

BACKGROUND INFORMATION

Dr. Giesecke received his M.D. degree from Galveston Medical Branch and completed his graduate medical education in anesthesiology at the Dallas Health Science Center. He joined the faculty of Southwestern Medical School in 1963 and currently serves as Professor and Vice Chairman of the Department of Anesthesiology. He is a Diplomate of the American Board of Anesthesiology and a Fellow of the American College of Anesthesiologists. He has published extensively and is a regular participant in continuing education courses.

6. Galveston Medical Branch: Proposed Appointment to the John Sealy Chair in Pediatrics.--

RECOMMENDATION

President Levin

"Your permission is respectfully requested to appoint C. WILLIAM DAESCHNER, Jr., M.D., Professor, with tenure, and Chairman, Department of Pediatrics, as the holder of the JOHN SEALY CHAIR IN PEDIATRICS. This proposal is enthusiastically endorsed by the Executive Committee of the Faculty of Medicine.

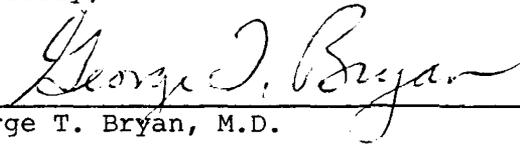
"Dr. Daeschner received his M.D. degree from The University of Texas Medical Branch in 1946, served his rotating internship at Hermann Hospital in Houston, Texas, and completed his pediatric residency at Children's Hospital Medical Center in Boston, and St. Louis Children's Hospital in St. Louis, Missouri. From 1951 through 1958, he was a member of the faculty of Baylor University College of Medicine in Houston. Dr. Daeschner joined The University of Texas Medical Branch as Professor and Chairman of the Department of Pediatrics in 1960.

"Dr. Daeschner is an effective teacher and academician, and is widely respected as a national leader in medical education. He has introduced innovative approaches in the pediatric educational program, and has built a department which is uniformly excellent in teaching, research, and patient care. Dr. Daeschner received the Nicholas and Katherine Leone Award for administrative excellence in 1974, and the Ashbel Smith Distinguished Alumnus Award in 1977.

"In my opinion, Dr. Daeschner is the outstanding candidate to hold the JOHN SEALY CHAIR IN PEDIATRICS, and I wholeheartedly request your approval of this proposal.

"My very best wishes."

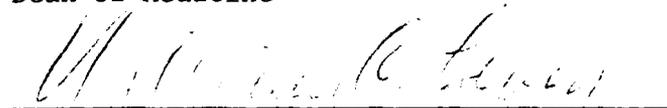
Sincerely,



George T. Bryan, M.D.
Dean of Medicine

GTB/dkm

APPROVED: Date: 11/1/78



William C. Levin, M.D.
President, UTMB

APPROVED: Date: 11/8/78



E. D. Walker
Chancellor, UT System

System Administration

System Administration enthusiastically endorses this recommendation as Dr. Daeschner is an outstanding candidate for this appointment.

BACKGROUND INFORMATION

This Chair was established by the Board of Regents at their June 9, 1978 meeting upon receipt of a gift of \$500,000 from The Sealy and Smith Foundation for the John Sealy Hospital, Galveston, Texas.

[SECRETARY'S NOTE: It is understood that this appointment will be effective immediately.]

7. Houston Health Science Center: Proposed Affiliation Agreement with Texas Research Institute of Mental Sciences, Houston, Texas. --

RECOMMENDATION

It is recommended by Acting President Blocker and System Administration that approval be given to the affiliation agreement by and between The University of Texas Health Science Center at Houston and the Texas Research Institute of Mental Sciences, Houston, Texas. The agreement was executed by the appropriate officials on October 11, 1978 to be effective upon approval by the Board of Regents.

PURPOSE

This agreement will provide additional experience for students of the Houston Health Science Center.

8. San Antonio Health Science Center: Request to Seek Permission from Coordinating Board to Establish a Postdoctoral Certificate and Master of Science Degree Program in the Dental Diagnostic Sciences (Catalog Change). --

PRESIDENT HARRISON

Recommendation

"I am requesting that the enclosed program entitled: "A Postdoctoral Certificate and Master of Science Degree Program in the Dental Diagnostic Sciences" be submitted for approval by the Board of Regents of The University of Texas System. If such approval is forthcoming I request it be forwarded to the Coordinating Board, Texas College and University System.

"This proposal developed by the faculty of our Department of Diagnosis and Roentgenology was reviewed and approved by the Executive Committee of the Graduate School of Biomedical Sciences at its October 6, 1978 meeting.

"Although this program is not a recognized Dental Specialty at the present time, we are confident that it will be, witness the endorsement in the appendix of the proposal suggesting this type of program. eg. President, American Academy of Dental Radiology; Executive Director, American Association of Dental Schools; Chairman, Section on Oral Radiology, American Association of Dental Schools; President, Organization of Teachers of Oral Diagnosis; President, Texas Dental Association; and President, San Antonio District Dental Society.

"The program focusing on Dental Diagnostic Science pulls together four disciplines usually organized separately in conventional programs. This collective pooling critical to Diagnostic Science in dentistry has already received recognition as evidenced by the recent formation of a national organization -- the "Federation of Dental Diagnostic Sciences."

"This is a well conceived program and we look forward someday of being accredited as establishing the first program of its kind in the nation.

"I would be most pleased to discuss the program with you further if you so desire."

SYSTEM ADMINISTRATION

Recommendation

System Administration has reviewed this proposal and supports this recommendation. Although not now nationally recognized as a specialty in dentistry, it is clear this program will fill a great need for dental care in Texas. The curriculum is well defined and meaningful. If approved this request will be submitted to the Coordinating Board.

BACKGROUND INFORMATION

The proposed program is designed to be 24 months in duration for a certificate and 30 months if an M.S. degree is desired. The first year of the program will be the same for either the certificate or the degree. The student will select a special area of interest, either Oral Diagnosis or Dental Radiology and may choose a second area in Oral Pathology. Each candidate will complete a research project. The proposed program has been reviewed and endorsed by representatives from the American Academy of Dental Radiology, the American Association of Dental Schools, the Organization of Teachers of Oral Diagnosis, the San Antonio District Dental Society, and the Texas Dental Association.

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

Land & Investment Committee

LAND AND INVESTMENT COMMITTEE
Committee Chairman Clark

Date: November 30-December 1, 1978

Time: Following the Meeting of the Health Affairs Committee

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

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I. PERMANENT UNIVERSITY FUND

A. INVESTMENT MATTERS

1. Report on Clearance of Monies to Permanent University Fund for September and October 1978 and Report on Oil and Gas Development.--
 The Executive Director for Investments, Trusts and Lands reports the following with respect to the Permanent University Fund for the months ending September 30, 1978 and October 31, 1978, and Oil and Gas Development as of October 31, 1978:

<u>Permanent University Fund</u>	<u>September 1978</u>	<u>October 1978</u>	<u>Cumulative This Fiscal Year</u>	<u>Cumulative Preceding Fiscal Year</u>
Royalty				
Oil	\$ 2,879,199.31	\$3,583,222.51	\$ 6,462,421.82	\$ 5,932,984.29
Gas	2,872,772.88	2,135,204.59	5,007,977.47	5,924,648.48
Water	27,523.10	14,985.45	42,508.55	61,924.43
Salt Brine	3,852.97	1,780.98	5,633.95	10,206.08
Sulphur	77,843.52	57,232.64	135,076.16	105,846.89
Rental				
Oil and Gas Leases	681,645.12	61,573.79	743,218.91	394,250.55
Other	100.00	100.00	200.00	(1,163.54)
Miscellaneous	323,543.00	67,430.15	390,973.15	138,153.16
	<u>\$ 6,866,479.90</u>	<u>\$5,921,530.11</u>	<u>\$12,788,010.01</u>	<u>\$12,566,850.34</u>
Bonuses, Oil and Gas Lease Sales	<u>9,719,000.00</u>	<u>-0-</u>	<u>9,719,000.00</u>	<u>-0-</u>
Total, Permanent University Fund	<u>\$16,585,479.90</u>	<u>\$5,921,530.11</u>	<u>\$22,507,010.01</u>	<u>\$12,566,850.34</u>

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Oil and Gas Development - October 31, 1978
Acreage Under Lease - 1,111,742

Number of Producing Acres - 379,640

Number of Producing Leases - 1,660

2. Report on Permanent University Fund Investments for the Fiscal Year Ended August 31, 1978.---Under separate bound cover the Executive Director for Investments, Trusts and Lands presents a report on the Permanent University Fund investments for the fiscal year ended August 31, 1978. During the fiscal year, periodic reports of investment transactions made for the Fund were submitted to the Board for approval. The present report summarizes the investment transactions for the fiscal year and indicates the status of the Fund's portfolio as of August 31, 1978.

The Permanent University Fund experienced significant gains in book value of assets and in earnings during the year as shown below:

	Fiscal Year Ended 8/31		Increase	
	1977	1978		%
Book Value	\$946,070,599	\$1,043,320,990	\$97,250,391	10.3
Investment Income	53,882,377	62,763,714	8,881,337	16.5

It is recommended by the Administration that the formal report be approved in order that copies may be distributed to the Governor, members of the Legislature and other State Officials, as required by H.B. 1198, passed at the regular session of the 62nd Legislature.

3. Permanent University Fund: Assignment of Note and Mortgage on Cochise County Hospital Association, 9.6% Mortgage Note to the Secretary of Health, Education and Welfare of the United States.

Recommendation

The Executive Director of Investments, Trusts and Lands and System Administration recommend the assignment of the note and mortgage on Cochise County Hospital Association, Douglas, Arizona, to the Secretary of Health, Education and Welfare of the United States in consideration of H. E. W. making payment to the Permanent University Fund of all remaining principal and interest payments under the terms and provisions of the note agreement.

Background Information

In November, 1974, the Permanent University Fund committed to make a loan of \$1,983,800 to Cochise County Hospital Association, Douglas, Arizona. Funds were to be advanced periodically as construction on the hospital progressed and as money was advanced its repayment became fully guaranteed by the United States government through the Department of Health, Education and Welfare under provisions of the Hill-Burton Act. In addition, the Permanent University Fund received a first mortgage on the hospital properties.

The first advance on the loan was made in July, 1975, and the final advance in April, 1977. Subsequently the borrower defaulted in the payment of its obligations and in November, 1977, the Hospital Association sought relief under Chapter XI of the Bankruptcy Act. Since that time the federal government has made payment of all arrearages, including principal, interest and penalties, and has further made timely payment of interest and principal due. Principal balance outstanding on the note is now \$1,933,011.10.

B. LAND MATTERS

Easements and Surface Leases Nos. 4716-4778, Material Source Permits Nos. 564-566, Water Contracts Nos. 168-170 and Brine Production Lease No. 11.--It is recommended by the Executive Director for Investments, Trusts and Lands that the following applications for easements and surface leases, material source permits, water contracts and brine production lease be approved. All have been approved as to content by the appropriate officials. Payment for each has been received in advance unless otherwise indicated, and each document is on the University's standard form and is at the standard rate adopted February 1, 1977:

1. Easements and Surface Leases Nos. 4716-4778

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4716	Fin-Tex Pipe Line Company (renewal of 2816)	Pipe Line	Crane, Upton, Reagan, Crockett	2, 3, 8, 9, 11, 12, 31, 46, 50, 51, 58	14,389.67 rds. 10-3/4 inch	2/1/79- 1/31/89	\$35,974.18
4717	Cabot Corporation (renewal of 2823)	Pipe Line	Ward	16	58.8 rds. 6-5/8 inch	12/1/78- 11/30/88	150.00 (min.)
4718	Allied Chemical Corporation (renewal of 2491)	Pipe Line	Andrews	9, 10	251.94 rds. 3 inch	9/1/77 8/31/87	629.85
4719	Northern Natural Gas Company	Pipe Line	Pecos	16	2,213.94 rds. 6-5/8 inch	9/1/78- 8/31/88	6,641.82
4720	Northern Natural Gas Company	Pipe Line	Reagan	9, 10	608.24 rds. 4-1/2 inch	9/1/78- 8/31/88	1,824.72
4721	The Permian Corporation	Pipe Line	Reagan	9	299.76 rds. 3-1/2 inch	9/1/78- 8/31/88	899.28
4722	Overland Pipeline Corporation	Pipe Line	Crockett	42, 45	1,542.48 rds. 2.875 inch	7/1/78- 6/30/88	4,627.44
4723	Texas Electric Service Company (renewal of 2758)	Power Line	Andrews, Martin	7, 8	6,214.12 rds. single pole	12/1/78- 11/30/88	6,214.12

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Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4724	Texas Electric Service Company (renewal of 2806)	Power Line	Crane, Ward	16, 30	6,699 rds. single pole, 2,597 rds. H-Frame	1/1/79- 12/31/88	\$13,191.50
4725	Texas Electric Service Company (renewal of 2818)	Power Line	Crane, Ector	35	303.09 rds. H-Frame	1/1/79- 12/31/88	757.73
4726	Arco Pipe Line Company (renewal of 2799)	Pipe Line	Crane	31	93 rds. 4-1/2 inch	11/1/78- 10/31/88	232.50
4727	Gulf Refining Company (renewal of 2802)	Pipe Line	Crane, Ector	35	110.48 rds. 4-1/2 inch, 859.02 rds. 6-5/8 inch	1/1/79- 12/31/88	2,423.75
4728	Texas-New Mexico Pipe Line Co. (renewal of 2881)	Pipe Line	Crane	30	134.8 rds. 6-5/8 inch	10/1/78- 9/30/88	337.00
4729	El Paso Natural Gas Company (renewal of 2860)	Pipe Line	Reagan	2	172.72 rds. 4-1/2 inch, 268.18 rds. 8-5/8 inch	3/1/79- 2/28/89	1,102.25
4730	D & W Pipe Rental	Surface Lease (pipe yard site)	Reagan	11	3.44 acres	9/1/78- 8/31/79*	1,250.00 (annual)
4731	Phillips Petroleum Company (renewal of 2914)	Surface Lease (booster station)	Martin	6	3.33 acres	1/1/79- 12/31/88	1,165.50 (full)

*Renewable from year to year, but not to exceed 10 years.

Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4732	El Paso Natural Gas Company (renewal of 2820)	Surface Lease (meter station)	Ward	17	0.045 acre	12/1/78- 11/30/88	\$ 1,500.00 (full)
4733	Amoco Pipeline Company (renewal of 2832)	Surface Lease (pump station)	Andrews	11	3.66 acres	2/1/79- 1/31/89	1,500.00 (full)
4734	Exxon Pipeline Company (renewal of 2661)	Pipe Line	Ector	35	84.41 rds. 4-1/2 inch	10/1/78- 9/30/88	211.03
4735	Exxon Pipeline Company (renewal of 2662)	Pipe Line	Andrews	10	31.3 rds. 4-1/2 inch	10/1/78- 9/30/88	150.00 (min.)
4736	Exxon Pipeline Company (renewal of 2664)	Pipe Line	Andrews	9	293.64 rds. 2-3/8 inch	10/1/78- 9/30/88	734.10
4737	Exxon Pipeline Company (renewal of 2665)	Pipe Line	Andrews	9	207.7 rds. 4-1/2 inch	10/1/78- 9/30/88	519.25
4738	Exxon Pipeline Company (renewal of 2667)	Pipe Line	Andrews	10	828.06 rds. 4-1/2 inch	10/1/78- 9/30/88	2,070.15
4739	Exxon Pipeline Company (renewal of 2670 & 2703)	Pipe Line	Andrews	1	282.94 rds. 4-1/2 inch	10/1/78- 9/30/88	707.35
4740	Exxon Pipeline Company (renewal of 2671)	Pipe Line	Andrews	1	280.61 rds. 4-1/2 inch	10/1/78- 9/30/88	701.53
4741	Exxon Pipeline Company (renewal of 2673)	Pipe Line	Andrews	1	196.30 rds. 4-1/2 inch	10/1/78- 9/30/88	490.75
4742	Exxon Pipeline Company (renewal of 2675)	Pipe Line	Andrews	10	121.82 rds. 4-1/2 inch	10/1/78- 9/30/88	304.55
4743	Exxon Pipeline Company (renewal of 2678)	Pipe Line	Andrews	9	187.93 rds. 4-1/2 inch	10/1/78- 9/30/88	469.83

Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4744	Exxon Pipeline Company (renewal of 2681)	Pipe Line	Andrews	9	604.14 rds. 4-1/2 inch	10/1/78- 9/30/88	\$ 1,510.35
4745	Exxon Pipeline Company (renewal of 2733)	Pipe Line	Reagan	2, 8, 9, 11	2,822.38 rds. 4-1/2 inch	10/1/78- 9/30/88	7,055.95
4746	Exxon Pipeline Company (renewal of 2738)	Pipe Line	Crane	30	101.40 rds. 4-1/2 inch	10/1/78- 9/30/88	253.50
4747	Exxon Pipeline Company (renewal of 2739)	Pipe Line	Crane	30	94.02 rds. 4-1/2 inch	10/1/78- 9/30/88	235.05
4748	Exxon Pipeline Company (renewal of 2742)	Pipe Line	Crane	30	165.76 rds. 4-1/2 inch	10/1/78- 9/30/88	414.40
4749	Exxon Pipeline Company (renewal of 2743 & 2932)	Pipe Line	Crane	30, 31	368.24 rds. 4-1/2 inch	10/1/78- 9/30/88	920.60
4750	Exxon Pipeline Company (renewal of 2746)	Pipe Line	Crane	30	80.24 rds. 4-1/2 inch	10/1/78- 9/30/88	200.60
4751	The Permian Corporation (renewal of 2711)	Pipe Line	Reagan	48	142.91 rds. 2-3/8 inch, 169.82 rds. 4-1/2 inch	11/1/78- 10/31/88	781.83
4752	The Permian Corporation (renewal of 2713)	Pipe Line	Reagan	48	43.21 rds. 4-1/2 inch	11/1/78- 10/31/88	108.03
4753	The Permian Corporation (renewal of 2718)	Pipe Line	Reagan	48	177.05 rds. 4-1/2 inch	11/1/78- 10/31/88	442.63
4754	The Permian Corporation (renewal of 2719)	Pipe Line	Reagan	48	191.82 rds. 2-3/8 inch	11/1/78- 10/31/88	479.55

Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4755	The Permian Corporation (renewal of 2722)	Pipe Line	Reagan	48	111.76 rds. 4-1/2 inch	1/1/79- 12/31/88	\$ 279.40
4756	The Permian Corporation (renewal of 2723)	Pipe Line	Reagan	48	187.39 rds. 6-5/8 inch	11/1/78- 10/31/88	468.48
4757	The Permian Corporation (renewal of 2724)	Pipe Line	Reagan	48	260.37 rds. 6-5/8 inch	1/1/79- 12/31/88	650.93
4758	The Permian Corporation (renewal of 2727)	Pipe Line	Reagan	48	202.30 rds. 4-1/2 inch	11/1/78- 10/31/88	505.75
4759	The Permian Corporation (renewal of 2734)	Pipe Line	Reagan	48	111.94 rds. 4-1/2 inch	11/1/78- 10/31/88	279.85
4760	The Permian Corporation (renewal of 2829)	Pipe Line	Upton	3	95.45 rds. 3-1/2 inch	1/1/79- 12/31/88	238.63
4761	Sohio Natural Resources Company (renewal of 2808)	Pipe Line	Andrews	4, 5	119.70 rds. 3-1/2 inch	12/1/78- 11/30/88	299.25
4762	E. G. Hall Oil Company (renewal of 2810)	Pipe Line	Crockett	50	103.03 rds. 3 inch	12/1/78- 11/30/88	257.58
4763	Flag-Redfern Oil Company (renewal of 2862)	Pipe Line	Crane	30	104.24 rds. 2 inch	1/1/79- 12/31/88	260.60
4764	Phillips Pipe Line Company (renewal of 2873)	Pipe Line	Andrews	11	247.5 rds. 4-1/2 inch	1/1/79- 12/31/88	618.75
4765	Phillips Petroleum Company (renewal of 2795)	Pipe Line	Andrews	9, 13, 14	143.5 rds. 2-1/2 inch, 477.1 rds. 4-1/2 inch	2/1/79- 1/31/89	1,551.50

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Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4766	Phillips Petroleum Company (renewal of 2915)	Pipe Line	Martin, Andrews	4, 5, 6	667.2 rds. 3-1/2 inch, 4,122.1 rds. 6-5/8 inch	1/1/79- 12/31/88	\$11,973.25
4767	A. J. Vogel, Inc. (renewal of 2904)	Pipe Line	Winkler	20	60 rds. 2 inch	4/1/79- 3/31/89	150.00
4768	Phillips Petroleum Company (renewal of 2836)	Pipe Line	Andrews	4	327.6 rds. 3-1/2 inch	3/1/79- 2/28/89	819.00
4769	Phillips Petroleum Company (renewal of 2838)	Pipe Line	Pecos	19, 20	3,370.10 rds. 3 inch	4/1/79- 3/31/89	8,425.25
4770	Southwest Texas Electric Cooperative, Inc. (renewal of 2874)	Power Line	Upton, Crockett	4, 50	996.84 rds. single pole	1/1/79- 12/31/88	996.84
4771	Southwest Texas Electric Cooperative, Inc.	Power Line	Reagan	49	67.5757 rds. single pole	10/1/78- 9/30/88	150.00 (min.)
4772	Southwest Texas Electric Cooperative, Inc.	Power Line	Irion	40	309.0909 rds. single pole	9/1/78- 8/31/88	309.09
4773	Southwest Texas Electric Cooperative, Inc.	Power Line	Crockett	30	119.0909 rds. single pole	9/1/78- 8/31/88	150.00 (min.)
4774	Southwest Texas Electric Cooperative, Inc.	Power Line	Crockett, Reagan	49, 50	74.4848 rds. single pole	9/1/78- 8/31/88	150.00 (min.)
4775	Southwest Texas Electric Cooperative, Inc.	Power Line	Crockett	47	332.727 rds. single pole	9/1/78- 8/31/88	332.73
4776	Southwest Texas Electric Cooperative, Inc.	Power Line	Reagan, Crockett	47, 48	260.3030 rds. single pole	9/1/78- 8/31/88	260.30

Land Matters - Continued --

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4777	Southwest Texas Electric Cooperative, Inc.	Power Line	Reagan	48	59.6363 rds. single pole	10/1/78- 9/30/88	\$ 150.00 (min.)
4778	Reading & Bates Petroleum Co. (renewal of 2935)	Pipe Line	Reagan, Upton	2, 3	519.9 rds. 2 inch	4/1/79- 3/31/89	1,299.75

2. Material Source Permits Nos. 564-566

No.	Grantee	County	Location	Quantity	Consideration
564	Jones Bros. Rental Equipment Co., Inc.	Pecos	Block 30	3,039 cubic yards caliche	\$ 455.85*
565	Farmer Constr. Co.	Andrews	Block 13	256 cubic yards caliche	150.00 (min.)
566	Jones Bros. Rental Equipment Co., Inc.	Pecos	Block 30	8,378 cubic yards caliche	1,256.70

*This agreement was made under the old schedule.

3. Water Contracts Nos. 168-170

No.	Grantee	County	Location	Period	Consideration
168	Permian Brine Sales, Inc. (renewal of 148)	Crockett	Block 51	12/1/78-11/30/79*	\$ 100.00** (annual)
169	Gulf Oil Corporation (renewal of 143)	Crane	Block 31	9/1/78-8/31/79*	4,480.00*** (annual)
170	Rittenhouse Oil & Gas Co.	Reagan	Block 2	4/1/77-3/31/82	****

*Renewable from year to year, but not to exceed a total of five years.

**Annual rental is \$100.00, to be paid in advance. Royalty is 12¢ per 1,000 gallons of water produced, with a minimum of \$200.00 per year. This water contract is in conjunction with Brine Production Lease No. 11.

***Annual rental is \$4,480.00, to be paid in advance. Royalty is 12¢ per 1,000 gallons of water produced, with a minimum royalty of \$200.00 per year.

****Royalty is 1/2¢ per barrel of water produced, with a minimum royalty of \$200.00 per year.

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4. Brine Production Lease No. 11

No.	Grantee	Type of Permit	County	Location	Period	Consideration
11	Permian Brine Sales, Inc. (renewal of 9)	Brine Production Lease	Crockett	Block 51	12/1/78-11/30/79*	\$ 100.00** (annual)

*Renewable from year to year, but not to exceed a total of five years.

**Annual rental is \$100.00, to be paid in advance. Royalty is a minimum of two cents per barrel of brine produced and sold, or 12½ per cent of the sale price, whichever is greater. This brine production lease is in conjunction with Water Contract No. 148.

II. TRUST AND SPECIAL FUNDS

A. GIFTS, BEQUESTS AND ESTATES

1. U. T. Austin - Recommendation for Acceptance of Gift and Establishment of the Grace Hill Milam Endowed Presidential Scholarship in Fine Arts

Recommendation

President Rogers and the Administration recommend the acceptance of a gift by Mrs. Margaret McDermott of 278 shares of Texas Instruments Incorporated Common Stock with the proceeds estimated to be about \$25,000 to be used for establishment of the Grace Hill Milam Endowed Presidential Scholarship in Fine Arts. Mrs. McDermott is establishing this fund in honor of her mother, Grace Hill Milam. Income from this fund will be used for scholarship awards for students in the College of Fine Arts.

2. U. T. El Paso - Recommendation for Acceptance of Gift and Establishment of the Brumbelow-Moore Memorial Scholarship Fund

Recommendation

President Templeton and the Administration recommend the acceptance of memorial contributions in the amount of \$10,151.62 and the establishment of the Brumbelow-Moore Memorial Scholarship Fund in honor of Mike Brumbelow and Ross Moore. Income from this fund will be used for academic scholarships to be awarded to sophomore, junior or senior student athletes or student trainers.

Background Information

Both of the individuals honored were associated with the U. T. El Paso Athletic Department where Mike Brumbelow served as athletic director and football coach for seven years and Ross Moore was athletic trainer for 30 years.

Contributions for this fund were given by former students, colleagues, friends and admirers of these two gentlemen.

3. Galveston Medical Branch (Graduate School of Biomedical Sciences) - Recommendation to Convert the James E. Beall II Memorial Award in Anatomy and the Neurosciences to the James E. Beall II Memorial Lectureship and Awards in Anatomy and the Neurosciences

Recommendation

President Levin and the Administration recommend that the James E. Beall II Memorial Award in Anatomy and the Neurosciences be converted to the James E. Beall II Memorial Lectureship and Awards in Anatomy and the Neurosciences. Funding for the support of the lectureship and awards will come from the James E. Beall II Memorial Award in Anatomy and the Neurosciences which has a current balance of \$27,400. Additional contributions are expected which will be added to this balance. Income from this fund will be used to pay for an annual lectureship and awards to outstanding students for research in neurosciences.

Background Information

The Board of Regents on October 1, 1976, approved the establishment of the James E. Beall II Memorial Award in Anatomy and the Neurosciences in memory of Mr. Beall. Mr. Beall died in an accident in February, 1976, while a student in the Graduate School of Biomedical Sciences. He was to have received his Ph.D. degree in anatomy in August, 1976. Contributions for the establishment of a memorial fund have far exceeded the goal of \$10,000, therefore the request for the lectureship.

4. Galveston Medical Branch (Galveston Medical School) - Recommendation for Acceptance of Gift and Establishment of Elizabeth and Chauncey Leake Memorial Fund

Recommendation

President Levin and the Administration recommend the acceptance of memorial contributions in the amount of \$11,615 and the establishment of the Elizabeth and Chauncey Leake Memorial Fund in memory of Dr. and Mrs. Chauncey D. Leake. Eighty percent (80%) of the income from this fund will be used on alternating years to provide a lecture relating to the humanities in the health profession and the next year an award to a student for an essay relating to the same subject. Twenty percent (20%) of the income is to be added to principal each year to provide growth for the fund.

Background Information

Dr. Leake served as Executive Vice President and Dean of the Galveston Medical Branch from 1942 through 1955. Dr. Leake was associated with three other medical schools during his career as an administrator and medical doctor. Relatives, friends and associated trusts contributed funds for the establishment of this fund.

5. Galveston Medical Branch (Galveston Medical School) - Recommendation for Acceptance of Gift and Establishment of the Hambrock-McGanity Awards in Obstetrics and Gynecology.

Recommendation

President Levin and the Administration recommend the acceptance of a cash gift of \$11,000 from Dr. and Mrs. William J. (Mary K.) McGanity of Galveston, Texas, and the establishment of the Hambrock-McGanity Awards in Obstetrics and Gynecology. This fund is being established by Dr. and Mrs. McGanity in honor of their parents, Mr. and Mrs. Louis (Lucy E.) Hambrock, of Montreal, Quebec, Canada, and Dr. and Mrs. Arthur J. (Ethel M.) McGanity, of Kitchener, Ontario, Canada. The income from this endowment will be used to support scholarship awards to medical students achieving excellence in the field of obstetrics and gynecology at the Galveston Medical Branch.

Background Information

William J. McGanity, M.D., is Professor and Chairman of the Department of Obstetrics and Gynecology at the Galveston Medical Branch. Dr. and Mrs. McGanity are supporting a similar fund at The University of Texas Health Science Center at San Antonio. This fund, when endowed, will bear the same (or similar) title with income to be used for awards at U. T. San Antonio Medical School.

6. University Cancer Center (M. D. Anderson) - Recommendation for the Establishment of the Anderson Clinical Faculty Chair for Cancer Treatment and Research.

Recommendation

President LeMaistre and the Administration recommend the establishment of the Anderson Clinical Faculty Chair for Cancer Treatment and Research. Funds in the amount of \$600,000 to endow the chair will be taken from an accumulation of earnings from professional fees at M. D. Anderson Hospital and Tumor Institute. This position will strengthen and enhance the clinical staff at M. D. Anderson Hospital and Tumor Institute.

Background Information

A designated fund entitled Professional Staff Salaries and Benefits Fund has been used to accumulate earnings from professional fees at M. D. Anderson Hospital and Tumor Institute and has a current balance of \$797,929.

7. University Cancer Center (M. D. Anderson) - Recommendation for the Establishment of the Ruth Legett Jones Chair.

Recommendation

President LeMaistre and the Administration recommend the establishment of the Ruth Legett Jones Chair in memory of Mrs. Jones who died recently at her home in Abilene, Texas. Unrestricted contributions have been received from Mrs. Jones and her daughter, Mrs. John Matthews, in the amount of \$674,188. Funds in the amount of \$600,000 will be used to endow the chair with the balance to be available for the use and benefit of the holder of the chair.

Background Information

Mrs. Ruth Legett Jones and her daughter, Mrs. John Matthews, have been strong supporters of M. D. Anderson's activities as indicated by their generous gifts. The family of Mrs. Jones approves this recommendation.

8. University Cancer Center (M. D. Anderson) - Report on Bequest Under the Will of Beulah Lane Meadows and Recommendation for Establishment of the D. B. Lane Cancer Research Fund Professorship for Leukemia Research.

Recommendation

The University Cancer Center has now received \$288,396.27 as the first and final distribution of the residuary estate of Beulah Lane Meadows accepted by the Board of Regents at its September 16, 1977, meeting. President LeMaistre and System Administration recommend that these funds be used to endow a professorship to be entitled the D. B. Lane Cancer Research Fund Professorship for Leukemia Research in keeping with restrictions set out in the will of Beulah Lane Meadows.

Background Information

Beulah Lane Meadows, a resident of Austin, died on May 20, 1977. Article VIII of her will reads as follows:

"All the rest and residue of my estate, after the payment by my Executor of the obligations hereinabove provided for and the payment of all expenses in connection with the probate of this will and the administration of my estate, I give, devise and bequeath unto The University of Texas M. D. Anderson

Hospital & Tumor Institute at Houston, Texas, for the purpose of advancing knowledge about cancer diseases, particularly those cancer-related blood diseases commonly and generally referred to as leukemia, and to support and/or carry out research projects on such disease or diseases.

This gift and any fund or property arising therefrom in whatever form it may take shall be known as the "D. B. Lane Cancer Research Fund" and all grants or gifts made therefrom shall be known as "D. B. Lane Cancer Research Grants."

All publications resulting from the research supported from the D. B. Lane Cancer Research Fund shall make acknowledgment of such support.

The foregoing requirements regarding the naming of the fund, the research grants and acknowledgment of support are not to be construed to in any wise limit the use of such funds jointly with other funds available for similar purposes nor are these requirements intended to be restrictive of the use of such funds. I do, of course, desire that such recognition be given to my late beloved father whenever it is reasonable and appropriate to do so."

9. University Cancer Center (M. D. Anderson) - Recommendation for Establishment of The Olga Keith Wiess Chair for Cancer Research.

Recommendation

President LeMaistre and the Administration recommend the establishment of The Olga Keith Wiess Chair for Cancer Research in honor of Mrs. Wiess, who died on August 7, 1978. Funds in the amount of \$600,000 for the endowment of this chair will be taken from The Harry Carothers Wiess Chair fund which will have a balance in excess of \$1,200,000 on November 30, 1978.

Background Information

The Harry Carothers Wiess Foundation started the funding of The Harry Carothers Wiess Chair for Cancer Research with an initial gift of 3,000 shares of Standard Oil (New Jersey). An Endowment Fund was authorized for this purpose by action of the Board of Regents at meeting No. 630 on December 11-12, 1964. Since receipt of the initial gift, Mrs. Olga Keith Wiess has made periodic contributions ranging in size from \$50,000 to \$100,000. The additional contributions and income have brought the total fund to a balance in excess of \$1,200,000, which will allow both chairs to be endowed with \$600,000 each.

10. U. T. Dallas - Recommendation for Acceptance of Bargain Sale Offer by Dr. and Mrs. C. L. Lundell of Land and Improvements in the Hood and Miller Addition, Plano, Texas, and the Establishment of the C. L. Lundell Professorship of Botany (Vascular Plant Taxonomy).

President Jordan and System Administration recommend the acceptance of the bargain sale offer by Dr. and Mrs. C. L. Lundell involving an apartment complex on Lots 7 and 10, Hood and Miller Addition, Plano, Collin County, Texas. The property, which is valued at \$240,000.00, will be conveyed to the Board of Regents in return for a promissory note to the Lundells in the principal amount of \$60,339.47, payable at 6% interest in monthly installments of \$1,000.00 each for 72 months beginning January 1, 1980. The note will recite that payments will be made only from funds generated from the property itself and from no other source. Any rental income

in excess of that required to pay operating expenses and to satisfy the note payments will be used to augment the Plant Sciences Research Fund at U. T. Dallas for the maintenance and operation of the Lundell Herbarium of The University of Texas at Dallas.

It is also recommended that the C. L. Lundell Professorship of Botany (Vascular Plant Taxonomy) be established, with the above specified property as its endowment. The Professorship is to be supported by the monthly rental income from the property, less operating expenses, but will not become operative until the promissory note to Dr. and Mrs. Lundell has been paid off. If the property is sold prior to the payment of the note, the net proceeds after satisfaction of the note will become the endowment for the Professorship. The holder of the Professorship will be responsible for overseeing the use, conservation and integrity of the Lundell Herbarium of The University of Texas at Dallas.

B. REAL ESTATE MATTERS

1. U. T. Austin - Thomas Shelton Maxey Professorship in Law - Recommendation for Oil and Gas Lease to Wm. B. Wilson and Sons Covering Land in Gaines County, Texas.

Recommendation

System Administration recommends approval of an oil and gas lease to Wm. B. Wilson and Sons covering the Board's undivided one-half interest in Section 82, Block G, WTRR Company Survey, Gaines County, Texas. The proposed lease would be for a term of three years and would provide for a bonus of \$81.50 per acre, one-fourth royalty, and \$2.00 per acre annual delay rentals.

Background Information

The Board of Regents acquired its one-half interest under the terms of the will of Robert Maxey. The other one-half interest is owned by The University of the South. Previous leases resulted in a weak oil producing well which was recompleted as a gas well in 1960 and then abandoned. This well was reentered and drilled to 5,815 feet before finally being plugged and abandoned on November 11, 1976.

2. U. T. Austin - J. Marion West Chair for Constructive Capitalism: Recommendation for Renewal of Agricultural Lease Covering Land in William Andrews League, Fort Bend County, to Joe Rodriguez.

Recommendation

System Administration recommends the renewal of an agricultural lease covering 130.387 acres in the William Andrews League, Fort Bend County, to Mr. Joe Rodriguez for one year commencing January 1, 1979, at a rental of \$1,300.00.

Background Information

This property was conveyed to the Board of Regents by the J. M. West Texas Corporation on February 23, 1977. An appraisal in 1975 set the market value at \$326,000.00. However, the tract is now deemed to be in the Brazos River flood plain, and regulations severely inhibit development and construction of permanent improvements. Unless these restrictions are removed, the property is suitable for agricultural use only. The proposed lease is recommended as an interim use and will contain a provision for early cancellation by the University.

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- 3. U. T. Austin - John Porter King, Jr. Fund - Recommendation for Oil and Gas Leases Covering an Undivided Interest in Sections 45 and 46, Block 72, PSL Survey, Reeves County, Texas, to Griffin & Burnett, Inc.

Recomendation

System Administration recommends that Oil and Gas Leases covering Sections 45 and 46, Block 72, PSL Survey, Reeves County, Texas, be granted to Griffin & Burnett, Inc. for a term of three years. The leases provide for a bonus of \$100.00 per acre, a 3/16ths royalty and annual delay rentals of \$1.00 per acre. The University owns an undivided 2% interest in subject tracts.

Background Information

The interest in this property came to the University as a part of the estate of John Porter King, Jr. The property is "mineral classified" and therefore the University will receive one-half the income produced by the leases. The other mineral owners have agreed to leases with identical terms.

- 4. U. T. El Paso - Frank B. Cotton Trust - Recommendation for Exchange of Land in Hudspeth County, Texas, with the School Land Board.

Recommendation

The University Land Agent and System Administration recommend that approval be given to exchange Sections 1 and 3, Tex. Mex. Ry. Co. Survey and Section 7, Block 3, G.C. & S.F. Ry. Survey, Hudspeth County, Texas, in return for Sections 4, 10 and 30, Block 3, G.C. & S.F. Ry. Survey, Hudspeth County, Texas, which is now owned by the School Land Board.

Background Information

The Board of Regents owns, as a part of the Frank B. Cotton Estate, approximately 37,000 acres in Hudspeth and Culberson Counties. Much of this acreage is checker-boarded, which detracts from its value and makes the implementation of conservation measures more difficult. The University Land Agent is endeavoring to consolidate the Cotton Estate ownership into larger, more manageable blocks through exchanges like the one proposed. A similar exchange was approved by the Board of Regents on June 9, 1978, and it is hoped that others can be accomplished in the future. The proposed transaction would result in the Board owning 10 contiguous sections in one location and 3 contiguous sections in another. Appraisals indicate the tracts to be of equal value. The proposal involves the exchange of surface ownership only; mineral ownership would be retained by both parties. The transaction was approved by the School Land Board on October 17, 1978.

5. Galveston Medical Branch (Galveston Medical School): Sivert Brown Estate - Recommendation for Oil and Gas Lease on Land in J. Cummings League, Brazoria County, to Amoco Production Company.

Recommendation

System Administration recommends that a five year oil and gas lease covering Lot 16, Magill Subdivision, J. Cummings League, Abstract 57, Brazoria County, and containing 15 acres, be granted to Amoco Production Company. The terms proposed are as follows: bonus of \$100.00 per acre, one-fourth royalty, and \$10.00 per acre annual delay rentals.

Background Information

Subject property was acquired from the Estate of Sivert Brown in 1934 in settlement of an account due John Sealy Hospital. The surface and a 1/32nd non-participating royalty interest were sold in 1960. The last mineral lease on the tract expired in 1962.

6. University Cancer Center (M. D. Anderson) - Recommendation for Conveyance of Right-of-Way to County of Highlands, Florida.

Recommendation

System Administration recommends the conveyance of a tract of approximately 2,500 square feet out of Section 11, Township 39 South, Range 28 East, Highlands County, Florida, to the County of Highlands for right-of-way required to enlarge and pave Graham Dairy Road. The proposed road improvements will provide better access to a tract of 1,458 acres owned by the Board of Regents.

Background Information

The tract involved is out of a 50 foot wide strip which extends approximately 15,000 feet from Graham Dairy Road to the tract of 1,458 acres conveyed to the Board of Regents by Mrs. Lillie A. Johnson and the M. G. and Lillie A. Johnson Foundation, Inc. on May 19, 1975. This acreage is adjacent to the land which was sold to Punta Gorda Isles, Inc.

7. U. T. System - Hogg Foundation - Recommendation for Change in Form of Instruments and Ratification of Lease of Land and Improvements at Fannin Street and Rusk Avenue, Houston, Texas (Texas State Hotel) to David Askanase, Trustee.

Recommendation

The Executive Director for Investments, Trusts and Lands and System Administration recommend that the Lease Agreement with David Askanase, Trustee, executed by the Executive Director for Investments, Trusts and Lands, covering the land and improvements at Fannin and Rusk, Houston, Texas, be ratified and approved. The lease term is 35 years, commencing December 1, 1978. Rentals are \$8,000.00 per month for the first 10 years, \$9,000.00 per month for the following 5 years, \$11,000.00 per month for the next 5 years and \$15,000.00 per month for the final 15 years. Ratification of a Compromise and Settlement Agreement between the parties involved in the bankruptcy of Texas State Hotel, Ltd. is also recommended. Both instruments were approved as to form by the Office of General Counsel and as to content by the Mortgage and Real Estate Officer.

Background Information

On October 20, 1978, the Board of Regents approved a ground lease and conveyance of improvements for a term of years equal in length to the term of the lease to Mr. Askanase as Trustee. Rentals for the lease were to have been \$715.00 per month for the entire 35 year term. As consideration for the improvements, the Board was to receive a non-interest-bearing promissory note payable as follows: \$7,285.00 per month for 10 years, \$8,285.00 per month for 5 years, \$10,285.00 per month for 5 years and \$14,285.00 per month for 15 years.

After this transaction was approved, it was determined by the parties that a conventional lease of land and improvements would be preferable. The University will receive the same amounts of money on the same timing under the new lease as it would have received under the original plan. Because the position of the University is actually improved under the new lease, and in order to prevent adjudication of the Debtor as a bankrupt, the above mentioned Lease and Compromise and Settlement Agreement were executed by the Executive Director for Investments, Trusts and Lands on November 14, 1978. An order approving both has been entered by the Federal Bankruptcy Judge.

III. OTHER MATTERS

PUF and Trust and Special Funds: Report of Securities Transactions for the Months of August and September 1978.--
In accordance with present procedure, the report of securities transactions for the Permanent University Fund and Trust and Special Funds for the months of August and September 1978 was mailed on November 3, 1978, by Secretary Thedford to the members of the Board of Regents. If any questions regarding this report have been submitted, the Secretary will so report at the meeting of the Land and Investment Committee.

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FOUNDATION MATTERS

Ima Hogg Foundation: It is recommended that the members of the Board of Regents as Trustees of Ima Hogg Foundation meet briefly at the meeting of the Board of Regents on December 1, 1978, for action on the following Agenda:

1. Approval of Minutes.--Approval of the minutes of the meeting held on August 4, 1978, copies of which were distributed earlier.
2. Sale of Land in Ouachita Parish, Louisiana.--The Foundation owns an undivided one-third interest in a tract of 40 acres located 10 miles west of West Monroe, Louisiana, and described as the NW/4 of the SE/2 of Section 4, T18N, R2E, Ouachita Parish, Louisiana. The appraised value of the tract is \$30,600. Mr. Ben Peters has offered to acquire the surface and one-half the minerals for a total of \$40,000 cash after commissions. Mr. Peters would be granted executive rights with respect to future mineral leases. It is recommended that approval be given to the sale of the Foundation's interest to Mr. Peters. The owners of the other two-thirds interest have agreed to the sale on the terms described.

Committee of the Whole

COMMITTEE OF THE WHOLE

Date: December 1, 1978
Time: Following the Meeting of the Land and Investment Committee
Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall
Austin, Texas

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I. SPECIAL ITEMS

A. BOARD OF REGENTS

1. Proposed Revision of Regents' Rules and Regulations, Part One and Part Two. --

RECOMMENDATION

In accordance with instructions at the October 1978 meeting, Chancellor Walker presents a revision of the Regents' Rules and Regulations, Part One and Part Two to conform to the administrative reorganization. A copy of the revision and a list of substantive changes will be mailed under separate cover.

*See Separate Board Letter Page
Volume XXVI.*

B. U. T. AUSTIN

2. Proposed Cooperative Agreement between The University of Texas System and The Texas A&M University System Concerning the Program of State Mining and Mineral Resources Research Institute at U. T. Austin (S. C. R. No. 7, 65th Leg., 2nd Called Session). --

RECOMMENDATION

It is recommended by System Administration that the following (Pages CofW 4-6) Cooperative Agreement between The University of Texas System and The Texas A&M University System related to the Mining and Mineral Resources Research Institute at U. T. Austin be approved. If approved by the Board of Regents of The University of Texas System and The Texas A&M University System, copies of the agreement will be provided to the Economic Development Committee of the Texas Senate and the Energy Committee of the House of Representatives as stipulated in Senate Concurrent Resolution No. 7, passed by the 65th Legislature, 2nd Called Session.

BACKGROUND INFORMATION

The Surface Mining Control and Reclamation Act of 1977 provides in Title III, Section 301(a)(2), for the establishment of a Mining and Mineral Resources Research Institute at one public university in each state to receive Federal funds authorized under this Act. In the absence of a designation to the contrary by the Legislature, Governor Briscoe on August 8, 1977, designated The University of Texas at Austin as the public university in Texas to establish the State Mining and Mineral Resources Research Institute under the Federal Act. On September 16, 1977, the Board of Regents acknowledged with appreciation the Governor's designation and pledged its encouragement and support of the research.

Subsequently, the 65th Legislature, 2nd Called Session, addressed the issue of the Federal Surface Mining Control and Reclamation Act of 1977, and acknowledged the designation of The University of Texas at Austin by the Governor as the public university in Texas to establish the State Mining and Mineral Resources Research Institute. Furthermore, the Legislature resolved that The University of Texas System develop a cooperative agreement

with The Texas A&M University System so that the institutions can use their excellent research and teaching resources in solving the major mining and mineral extraction problems to achieve maximum benefits from this program for the State. The cooperative agreement being recommended to the Regents has been developed by a joint committee representing the two University Systems appointed by Chancellor Walker and Chancellor Williams. The agreement has been approved as to form by the Office of General Counsel.

It is noteworthy that on September 27, 1978, the Secretary of the Interior officially designated The University of Texas at Austin as one of the twenty universities in the United States fully qualified for the establishment of the Mining and Mineral Resources Research Institute and to receive Federal funds under the Act.

Cooperative Agreement Between The University of
Texas System and The Texas A&M University System For
A Mining and Mineral Resources Research Institute Program

The Governor of Texas, by letter of August 8, 1977, to the Secretary of Interior, designated The University of Texas at Austin as the public university in Texas to establish a Mining and Mineral Resources Research Institute and extended authority to the University to apply for federal funds as authorized by Title III of the Surface Mining Control and Reclamation Act of 1977.

Subsequent to the Governor's designation of The University of Texas at Austin, the second called session of the 65th Legislature, State of Texas, passed a resolution endorsing the Governor's designation of The University of Texas at Austin as the public institution to establish a Mining and Mineral Resources Research Institute, but also resolved that a cooperative program between The University of Texas System and The Texas A&M University System, including Prairie View A&M University, be developed on a full partnership basis. The Legislature further resolved that copies of the cooperative agreement be provided to the Economic Development Committee of the Texas Senate and the Energy Committee of the Texas House of Representatives.

The State Mining and Mineral Resources Research Institute has been established at The University of Texas at Austin, functioning as an administrative unit of the Bureau of Economic Geology--the Texas Geological Survey. The Bureau of Economic Geology has been the principal Texas mineral resource agency since 1909. An Advisory Committee to the Secretary of Interior, created by the Act, has certified the eligibility of The University of Texas at Austin for purposes of establishing the Institute and applying for federal assistance.

A Center for Energy and Mineral Resources was established at Texas A&M University in 1975 in response to appropriation authorization given by the Texas State Legislature. The Center involves programs throughout The Texas A&M University System, and will be the administrative focus for Texas A&M University System activities under this agreement.

To effect the cooperative program of the Institute between The University of Texas System and The Texas A&M University System, including Prairie View A&M University, as mandated by the Legislature, a Texas Mining and Mineral Resources Research Committee is established. The Committee consists of three people, one of whom is designated by the Chancellor of The University of Texas System, one of whom is designated by the Chancellor of The Texas A&M University System, and one of whom is a representative of the Texas Railroad Commission. The Texas A&M University System will form an internal committee to provide for the appropriate consideration of programs from Prairie View A&M University and Texas A&M University as components of The Texas A&M University System effort.

Three categories of federal funding are provided for: (1) funds allocated for operation of the Institute, to be matched by non-federal monies on a dollar-for-dollar basis, (2) funds for research grants, and (3) funds for scholarships and fellowships.

Funds for operation of the Institute shall be expended by the Institute Director and the host institution for purposes of administration, program coordination, and operation.

Funds provided for research grants, fellowships, and scholarships shall be allocated based upon recommendation of the Texas Mining and Mineral Resources Research Committee, on the basis of merit, expected product, and needs of the State. It will be the duty of the Committee to solicit appropriate research proposals and nominations for student fellowships and scholarships.

Copies of this cooperative agreement will be filed with appropriate federal offices so that the full intent of the cooperative program arrangement is understood by the federal administrators of Title III,

Surface Mining Control and Reclamation Act of 1977 and is recognized by them as part of the procedures for federal funding to support the Texas program.

Executed in duplicate originals, this _____ day of November 1978.

E. D. Walker
Chancellor
The University of Texas System

J. K. Williams
Chancellor
The Texas A&M University System

Certificates of Approval

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

Secretary, Board of Regents
The University of Texas System

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

Secretary, Board of Regents
The Texas A&M University System

3. Proposed Ten-Year Development Plan for Academic Computing and Appropriation of Funds for Phase I of the Plan. --

RECOMMENDATIONS

System Administration

It is recommended by President Rogers and Chancellor Walker that approval be given in principle to the Ten Year Development Plan for Academic Computing at The University of Texas at Austin as in the following outline prepared by System Administration:

Outline of Plan

The Academic Computing Development Plan of the Faculty Computer Committee is a carefully phased proposal that makes optimum use of current facilities and allows flexibility in its final phases to take advantage of new computers and systems. The plan is divided into five phases and the description of these phases follows:

PHASE 1: \$5,000,000 1978-79

Installation of a major new high-compute capacity mainframe with replacement of one or both of the current CDC 6000's, together with the introduction of large scale mass storage capacity and an enhanced communications capability at the central site.

PHASE 2 \$3,000,000 1979-80

Procurement of two dedicated interactive systems, enhancement or replacement of the mid-scale timesharing system, installation of one or more microprocessor-based instructional laboratories, and installation of an IBM-compatible mainframe system, if such a system was not acquired in Phase 1.

PHASE 3 \$1,000,000 1980-81

Second-level upgrade of the central computer facility, the details of which will be determined by the performance of the system at that time.

PHASE 4 \$1,000,000 1981-82

Installation of additional dedicated interactive sites and further microprocessor-based instructional laboratories.

PHASE 5 \$5,000,000 1982-83

The final replacement and upgrade of the central computer site. At conclusion of this upgrade, the central computer facility should be a very large, modern, possible multi-mainframe configuration with a compute capacity of from eight to twelve times that of the CDC 6600.

It is further recommended that \$4,000,000 be appropriated from Account No. 36-9002-1000 for the 1978-79 funding of Phase 1, \$1,000,000 having been appropriated in the 1978-79 budget.

Recommendations relating to the remaining phases will be presented to the Board at the appropriate time.

President Rogers

April 21, 1978

President E. D. Walker
The University of Texas System
OHH

Dear Don:

I am pleased to submit for your attention copies of the 10-Year Development Plan for Academic Computing for The University of Texas at Austin Campus. This plan has been prepared during the past year by the Faculty Computing Committee drawing on a review of computing needs carried out by every academic unit at the University. The plan represents a compromise among these needs, but it is a compromise that will greatly benefit the majority of present and potential users of the Computation Center.

Two circumstances strongly influenced the formulation of this plan. First, the present facilities are saturated. Second there has been a very large increase in use of the Computation Center for direct support of classroom facilities, including interactive use of the computer by students. Such increased use, which must have first priority, means that there is less and less time available for research computing. This is nearing a critical point and will be a major problem within the next two or three years. Furthermore, the classroom demand cannot be distributed throughout the 24 hours as can much of the research use. We are already beginning to see slow response time because of the heavy interactive demand during the day.

Computing has come to occupy a critical role in higher education, much like a library. Therefore I must give this request a high priority. It is expensive, but I believe that failure to act at this time would be even more expensive. I therefore request your review and approval of this plan. I also request that, as part of the approval, the funding for phase one, five million dollars, be requested from the Board of Regents.

Members of the Faculty Computer Committee and other staff members are prepared to provide you any additional information that might be useful in your review.

Sincerely yours,



Lorene L. Rogers
President

LLR:bp

EEnclosure

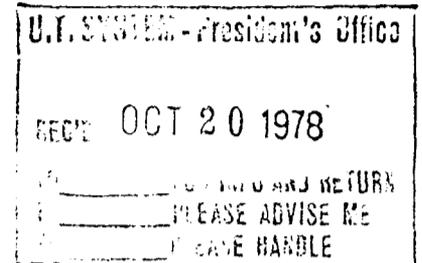
4. Request for Advance Approval of Patent Clause in Research Contract with Gulf Research and Development Company (Regents' Rules and Regulations, Part Two, Chapter V, Section 2.4544). --

RECOMMENDATION

President Rogers



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



October 18, 1978

President E. D. Walker
The University of Texas System
601 Colorado Street
Austin, Texas 78701

Dear President Walker:

I recommend for advance approval by you and the Board of Regents the patent clause of the proposed contract between Gulf Research and Development Company and The University of Texas at Austin.

The contract calls for Gulf Research and Development Company to pay UT Austin \$35,000 for twelve months' work relative to an evaluation of reaction kinetics and computer modeling pertinent to a Gulf Wyoming field test of in-situ leaching of uranium.

The patent clause was negotiated by our Institutional Patent Committee and reads as follows:

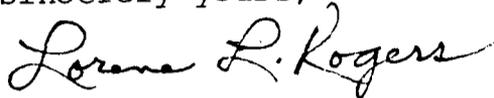
- "(3) Should the University decide to patent any device or process discovered or invented by the University as a result of this project, the University agrees to grant to GR&DC an exclusive license for the life of the patent, in return for which GR&DC will pay the University two percent (2%) of the income derived from the use of these patents. Should the University decide not to seek a patent on any device or process discovered or invented as a result of this project, GR&DC is free to pursue and exploit any patents; and the University agrees to make available notebooks, data, and such other information related to this project as may be necessary. The University represents to GR&DC that it has contractual agreements with all personnel who will be assigned to work under this agreement which will require such personnel to execute all documents necessary or required to file

President

and prosecute any patent applications in the United States and/or foreign countries in which GR&DC may choose to file on such inventions or discoveries."

If such approval is given, the research contract will be submitted to the Board of Regents at the next meeting via the Institutional Docket.

Sincerely yours,



Lorene L. Rogers
President

LLR/c

System Administration

System Administration recommends approval of the patent clause in the proposed contract between U. T. Austin and the Gulf Research and Development Company, a research contract with an industrial participant. This is pursuant to the Regents' Rules and Regulations, Part Two, Chapter V, Section 2.4544. The institutional patent committee and the Office of General Counsel have reviewed and approved the proposed patent clause.

5. Request for Advance Approval of Patent Provision in Proposed Agreement with Control Data Corporation (CDC) Entitled "Development of the Programming Language 'C' for Control Data CDC CYBER Computer Systems" (Regents' Rules and Regulations, Part Two, Chapter V, Section 2.4544). --

RECOMMENDATION

It is recommended by the U.T. Austin administration, including the University Patent Committee, that approval be given to the patent provisions of a proposed agreement between U.T. Austin and Control Data Corporation (CDC) entitled, "Development of the Programming Language 'C' for Control Data CDC CYBER Computer Systems." The patent clause is as follows:

Awardee (U.T. Austin) agrees to grant to CDC (Control Data Corporation) a non-exclusive, royalty-free license to make, have made, use, sublicense and sell any discovery, invention, improvement, trademark, or other intellectual property and also agrees to grant to CDC a non-exclusive, royalty-free license under any and all patents, trademarks, and copyrights promulgated by the Awardee resulting from Awardee's activities under this Agreement which were conceived, discovered, made, or actually reduced to practice during the term of this Agreement.

The research deals with computer software, which is normally not an area in patentable ideas. The Office of General Counsel has approved the provisions of this agreement.

System Administration concurs in the recommendation of U.T. Austin. A copy of this agreement, if executed, will be reported in a subsequent docket.

- 5a. C. L. and Henriette F. Cline Trust for The Cline Collection of English and American Literature Since 1800 (Formerly the C. L. and Henriette F. Cline Professorship in English): Proposed Transfer of Funds to Apply on Purchase of Gutenberg Bible. --At the request of Dr. and Mrs. C. L. Cline, it is recommended that the balance of funds in the C. L. and Henriette F. Cline Trust for The Cline Collection of English and American Literature Since 1800 (formerly the C. L. and Henriette F. Cline Professorship in English) at The University of Texas at Austin be transferred to an appropriate account to apply on the purchase of the Gutenberg Bible. This transfer plus a contribution of \$3,000 and a pledge of an additional \$3,000 will make a total contribution of \$50,000 from Dr. and Mrs. Cline toward the purchase of the Gutenberg Bible.
6. Marine Science Institute: Ratification of Acceptance of Research Ship M/V Fred H. Moore from Mobil Oil Corporation and Correction of Minute Order of October 19-20, 1978. --The action taken by the Board of Regents on October 19-20, 1978, in accepting the gift of the Research Ship M/V Fred H. Moore from Mobil Oil Corporation is submitted for ratification. Since Chairman Shivers did not receive the item until the meeting was called to order, it had not been listed on the agenda in accordance with the Open Meeting Law and of necessity must be ratified at this meeting.

Secretary Thedford calls to your attention that there were two errors in the minute order: (a) Mr. Fitzpatrick has called to her attention that Mr. Fred H. Moore was never "General Counsel" for Mobil and (b) President Rogers has called to her attention that the gift was not to The University of Texas Marine Science Institute at Port Aransas but was to The University of Texas at Austin Marine Science Institute.

Hence, it is recommended that the Board approve, ratify, and in all things confirm that the Research Ship M/V Fred H. Moore be accepted from Mobil Oil Corporation for The University of Texas at Austin Marine Science Institute and that the minute order show that Mr. Fred H. Moore was, when he retired, President of the North American Division and Executive Vice President of Mobil Oil Corporation.

C. UNIVERSITY CANCER CENTER

7. Request to Establish Quick Copy Center Revolving Fund (Authorized by H. B. 510, Sec. 20, Article IV, 65th Leg., R. S.)--

RECOMMENDATION

It is recommended by President LeMaistre and concurred in by Chancellor Walker that as authorized by Section 20, Article IV, House Bill No. 510, Acts of the 65th Legislature, R. S., the following department be established as a Revolving Fund for the benefit of The University of Texas System Cancer Center and for the purpose indicated:

Quick Copy Center Revolving Fund

To provide centralized copying services to using departments within The University of Texas System Cancer Center

BACKGROUND INFORMATION

The cited provision from the current Appropriations Act is similar to one in effect for many years which provides that appropriations to The University of Texas System or any of its component institutions ". . . may also be used to reimburse any revolving fund operated for one or more parts of said University, such as . . . an office supply center, or any other operation of a similar nature established by authority of the Board of Regents of The University of Texas System. "

The U.T. System Cancer Center desires to establish a central quick copy center in order to reduce operational costs through the elimination of many departmental copying machines within the institution. By establishing the quick copy center as an authorized revolving fund, reimbursement may be secured from State appropriations, when appropriate, for the services rendered.

8. Proposed Agreement with Travenol Laboratories, Inc., Including Waiver of Patent Policy. --

RECOMMENDATION

President LeMaistre recommends approval of the agreement set out below with Travenol Laboratories, Inc., including paragraph 6, waiver of any interest in all patentable and unpatentable inventions, discoveries and ideas which are conceived directly arising out of such study projects. This agreement will provide \$51,200 to fund a study project analyzing the compatibility stability of 14 anti-tumor agents with common solutions in plastic containers. This study will be conducted under the direction of the Department of Developmental Therapeutics of the System Cancer Center and the conduct of the study will be within the sole control and discretion of the System Cancer Center.

The agreement has been reviewed and approved by the Office of General Counsel.

System Administration has reviewed this proposal and finds that the study to be funded will be of value to patients with malignant diseases. The conditions on the award are reasonable and, therefore, System Administration recommends approval. This recommendation is made pursuant to Chapter V, Part Two, Section 2.4545 of the Regents' Rules and Regulations.

(Proposed Agreement set out on Pages C of W 12a - 12s)

Turn to Page 13.

AGREEMENT

This Agreement executed on the _____ day of _____, A.D. 1978, by and between THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of M. D. Anderson Hospital and Tumor Institute, hereinafter referred to as M. D. Anderson Hospital, and TRAVENOL LABORATORIES, INC., hereinafter called Travenol Laboratories, a Delaware corporation with authority to do business in the State of Texas, Witnesseth:

WHEREAS, M. D. Anderson Hospital is interested in the advancement of medical science through the conduct of research and is devoted to the diagnosis, teaching, study, prevention, and treatment of neoplastic and allied diseases;

WHEREAS, Travenol Laboratories is a commercial corporation in the business of supplying products for medical use in patient care;

WHEREAS, research regarding products used in the care of patients with neoplastic diseases may improve the quality of care afforded to patients;

WHEREAS, Travenol Laboratories believes that M. D. Anderson Hospital, Department of Developmental Therapeutics, has the personnel and capability necessary for the conduct of the study project which is the subject of this Agreement;

THEREFORE, for and in consideration of the foregoing and in further consideration of the benefits and obligations as outlined below, M. D. Anderson Hospital and Travenol Laboratories agree as follows:

1. M. D. Anderson Hospital, Department of Developmental Therapeutics, will conduct a study project analyzing the compatibility/stability of anti-tumor agents with common solutions in plastic containers, in accordance with the attached Outline of A Comparative Study and including the fourteen (14) drugs listed therein in frozen and unfrozen state. The study project

shall commence within thirty (30) days from the date of this Agreement.

2. Following receipt from M. D. Anderson Hospital of protocols acceptable to Travenol Laboratories and any institutional committee submission and approvals to be utilized by M. D. Anderson Hospital in the study project, Travenol Laboratories will grant to M. D. Anderson Hospital the sum of FIFTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$51,200.00).

3. The study project will be conducted under the direction of the M. D. Anderson Hospital, Department of Developmental Therapeutics. The conduct of the study project will be within the sole control and discretion of the M. D. Anderson Hospital, Department of Developmental Therapeutics.

4. M. D. Anderson Hospital acknowledges that no employees of Travenol Laboratories will be utilized in the study project. Travenol Laboratories will not be responsible for the acts of M. D. Anderson Hospital employees during the conduct of the study project. M. D. Anderson Hospital shall have no authority to speak for, represent, or obligate Travenol Laboratories in any way without written authorization from Travenol Laboratories.

5. The term of the Agreement shall commence on the date this Agreement is executed and remain in effect for one (1) year thereafter.

6. To the extent that M. D. Anderson Hospital is not obligated by the requirements of any and all prior agreements, M. D. Anderson Hospital agrees to waive any interest in all patentable and unpatentable inventions, discoveries, and ideas which are made or conceived directly arising out of such study project. Such inventions, discoveries, and ideas shall become the property of Travenol Laboratories.

7. M. D. Anderson Hospital will advise Travenol Laboratories in writing within thirty (30) days following the date of execution of this Agreement of any such prior agreements referred to in Clause 6.

8. M. D. Anderson Hospital will promptly disclose to Travenol Laboratories any such invention, discovery, or idea as specified in Clause 6. Upon request of Travenol Laboratories and at the expense of Travenol Laboratories, M. D. Anderson Hospital will assist Travenol Laboratories in making application for Letters of Patent in any country in the world. M. D. Anderson Hospital and its employees, at the expense of Travenol Laboratories, will execute all papers or take other necessary action which may be necessary or advisable to prosecute such applications.

9. If, during the course of this study project, Travenol Laboratories discloses to M. D. Anderson Hospital any confidential or proprietary information, M. D. Anderson Hospital will keep such information confidential unless required to disclose it by operation of law. M. D. Anderson Hospital will keep confidential any other information acquired with respect to Travenol Laboratories' business, including, but not limited to, information relating to new products, know-how, processes, and practices, unless and until Travenol Laboratories shall consent to publication, or unless such knowledge and information shall otherwise become generally available to the public, or unless required to disclose it by operation of law. This clause shall survive any termination of this Agreement for a period of seven (7) years.

10. M. D. Anderson Hospital will not disclose or publish any information or materials regarding such study project without first providing to Travenol Laboratories the opportunity to review the contemplated disclosure or publication, offer reasonable objection, and protect the interest of Travenol Laboratories in any patentable subject matter in the proposed publication.

11. During the term of this Agreement, M. D. Anderson Hospital will not perform a similar study project for any other parties. Before performing services for other parties in the field of this study project, M. D. Anderson Hospital will notify Travenol Laboratories of the services to be performed and the

party for whom they are to be performed in order that Travenol Laboratories may determine whether a conflict of interest would arise.

12. If, during the term of this Agreement, M. D. Anderson Hospital discloses any ideas relating to the study project to Travenol Laboratories which belong to M. D. Anderson Hospital, the ideas shall be deemed disclosed on a nonconfidential basis. Travenol Laboratories shall not be held liable for use of these ideas except that Travenol Laboratories shall be liable for the infringement of any valid patent now or hereafter issued thereon.

13. M. D. Anderson Hospital will give a copy of this Agreement to each employee who will be part of the study project so as to inform these employees as to the terms of this Agreement and the obligations therein.

EXECUTED by the parties on the day hereinabove first written.

ATTEST:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

ALLAN SHIVERS, Chairman

Approved as to Form:

Approved as to Content:



Attorney, Office of General
Counsel, The University of
Texas System



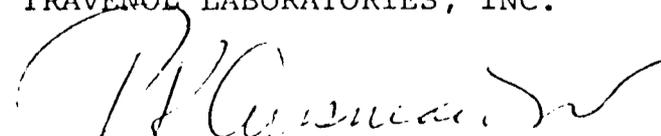
E. D. WALKER, Chancellor
The University of Texas System



CHARLES LEMAISTRE, President
The University of Texas System
Cancer Center, M. D. Anderson
Hospital and Tumor Institute

ATTEST:

TRAVENOL LABORATORIES, INC.



Vice President-Clinical Research

A COMPARATIVE STUDY OF
THE STABILITY/COMPATIBILITY
OF VARIOUS CANCER
CHEMOTHERAPEUTIC AGENTS IN MINI-BAGS AND MINI-BOTTLES

OBJECTIVE

This is a two phase study to demonstrate the chemical stability of various cancer chemotherapeutic agents over time when packaged in plastic (PL-146) and glass underfilled infusion containers and stored at room and refrigerated temperatures and in the frozen state.

APPROACH

ROOM TEMPERATURE AND REFRIGERATED STORAGE

This phase will investigate the room temperature and refrigerated stability of these compounds up to 48 hours. If significant decomposition is seen at 24 hours the study will be terminated, but if stability is demonstrated at 24 hours, the evaluation will be continued to 48 hours.

The number of samples and other necessary evaluations to yield statistically valid results are left to the researchers. This will determine how much of each product is necessary.

Throughout the evaluation of each drug, notes should be made of solution clarity and color, visibly perceptible particulate matter, the generation of gas, and general physical characteristics.

The following pages are in order that we would like the studies done, i.e.,

- | | |
|---------------------|-------------------|
| 1. METHOTREXATE | 8. MITHRAMYCIN |
| 2. LEUCOVORIN | 9. MITOMYCIN |
| 3. VINCRISTINE | 10. VINBLASTINE |
| 4. DOXORUBICIN | 11. DACARBAZINE |
| 5. CYCLOPHOSPHAMIDE | 12. D-ACTINOMYCIN |
| 6. FLUOROURACIL | 13. BLEOMYCIN |
| 7. CYTARABINE | 14. B.C.N.U.* |

* If available - no sheet attached.

FROZEN STORAGE

This phase will study the effect of freezing and thawing of these compounds at time intervals up to 30 days.

At the same time samples for the room temperature stability studies are prepared, a second batch of same is prepared identically. This batch will be assayed initially with the others and then placed in a freezer at 20°C (-4°F) (VIAFLEX in freezer trays). At time intervals of 24 hours, 7 days and 30 days, samples are withdrawn from the freezer, thawed for 3 hours at 21-23°C (79-74°F) and tested as in the room temperature phase. As before the number of samples required for validity is left to the researchers.

METHOTREXATE (LEDERLE)

The contents of 50 mg (2ml) vials of Methotrexate are added to 50 ml of D₅W packaged in Underfilled VIAFLEX Containers (2B0081) and Underfilled Glass Containers (2A0081) to yield a final theoretical concentration of 0.96mg/ml. Aliquots are removed via a standard I.V. Administration Set (2C0001) and assayed by the appropriate technique.

METHOTREXATE (0.96mg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN VIAFLEX

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Methotrexate (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

METHOTREXATE (0.96mg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN GLASS

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Methotrexate (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CONCLUSION: _____

(LEUCOVORIN CALCIUM (LEDERLE))

The contents of 50 mg vials of Leucovorin are reconstituted with 5 ml of Sterile Water for Injection and added to 50 ml of D5W packaged in Underfilled VIAFLEX Containers (2B0081) and Underfilled Glass Containers (2A0081) to yield a final theoretical concentration of 0.91 mg/ml. Aliquots are removed and assayed by the appropriate technique.

LEUCOVORIN CALCIUM (0.91mg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN VIAFLEX

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Leucovorin (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

LEUCOVORIN CALCIUM (0.91mg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN GLASS

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Leucovorin (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CONCLUSION: _____

VINCRIStINE (ONCOVIN^R LILLY)

The contents of a 5mg vial of Vincristine are diluted with and added to 50ml of D₅W packaged in underfilled VIAFLEX containers (2B0081) and underfilled glass containers (2A0081) to yield a final theoretical concentration of 0.1mg/ml. Aliquots are removed and assayed by the appropriate technique.

VINCRIStINE (0.1mg/ml) In
5% DEXTROSE, U.S.P. STORED IN VIAFLEX^R
CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Vincristine (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 Hour	_____	_____	_____	_____
4 Hours	_____	_____	_____	_____
12 Hours	_____	_____	_____	_____
24 Hours	_____	_____	_____	_____
48 Hours	_____	_____	_____	_____

VINCRIStINE (0.1mg/ml) in 5%
DEXTROSE, U.S.P. STORED IN GLASS
CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Vincristine (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 Hour	_____	_____	_____	_____
4 Hours	_____	_____	_____	_____
12 Hours	_____	_____	_____	_____
24 Hours	_____	_____	_____	_____
48 Hours	_____	_____	_____	_____

CONCLUSION: _____

DOXORUBICIN (ADRIAMYCINTM ADRIA,)

The contents of 50mg Doxorubicin vials are reconstituted with and added to 50ml of D₅W Injection, U.S.P. packaged in underfilled VIAFLEX containers (2B0081) and Underfilled Glass Containers (2A0081) to yield a final theoretical concentration of 1mg/ml. Aliquots are withdrawn and analyzed by the appropriate technique.

DOXORUBICIN (1mg/ml) In 5%
Dextrose, U.S.P. Stored In
VIAFLEX Containers

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Doxorubicin (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 Hour	_____	_____	_____	_____
4 Hours	_____	_____	_____	_____
12 Hours	_____	_____	_____	_____
24 Hours	_____	_____	_____	_____
48 Hours	_____	_____	_____	_____

DOXORUBICIN (1mg/ml) In 5%
Dextrose, U.S.P. Stored in Glass
Containers

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Doxorubicin (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 Hour	_____	_____	_____	_____
4 Hours	_____	_____	_____	_____
12 Hours	_____	_____	_____	_____
24 Hours	_____	_____	_____	_____
48 Hours	_____	_____	_____	_____

CONCLUSION: _____

CYCLOPHOSPHAMIDE (CYTOXAN^R MEAD JOHNSON)

The contents of 500 mg vials of Cyclophosphamide are reconstituted according to the package insert directions (with 25 ml of Sterile Water for Injection) and added to 50 ml of D₅W packaged in Underfilled VIAFLEX Containers (2B0031) and Underfilled Glass Containers (2A0081) to yield a final theoretical concentration of 6.6mg/ml. Aliquots are removed and assayed by the appropriate technique.

CYCLOPHOSPHAMIDE (6.6mg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN VIAFLEX

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Cyclophosphamide (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CYCLOPHOSPHAMIDE (6.6mg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN GLASS

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Cyclophosphamide (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CONCLUSION: _____

(CYTARABINE (CYTOSAR^R, UPJOHN))

The contents of 100 mg vials of Cytarabine (NCD 0009-0168-01) are diluted according to package Insert Instructions (with 5 ml of Bacteriostatic Water for Injection with Benzyl Alcohol 0.9% w/v) and added to 50 ml of D₅W packaged in Underfilled VIAFLEX Containers (2B0081) and Underfilled Glass Containers (2A0081) to yield a theoretical final concentration of 1.8mg/ml. Aliquots are removed and analyzed by the appropriate technique.

CYTARABINE (1.8mg/ml) IN 5% DEXTROSE

INJECTION, U.S.P. STORED IN VIAFLEX

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Cytarabine (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CYTARABINE (1.8mg/ml) IN 5% DEXTROSE

INJECTION, U.S.P. STORED IN GLASS

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Cytarabine (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CONCLUSION: _____

() FLUROROURACIL (5FU, ROCHE))

The contents of 500 mg ampuls of 5F-U are added to 50 ml of D₅W packed in Underfilled VIAFLEX Containers (2B0081) and Underfilled Glass Containers (2A0081) to yield a theoretical concentration of 8.3mg/ml. Aliquots are removed and analyzed by the appropriate technique.

FLUROROURACIL (8.3mg/ml) IN 5% DEXTROSE

INJECTION, U.S.P. STORED IN VIAFLEX

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. 5FU (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

FLUROROURACIL (8.3mg/ml) IN 5% DEXTROSE

INJECTION, U.S.P. STORED IN GLASS

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. 5FU (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CONCLUSION: _____

MITHRAMYCIN (MITHRACIN^R PFIZER)

The contents of 2500 mcg vials of Mithramycin are reconstituted according to the package insert directions (with 4.9 ml of Sterile Water for Injection) and added to 100 ml of D₅W packaged in Underfilled VIAFLEX Containers (2B0082) and Underfilled Glass Containers (2A0082) to yield a final theoretical concentration of 23.8mcg. Aliquots are removed and assayed by the appropriate technique.

MITHRAMYCIN (23.8mcg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN VIAFLEX

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Mithramycin (mcg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

MITHRAMYCIN (23.8mcg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN GLASS

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Mithramycin (mcg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CONCLUSION: _____

VINBLASTINE (VELBAN^R LILLY)

The contents of 10mg vials of Vinblastine are diluted with and added to 50ml of D.W Injection, U.S.P. packaged in underfilled VIAFLEX containers (280081) and underfilled glass containers (2A0081) to yield a final theoretical concentration of 0.2mg/ml. Aliquots are removed and analyzed by the appropriate technique.

VINBLASTINE (0.2mg/ml) in 5%
DEXTROSE, U.S.P. STORED IN VIAFLEX^R
CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Vinblastine (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 Hour	_____	_____	_____	_____
4 Hours	_____	_____	_____	_____
12 Hours	_____	_____	_____	_____
24 Hours	_____	_____	_____	_____
48 Hours	_____	_____	_____	_____

VINBLASTINE (0.2mg/ml) in 5%
DEXTROSE, U.S.P. PACKAGED IN GLASS
CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Vinblastine (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 Hour	_____	_____	_____	_____
4 Hours	_____	_____	_____	_____
12 Hours	_____	_____	_____	_____
24 Hours	_____	_____	_____	_____
48 Hours	_____	_____	_____	_____

CONCLUSION: _____

MITOMYCIN (MUTAMYCIN^R BRISTOL)

The contents of 20mg vials of Mitomycin are reconstituted with and added to 50ml of D₅W Injection packaged in underfilled VIAFLEX^R containers (2B0081) and underfilled glass containers (2A0081) to yield a theoretical final concentration of 0.4mg/ml. Aliquots are removed and assayed by the appropriate technique.

MITOMYCIN (0.4mg/ml) in 5%
DEXTROSE, U.S.P. STORED IN VIAFLEX^R
CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Mitomycin (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 Hour	_____	_____	_____	_____
4 Hours	_____	_____	_____	_____
12 Hours	_____	_____	_____	_____
24 Hours	_____	_____	_____	_____
48 Hours	_____	_____	_____	_____

MITOMYCIN (0.4mg/ml) in 5%
DEXTROSE, U.S.P. STORED IN GLASS
CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Mitomycin (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 Hour	_____	_____	_____	_____
4 Hours	_____	_____	_____	_____
12 Hours	_____	_____	_____	_____
24 Hours	_____	_____	_____	_____
48 Hours	_____	_____	_____	_____

CONCLUSION: _____

DACARBAZINE (DTIC^R DOME)

The contents of 100 mg vials of Dacarbazine are reconstituted with 2 ml of Sterile Water for Injection and added to 50 ml of D₅W packaged in Underfilled VIAFLEX Containers (2B0081) and Underfilled Glass Containers (2A0081) to yield a final theoretical concentration of 1.92mg/ml. Aliquots are removed and assayed by the appropriate technique.

DACARBAZINE (1.92mg/ml) In 5%
DEXTROSE, U.S.P. STORED IN VIAFLEX

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Dacarbazine (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

DACARBAZINE (1.92mg/ml) IN 5%
DEXTROSE, U.S.P. STORED IN GLASS

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Dacarbazine (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CONCLUSION: _____

(ACTINOMYCIN (COSMEGEN^R M.S.D.))

The contents of 0.5 mg D-Actinomycin vials are reconstituted according to package insert directions (with 1.1ml of Sterile Water for Injection without preservatives) and added to 50 ml of D5W packaged in Underfilled VIAFLEX Containers (2B0081) and Underfilled Glass Containers (2A0081) to yield a theoretical final concentration of 9.8mg/ml. Allquots are removed and analyzed by the appropriate technique.

D-ACTINOMYCIN (9.8mg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN VIAFLEX

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. D-Actinomycin (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

D-ACTINOMYCIN (9.8mg/ml) IN 5%

DEXTROSE, U.S.P. STORED IN GLASS

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. D-Actinomycin (mg/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CONCLUSION: _____

BLEOMYCIN (BLENOXANE^R BRISTOL))

The contents of 15 unit ampuls of Bleomycin are reconstituted with and added to 50 ml of D₅W packaged in Underfilled VIAFLEX Containers (2B0081) and Underfilled Glass Containers (2A0081) to yield a vinal theoretical concentration of 0.3units/ml. Aliquots are removed and assayed by the appropriate technique.

BLEOMYCIN (.3units/ml) IN 5%

DEXTROSE, U.S.P. STORED IN VIAFLEX

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Bleomycin (units/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

BLEOMYCIN (.3units/ml) IN 5%

DEXTROSE, U.S.P. STORED IN GLASS

CONTAINERS

<u>Time After Admixture Preparation</u>	<u>Dextrose Gms.</u>	<u>pH</u>	<u>Conc. Bleomycin (units/ml)</u>	<u>% Initial Remaining</u>
Initial	_____	_____	_____	_____
1 hour	_____	_____	_____	_____
4 hours	_____	_____	_____	_____
12 hours	_____	_____	_____	_____
24 hours	_____	_____	_____	_____
48 hours	_____	_____	_____	_____

CONCLUSION: _____

II. COMMITTEE APPOINTMENTS, ACCEPTANCE OF GIFTS AND ANNOUNCEMENTS, IF ANY - BY CHAIRMAN

A. COMMITTEE APPOINTMENTS

Proposed Appointment of Committee with Delegated Authority to Each Member to Accept Gifts through December 31, 1978. -- Annually at the last meeting of the calendar year, Chairman Shivers has appointed a committee with delegated authority to each member to accept gifts tendered through December 31 and with authority to the Chairman of the Board to execute any and all documents necessary in the acceptance of the gifts with the understanding that a full and complete report will be made to the Board of Regents for ratification at the first regular meeting of the new calendar year which in this case is February 8-9, 1979.

System Administration has submitted a recommendation that the Chairman appoint the following to that committee:

Regent Allan Shivers (Chairman of the Committee)
Chancellor E. D. Walker
Mr. Arthur Dilly

B. ACCEPTANCE OF GIFTS

Gov. Shivers
[Signature]

C. ANNOUNCEMENTS

C. R. Smith

III. DEVELOPMENT MATTERS - NO PUBLICITY

A. U. T. SYSTEM

1. Board of Directors of The University of Texas Foundation, Inc. : Proposed Nominees. --

RECOMMENDATION

The Board of Directors of The University of Texas Foundation, Inc., recommends that the individuals listed below be appointed to the Board of Directors of The University of Texas Foundation, Inc., for terms to expire on December 31, 1981:

Mr. Hayden W. Head, Corpus Christi (reappointment)
Mr. Lenoir Josey, Houston (new appointment)
Mr. J. Burleson Smith, San Antonio (new appointment)
Mr. Joe Bill Watkins, Houston (new appointment)

If the nominees are approved and if the appointments are accepted by the nominees, their names will be reported at the February meeting of the Board of Regents together with the full membership of the Board of Directors of The University of Texas Foundation, Inc.

B. U. T. AUSTIN

2. College of Fine Arts Foundation Advisory Council: Proposed Nominees. --

RECOMMENDATION

It is recommended by President Rogers and concurred in by System Administration that the four individuals set forth below be approved as nominees to the College of Fine Arts Foundation Advisory Council at U. T. Austin to fill four unfilled terms which expire August 31, 1981:

Mr. Gilbert M. Denman, Jr., San Antonio
Business: Attorney
Mrs. Barbara Duncan, New York, New York
Business: Art Consultant
Mr. Paul R. Haas, Corpus Christi
Business: Oil Producer
Mr. J. I. Staley, Wichita Falls
Business: Staley Oil Company

If these nominations are approved and if the appointments are accepted by the nominees, their names will be reported for the record at a subsequent meeting of the Board.

C. U. T. PERMIAN BASIN

3. Development Board: Proposed Nominees . --

RECOMMENDATION

It is recommended by President Cardozier and concurred in by System Administration that the individuals set forth below be approved as nominees to The University of Texas of the Permian Basin Development Board for terms as indicated:

For one year term ending 1979

Mr. Ignacio Cisneros, Odessa, to replace Mr. Norvall W. Harris
Business: President, Star/Adair Insulation Co.

For two year terms ending 1980

Mr. William B. Blakemore II, Midland, vacancy from unfilled term
Business: Independent Oil Operator
Mr. Johnny R. Warren, Midland, vacancy from unfilled term
Business: President, Compressor Systems, Inc.

For three year terms ending 1981

Mr. H. Eugene Abbott, Midland, vacancy from unfilled term
Business: President, Abbott Development Co.
Mr. Herschel O'Kelly, Midland, vacancy from unfilled term
Business: President, Gibson Distribution Co., Inc.
Mrs. Philip R. Zeeck, Odessa, vacancy from unfilled term
Business: Homemaker and Civic Leader

If these nominations are approved and if the appointments are accepted by the nominees, their names will be reported for the record at a subsequent meeting of the Board of Regents.

IV. SCHEDULED MEETINGS AND EVENTS. --Below is a schedule of meetings and events. The Board of Regents has previously scheduled the following meeting:

February 8-9, 1979, in Austin

Holidays Scheduled

- December 25-27, 1978
- January 1, 1979
- March 2, 1979
- April 13, 1979 (1/2 day)
- May 28, 1979
- July 4, 1979

Events

March 22-24, 1979 Annual Homecoming
 Galveston Medical Branch

1978

1979

DECEMBER	1978	S M T W T F S	JANUARY	1979	S M T W T F S
1 2			1 2 3 4 5 6	JULY	1 2 3 4 5 6 7
3 4 5 6 7 8 9			7 8 9 10 11 12 13	8 9 10 11 12 13 14	
10 11 12 13 14 15 16			14 15 16 17 18 19 20	15 16 17 18 19 20 21	
17 18 19 20 21 22 23			21 22 23 24 25 26 27	22 23 24 25 26 27 28	
24 25 26 27 28 29 30			28 29 30 31	29 30 31	
31			FEBRUARY	AUGUST	
			1 2 3	1 2 3 4	
			4 5 6 7 8 9 10	5 6 7 8 9 10 11	
			11 12 13 14 15 16 17	12 13 14 15 16 17 18	
			18 19 20 21 22 23 24	19 20 21 22 23 24 25	
			25 26 27 28	26 27 28 29 30 31	
			MARCH	SEPTEMBER	1
			1 2 3	2 3 4 5 6 7 8	
			4 5 6 7 8 9 10	9 10 11 12 13 14 15	
			11 12 13 14 15 16 17	16 17 18 19 20 21 22	
			18 19 20 21 22 23 24	23 24 25 26 27 28 29	
			25 26 27 28 29 30 31	30	
			APRIL	OCTOBER	
			1 2 3 4 5 6 7	1 2 3 4 5 6	
			8 9 10 11 12 13 14	7 8 9 10 11 12 13	
			15 16 17 18 19 20 21	14 15 16 17 18 19 20	
			22 23 24 25 26 27 28	21 22 23 24 25 26 27	
			29 30	28 29 30 31	
			MAY	NOVEMBER	
			1 2 3 4 5	1 2 3	
			6 7 8 9 10 11 12	4 5 6 7 8 9 10	
			13 14 15 16 17 18 19	11 12 13 14 15 16 17	
			20 21 22 23 24 25 26	18 19 20 21 22 23 24	
			27 28 29 30 31	25 26 27 28 29 30	
			JUNE	DECEMBER	1
			1 2	2 3 4 5 6 7 8	
			3 4 5 6 7 8 9	9 10 11 12 13 14 15	
			10 11 12 13 14 15 16	16 17 18 19 20 21 22	
			17 18 19 20 21 22 23	23 24 25 26 27 28 29	
			24 25 26 27 28 29 30	30 31	

Committee of the Whole
Executive Session

COMMITTEE OF THE WHOLE - EXECUTIVE SESSION

SUPPLEMENTAL MATERIAL

November 30-December 1, 1978

	<u>Page</u>
University Cancer Center: Proposed Purchase of Real Estate: Lot 30, Block 74, Section 15, Tanglewood, Houston, Harris County, Texas (Official Residence of President)	Below

Documentation

University Cancer Center: Proposed Purchase of Real Estate: Lot 30, Block 74, Section 15, Tanglewood Houston, Harris County, Texas (Official Residence of President). --

Recommendation

President LeMaistre and Chancellor Walker recommend the purchase of Lot 30, Block 74, Section 15, Tanglewood (also known as 811 Briar Ridge), Houston, Harris County, Texas, together with improvements, as the official residence of the President of the System Cancer Center. The purchase price of the property is \$485,000 to be paid from Account Number 85-0204-2000.

COMMITTEE OF THE WHOLE - EXECUTIVE SESSION
(Pursuant to Vernon's Texas Civil Statutes,
Article 6252-17, Sections 2(e), (f) and (g))

Date: December 1, 1978

Time: Following the Open Session of the Committee of the Whole

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

	<u>Page</u>
1. Pending or Contemplated Litigation - Section 2(e)	2
2. Land Acquisition and Negotiated Contracts - Section 2(f)	
University Cancer Center: Proposed Purchase of President's Residence	2
3. Personnel Matters - Section 2(g)	
U. T. San Antonio: Report of Advisory Com- mittee for the Selection of a President	2

Discussion - No Action

- 1. LBJ: Proposed settlement in
 case with J.C. Bateson Const. Co.*
- 2. Balcones Res. Center*
- 3. Humanities Res. Center*
- 4. Marine Science Institute
 at Port Aransas*

Documentation

1. Pending or Contemplated Litigation - Section 2(e)

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

University Cancer Center: Proposed Purchase
of President's Residence. --

3. Personnel Matters - Section 2(g)

U. T. San Antonio: Report of Advisory Committee
for the Selection of a President. --

Meeting of the Board

(continued)

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

Date: December 1, 1978

Time: Following Completion of All Committee Meetings

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

A. - H. ... (Pages B of R 1 - 17)

I. RECONVENE

J. REPORTS OF STANDING COMMITTEES

1. System Administration Committee
by Committee Chairman Williams
2. Academic and Developmental Affairs Committee
by Committee Chairman Sterling
3. Buildings and Grounds Committee
by Committee Chairman Bauerle
4. Health Affairs Committee
by Committee Chairman Law
5. Land and Investment Committee
by Committee Chairman Clark

K. REPORT OF BOARD FOR LEASE OF UNIVERSITY LANDS
by Vice-Chairman Williams

L. REPORTS OF SPECIAL COMMITTEES, IF ANY

M. REPORT OF THE COMMITTEE OF THE WHOLE - OPEN SESSION
by Chairman Shivers

N. CONSIDERATION OF THE ITEMS REFERRED TO THE EXECUTIVE
SESSION OF THE COMMITTEE OF THE WHOLE. --Chairman Shivers
will report the items discussed in Executive Session of the Committee
of the Whole pursuant to V. T. C. S., Article 6252-17, Sections 2(e),
(f) and (g) and ask for action thereon, if any:

1. Pending or Contemplated Litigation - Section 2(e)
2. Land Acquisition and Negotiated Contracts - Section 2(f)

University Cancer Center: Proposed Purchase
of President's Residence

3. Personnel Matters - Section 2(g)

U. T. San Antonio: Report of Advisory Committee
for the Selection of a President

O. ADJOURNMENT

B of R - 18



BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Material Supporting

Agenda

Meeting Date: November 30 - December 1, 1978

Meeting No.: 757

Regents' Rules and Regulations

Name: OFFICIAL COPY (See Page C of W - 3 - November 30-
December 1, 1978 MSA - Volume XXVIa)

OFFICE OF THE BOARD OF REGENTS

MEMORANDUM

DATE..... November 21, 1978

TO: (Mailed to Each Member of the Board of Regents)

FROM: Betty Anne Thedford

SUBJECT: Proposed Revision of Regents' Rules and Regulations

Enclosed is a proposed revision of the Regents' Rules and Regulations, Parts One and Two, as submitted by System Administration, together with a memorandum from System Administration relating to the proposed changes.

T:mg

Enclosures

Memorandum Re:

PROPOSED REVISION OF
THE RULES AND REGULATIONS OF
THE BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

At its meeting on October 19, 1978 (Meeting No. 756) the Board of Regents considered a report of the Academy for Educational Development, Inc. pertaining to the organization of The University of Texas System Administration, and expressly adopted recommendations that (1) the chief executive officer of the System Administration be designated Chancellor, (2) the title of President not be utilized in System Administration, (3) the title of President be used to designate the chief executive officers of System campuses, (4) the role of Chancellor be defined primarily in terms of administrative/political skills needed to advance the welfare of the System as a multi-campus system of higher education, and (5) the role of campus President be defined primarily in terms of administrative/academic skills needed to advance the status of each campus as an effective environment of learning (Minutes, pp. 1, 2).

At the same meeting the Board of Regents directed the Chancellor to revise the Regents' Rules so that System Administration titles and duties would be brought into conformity with the Board's action. Such revised Rules would be presented to the Board at its meeting on December 1, 1978, for approval consideration. (Minutes, p. 2.)

In accordance with the foregoing actions of the Board, and utilizing the Academy's report as a basic guideline, the Chancellor has made revisions in the Regent's Rules and Regulations with respect to title changes and reassignment of duties within System Administration. Other revisions have also been made to eliminate possible ambiguities, delete obsolete provisions, and otherwise generally update the Rules and Regulations.

Copies of the Rules and Regulations, as so revised and proposed by the Chancellor for adoption by the Board, are being distributed to each member of the Board, with copy of this Memorandum.

THE REVISIONS IN GENERAL

Throughout the Rules the title "President" of the System has been changed to "Chancellor", and the title of each Vice President of the System has been changed to "Vice Chancellor" with appropriate modifiers indicating basic responsibilities. Other title changes are noted hereinafter.

Substantive revisions (i.e., those other than the above title and editorial changes, or rearrangement of provisions) and comments pertaining thereto are noted below.

All citations to Chapters, Sections, Subsections and Paragraphs refer to present provisions of the Rules and Regulations, unless otherwise indicated.

PART ONE REVISIONS

Chapter I, Section 7 (Committees), Subsection 7.19
(Duties of the Building and Grounds Committee).

Under existing provisions the Committee must review and make recommendations regarding new construction costs in excess of \$5,000, and remodeling costs of \$50,000. The proposed

revisions increase these limits to \$50,000 and \$80,000, respectively, to reflect delegation of additional authority to component institutions and allow for increase in construction costs due to inflation.

Chapter II, (Administration).

This Chapter describes the basic organizational structure of System Administration, describes the position of chief administrative officer for the component institutions, and defines the authorities and responsibilities of those holding such positions.

The proposed revisions in this Chapter reflect a change in its format, as well as certain changes in organizational structure and administrative responsibilities.

The revision of this Chapter, as proposed, provides for a basic organizational structure under which the Chancellor, as chief executive and administrative officer of the System, would continue to report directly to the Board; and

eliminates the use of the title "President" with respect to System Administration.

Five Vice Chancellors (Academic Affairs, Administration, Business Affairs, Health Affairs, Lands Management and General Counsel), as the other executive officers of the System, will report directly to the Chancellor. In addition, those principal administrative officers of the System immediately in the Office of the Chancellor (Executive Director for Development, Assistant Chancellor for Planning [title changed from "Director for Public Affairs"], Executive Assistant to the Chancellor) will report directly to him, as will the Chief Administrative Officers of each component institution.

Eight principal administrative officers (Budget Director, Comptroller, Director of Facilities Planning and Construction, Director of Police, Director of Special Services, Executive Director for Investments and Trusts, and System Personnel Director) continue to be administrative

officers of the System, and will report directly to the Vice Chancellor for Business Affairs. Under the present organizational structure each of these officers directly reports to either the Chancellor, or the Vice President for Operations (which position is abolished by the proposed revision), except the Director of Police, who now reports to the Vice President for Business Affairs.

The Manager of University Lands - Oil, Gas and Mineral Interests (title change from "Geologist in Charge" West Texas Lands), and the Manager of University Lands - Surface Interests (title change from "Land Agent", West Texas Lands) will become administrative officers of the System, and will report directly to the Vice Chancellor for Lands Management and General Counsel (title change from "Vice President and General Counsel"), rather than to the Executive Director for Investments and Trusts as provided under the current structure.

The Associate General Counsel will continue as an administrative officer of the System, reporting directly to the Vice Chancellor for Lands Management and General Counsel.

The Director of the Institute of Higher Education Management will become an administrative officer of the System and will report directly to the Vice Chancellor for Academic Affairs.

As indicated by the described proposed organizational structure, the duties and responsibilities of the Chancellor as described in the proposed revision, are increased as the result of consolidating the duties and responsibilities of the former positions of Chancellor, and President of the System.

The duties and responsibilities of the Vice Chancellor for Business Affairs have been increased to include managing the operations of the System with respect to facilities planning and construction matters; personnel matters; special services functions; purchasing and

accounting matters; investments and trusts affairs; and those transactions relative to real estate interests owned or controlled by the Board, except Permanent University lands.

The duties and responsibilities of the Vice Chancellor for Lands Management and General Counsel have been increased to include direction and management of personnel, operations, activities and transactions (except accounting and auditing) with respect to the surface of Permanent University Fund Lands, and the oil, gas and mineral exploration and production on such lands.

The duties and responsibilities of the Vice Chancellor for Academic Affairs have been increased by addition of responsibility for directing development of the programs of the new Institute of Higher Education Management.

The duties and responsibilities of the Vice Chancellor for Health Affairs have been increased to include direction of the operation of the Medical-Dental Application Center, and

the activities of the Institute for Health Policy and Planning.

The portfolios of the other executive officers of the System, and those of the chief administrative officers of the component institutions, remain substantially the same as they are under the current System administration structure.

It is believed that the proposed organizational and administrative structure provides (1) a more realistic and effective span of supervision for the Chancellor, permitting improved time management, with resultant increased effectiveness, (2) an improved system of functional and economic planning and control, (3) an improved utilization of personnel resources, and (4) a sharper focus on responsibilities, authorities and accountability. At the same time the concept of freestanding, relatively autonomous, component institutions is preserved.

Overall it is expected that the proposed structure will result in increased efficiencies,

economies and effectiveness, and a substantially improved opportunity for full realization of both academic and administrative missions and goals.

Chapter II (Administration), Section 5 (Appointment of Other Administrative Officers).

The proposed change adds a specific reference to the need for the chief administrative officer of each component institution to receive prior approval from the Chancellor for the dismissal of an administrative officer. Currently prior approval is required only for appointment of administrators.

Chapter III (Personnel), Section 3 (Employment of Aliens on Sponsored Projects).

The proposed change eliminates a specific reference to The University of Texas at Austin made unnecessary by the otherwise broad language of the provision.

Chapter III (Personnel), Section 6 (Tenure, Promotion, and Termination of Employment), Subsection 6.26.

This provision has been deleted as now being unnecessary. It was originally made a part of the rules, as a grandfather clause, to preserve the non-tenure status of faculty who had served for seven years prior to 1972 without having been granted tenure.

Chapter III (Personnel), Section 16 (Leave of Absence Without Pay), Subsection 16.4.

This provision has been amended so as to eliminate military service or prolonged illness as an express circumstance permitting a third consecutive leave of absence by faculty or staff.

Chapter III (Personnel), Section 19 (Sick Leave)

A new provision has been added, and current 19.2 deleted, to maintain consistency and avoid conflict with the Appropriations Act.

Chapter III (Personnel), Section 31 (Retirement and Modified Service).

This Section has been extensively changed by the proposed revisions, to (1) comply with provisions of the federal Age Discrimination Act which becomes effective January 1, 1979; (2) to place discretion as to granting modified service with appropriate administrative officers, rather than the individual involved, with provision for review of performance and benefit to the System or a component institution; (3) provide for one-year appointments to modified service; (4) provide that the workload of those on modified service be no more than one-half of their immediately past regular workload, with proportionate salary rate; and (5) provide for exceptions to be granted by the Board under certain circumstances.

These changes are in line with the desires of the chief administrative officers of the component institutions. Deletions of provisions

which are no longer necessary to comply with 1964 changes in the Teacher Retirement Law have been made.

Chapter VI (Student Services and Activities), Section 3 (Student Conduct and Discipline), Subsection 3.3.

This subsection is deleted. It was originally included in order to avoid confusion existing by virtue of successive legislative changes in the law relating to narcotics and controlled substances, and is no longer necessary for that purpose.

Chapter VI (Student Services and Activities), Section 3 (Student Conduct and Discipline), (Subsections 3.(11)-3.(17), Sec. 1-5.

These sections have been extensively changed. They provide for a hearing procedure for student disciplinary cases. The proposed changes are intended to clarify the procedures, with emphasis on the role of the impartial hearing examiner, and the role of the Dean of Students,

by eliminating ambiguities, and otherwise ensure Constitutional due process protection to the student involved and the institution.

Chapter VI (Student Services and Activities), Section 6 (Use of University-Owned Facilities).

This section relates to the use of component institutions' buildings, grounds and other facilities. The proposed changes are designed to specifically tie these regulations to the provisions in the Texas Education Code where the Legislature has authorized the Regents to adopt such regulations.

The proposed changes redefine the term "solicitation" and in addition to the other type of activity now specifically provides that solicitation of votes for persons running for public office regulated by state or federal election laws will not be permitted on campus unless such activity is excepted by one of the specific exceptions set forth in the Regents' Rules.

Changes have also been made which clarify the fact that the solicitation regulations apply not only to buildings and grounds but also to the other type structures such as the baseball stadium and the football stadium on campus.

Exceptions relating to the sale of food or drink by vending machine have been changed to make clear that they have been applied only to food being dispensed by the institution or a contractor of the institution. The locations and the means of dispensing have also been clarified.

An additional amendment broadens the definition of the type of organizations which may have use of the physical facilities of the System to include faculty or staff organizations, as well as student organizations.

Chapter VI (Student Services and Activities) Section
7 (Speech and Assembly).

This section has been revised to provide for designation of "free speech areas" on each

component institution campus where First Amendment activities can be carried on without soliciting prior administrative approval.

Chapter VII (The System Private-Fund Development and Foundations), Section 1 (The System Private Fund Development).

The proposed changes in this section delete all provisions relating to the System Development Advisory Council, since the Council has never been operative and in effect is defunct. References to the Council appearing elsewhere in this Chapter have also been eliminated.

Chapter VII (The System Private-Fund Development and Foundations), Section 3 (Foundations).

This section currently lists "The University of Texas System Foundation, Inc." among the internal foundations. This is a misnomer, and the section has been revised to show the proper name of such foundation, which is "The University of Texas Foundation, Inc."

Chapter VII (Miscellaneous), Section 4 (Institutions and Entities Composing the System).

This section has been updated to reflect previously authorized actions, listings of institutions and colleges. References to The University of Texas at Austin's College of Humanities, College of Social and Behavioral Sciences, and Division of General and Comparative Studies, have been deleted; and the College of Liberal Arts substituted therefor.

The University of Texas at Dallas Callier Center for Communication Disorders is a new listing, as well as The University of Texas Institute of Texan Cultures at San Antonio.

The name of the Cancer Center's Science Park has been changed from "The University of Texas Environmental Science Park at Smithville" to "The University of Texas Science Park at Smithville."

Chapter VII (Miscellaneous), Section 6 (Endowment of Academic Positions).

This section has been amended to permit successive appointments of the same individual to the same endowed academic position to be made without prior Regental approval, but subject to ratification.

PART TWO REVISIONS

Explanatory Statement - Part Two

This statement has been modified to properly reflect the fact that Part Two contains provisions pertaining to matters other than those which are fiscal in nature.

Chapter II (Accounting, Auditing, Reporting and Budgetary Control) Section 4 (Reporting), Subsection 4.3.

This section has been revised to show procedures currently being used by the System Comptroller to provide compliance with Article IV, Section 24 of the Texas Constitution.

Chapter V (Personnel), Section 2 (General Personnel),
Subsection 2.4 (Patent Policy) Paragraph 2.4545.

This provision has been amended and made a
Section in order to clearly express that it
applies to all agreements altering the basic
patent policy of the System, rather than a
limited number of such agreements.

Chapter VIII (Physical Plant Improvements), Section
1 (New Building Construction Exceeding the
Amount of \$5,000 Per Project), Section 2 (New
Building Construction Involving Less Than
\$5,000 Per Project), Section 3 (Minor Repairs
and Remodeling and Improvements other than
Buildings), and Section 4 (Major Repairs and
Remodeling and Improvements other than Build-
ings).

The limits on new building construction and
major remodeling projects in this chapter have
been increased to reflect the delegation of
additional authority to component institutions
and to allow for the increase in construction

costs due to inflation. Approval from the Board of Regents for new construction has been changed from costs "exceeding \$5,000" to costs "exceeding \$50,000." Approval from the Board of Regents for remodeling projects has been changed from projects over \$50,000 to projects over \$80,000.

Chapter VIII (Physical Plant Improvements), Section 5 (Professional Services).

The professional services fee which component institutions are authorized to make with approval of the Chancellor has been increased from \$3,000 to \$7,500 to reflect rising costs.

Chapter IX (Matters Relating to The Office of Investments, Trusts and Lands), Section 1 (Authorizations Re Sales, Assignments, Conveyances, Receipt of Property and Proxies), Subsection 1.3 (Authority to Execute Instruments Relating to Land and Mineral Interests), Section 2 (Investment Policy for PUF), Section 5 (Staff Investment Committee).

The title of this Chapter has been changed so as to conform to the renaming of the "Office of Investments, Trusts and Lands" to the "Office of Investments and Trusts."

All references to "investment officer" and "trust officer" have been deleted from Sections 1, 2 and 5. This change will limit the number of people having final authority to make decisions in investment transactions.

This change limits executive authority relating to land and mineral interests transactions to the Chairman of the Board, Vice Chairman, Chancellor, the Vice Chancellor for Business Affairs, and the Vice Chancellor for Lands Management.

Chapter X (Auxiliary Enterprises), Section 10 [Athletic Council (The University of Texas at Austin)].

This section, as revised, is now titled "Intercollegiate Athletics Council for Men."

For at least the past forty years, the Board of Regents' actions regarding the composition

of the Men's Intercollegiate Athletics Council at U. T. Austin have not been included in the Regents' Rules and Regulations, but have consisted of a series of minute orders adopted by the Board, which result in there being no one place where the controlling rules are readily available for examination. In order to have the rules governing the composition of the Council in a form and place in which they are readily available for inspection and in order for the selection of regental appointees to be spelled out and regularly reviewed by the Regents, this Section has been amended.

November 20, 1978

Originals -

RULES AND REGULATIONS

PART ONE

As presented on Nov. 30, 1978 ^{Am. 11} and

Proposed Revision

RULES AND REGULATIONS

OF THE

BOARD OF REGENTS

OF

THE UNIVERSITY OF TEXAS SYSTEM

FOR THE GOVERNMENT OF

THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Explanatory Statement

The Rules and Regulations contained in this volume are those which are adopted by the Board of Regents and which apply generally to the entire University of Texas System. They are to be known as the 'Regents' Rules and Regulations' to distinguish them from each component institution's rules and regulations which are promulgated by the chief administrative officers of the component institutions and which are published in separate volumes and entitled 'Handbook of Operating Procedures for (name of the institution)'.

These Rules and Regulations are published in loose-leaf form to facilitate their being kept current. As promptly as possible after an amendment is approved, the Secretary will distribute new pages bearing the amended text.

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CHAPTER I

BOARD OF REGENTS

- Sec. 1. Authority. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10, of the Texas Constitution, has delegated the power and authority to administer The University of Texas System to the Board of Regents in broad terms. (See Sections 65.11 et. seq. Texas Education Code.) Texas cases construing these statutes have held that the Board of Regents has wide discretion in exercising its power and authority and that the rules adopted by the Board of Regents have the same force as statutes. Foley v. Benedict, 122 Tex. 193, 55 S.W. 2d 805 (1932) Rainey v. Malone, 141 S.W. 2d 713 (Tex. Civ.App., 1940, no writ history); Morris v. Nowotny, 323 S.W. 2d 301 (Tex. Civ.App., 1959, writ refused, n.r.e.; cer. den., 361 U. S. 889, 80 S.Ct. 164, 4 L.Ed. 2d 124). The System's lands and buildings are state property subject to the control of the Board of Regents as the state's agent. Splawn v. Woodard, 287 S.W. 677 (Tex.Civ.App., 1926, no writ history); Walsh v. University of Texas, 169 S.W. 2d 993 (Tex.Civ.App., 1942, writ refused).
- Sec. 2. Composition. --The Board of **Regents** (hereinafter sometimes referred to as "Board") is composed of nine members appointed by the Governor, with the advice and consent of the Senate, for staggered terms of six years each, the terms of three members expiring on January 10th of odd-numbered years.
- Sec. 3. Chairman of the Board.
- 3.1 Election of Chairman. --The Chairman of the Board shall be elected by the Board from its number, shall serve at the pleasure of the Board, and shall report and be responsible to the Board. In case of the death, resignation, disability, removal, or disqualification of the Chairman, the Board shall elect a successor Chairman as soon as practicable. In no event shall a Board member serve as Chairman for more than 24 consecutive months without submitting his or her resignation as Chairman, but such member shall be eligible for re-election as Chairman.

- 3.2 Duties of the Chairman. --The duties and responsibilities of the Chairman shall include the following:
- 3.21 The Chairman shall preside over the meetings of the Board.
 - 3.22 The Chairman shall be authorized to call special meetings of the Board, as herein provided.
 - 3.23 The Chairman shall appoint the standing and special committees of the Board, as herein provided.
 - 3.24 The Chairman shall be an ex officio member of all committees of the Board.
 - 3.25 The Chairman shall sign, with the Secretary attesting, any bonds, contracts or other documents or instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board to some other officer, official or agent of the System.

Sec. 4. Vice-Chairman of the Board. --The Vice-Chairman of the Board shall be elected by the Board from its number when the Chairman is elected and shall serve at the pleasure of the Board. In case of the absence, death, resignation, disability, removal, or disqualification of the Chairman, the Vice-Chairman shall perform the duties of the Chairman until the Chairman shall resume his or her office or a successor Chairman shall have been elected as herein provided. Upon the death, resignation, disability, or removal of the Vice-Chairman, the Board shall elect a successor Vice-Chairman as soon as practicable.

Sec. 5. Secretary to the Board.

- 5.1 Appointment. --At the meeting at which the Chairman and Vice-Chairman of the Board are elected, the Board shall elect a Secretary who is not a member of the Board and who shall receive such compensation as may be fixed by the Board. The Secretary shall report and be responsible to the Board. The Secretary shall serve subject to the pleasure of the Board and may be removed by the Board at any time. Upon the death, resignation, disability, removal, or disqualification of the Secretary, the Board shall elect a successor Secretary as soon as practicable.
- 5.2 Duties and Functions. --The duties and functions of the Secretary shall include the following:
 - 5.21 Meetings. --The Secretary shall make preparations for all meetings of the Board.
 - 5.22 The Agenda. --Under the direction of the Chairman of the Board, the Secretary shall prepare and distribute the Agenda and the Material Supporting the Agenda for all meetings of the Board and its committees.
 - 5.23 Open Meetings Act. --Under the direction of the Chairman of the Board, the Secretary shall post notices of all meetings, and the subject matter thereof, as may be required under law.

- 5.24 Minutes.--The Secretary shall record, prepare, and index the official Minutes of the Board and shall distribute copies thereof, including the annual budgets, to members of the Board and to other persons on the approved list. The official copy of the Minutes shall be kept in the Office of the Secretary, and certified excerpts from these Minutes shall be prepared by the Secretary.
- 5.25 Documents.--The Secretary shall keep on file in the Office of the Secretary to the Board all official documents, correspondence, and proceedings of the Board.
- 5.26 Seal.--The custody of the official seal of the System shall be with the Secretary. The Secretary shall affix such official seal to, and attest, all documents executed in the name of the Board and requiring attestation.
- 5.27 Rules and Regulations.--The Secretary shall be charged with the responsibility of keeping current the Official Copies of the Regents' Rules and Regulations, and furnishing to members of the Board and the administrative officers on the approved list any changes or additions as soon as possible after the meeting at which they are finally adopted.
- 5.28 Reports.--The Secretary shall prepare and distribute such reports and communications as are directed by the Board.
- 5.29 Other Duties.--In addition, the Secretary shall perform such functions and have such other duties and responsibilities as may be assigned to the Secretary by the Board or as are usual and customary to the position of Secretary and which assist the members of the Board in the discharge of their official duties.

Sec. 6. Meetings of the Board.

- 6.1 Regular Meetings.--Regular meetings of the Board shall be held at such times and places as the Board shall designate. Unless otherwise determined in advance by the Board, all regular meetings shall be held in Austin.
- 6.2 Special Meetings.--Special meetings of the Board shall be held upon the call of the Chairman, or upon the written request of three members of the Board. The Chairman shall cause written notification of the time, place, and purposes of any special meeting to be mailed to each member of the Board by the Secretary at least three days before the time of the meeting.
- 6.3 Official Business.--No business other than that placed on the Agenda and noticed as required by law shall be officially transacted at a meeting of the Board or its committees.

Sec. 7. Committees.

- 7.1 Standing Committees.** --The following committees shall be standing committees of the Board to consider policies for the government of all major areas: (a) Committee of the Whole; (b) System Administration Committee; (c) Academic and Developmental Affairs Committee; (d) Health Affairs Committee; (e) Buildings and Grounds Committee; (f) Land and Investment Committee.
- 7.11 Appointment and Term of Standing Committees and Authority of Chairman Thereof.** --All members of the Board shall be members of each of the standing committees. The Chairman of each standing committee (other than the Committee of the Whole) shall be appointed by the Chairman of the Board shortly after his or her election, by and with the consent of the Board, and shall remain as Chairman of the standing committee (unless a vacancy shall be caused by death, resignation, or refusal of some member of a committee to act) until the succeeding Board Chairman shall have reconstituted the committees. The Chairman of any of the six standing committees may appoint subcommittees on either a standing or ad hoc basis to give special consideration to special problems.
- 7.12 Method of Filling Vacancies in the Chairmanship of Standing Committees.** --In case a vacancy shall occur in the chairmanship of any of the standing committees, the Chairman of the Board shall appoint another member of the Board to serve as Chairman of the standing committee, by and with the consent of the Board, and, if confirmed, the appointment shall stand until the time for appointment of Chairmen of the standing committees as provided in Subdivision 7.11 of this Chapter.
- 7.13 Time of Meeting of Committees of the Board.** --The committees of the Board customarily shall meet on the first day of any scheduled Board meeting and at such other times as the majority of the members of each committee shall determine.
- 7.14 Authority of Standing Committees.** --The authority of standing committees of the Board shall be subject to action of the whole Board and, except in cases where it is necessary for the System Administration Committee to act for the Board during the interim periods between Board meetings, the committees' actions shall be referred to the Board before they shall become effective.
- 7.15 Committee of the Whole.** --The Chairman of the Board shall serve as Chairman of the Committee of the Whole. The Committee of the Whole shall receive and consider items referred

to it by the Chairman of the Board and by other committees of the Board.

- 7.16 **Composition and Duties of the System Administration Committee.** --The System Administration Committee shall have authority to act for the Board on all matters that require action between meetings of the Board, but at each meeting of the Board, the System Administration Committee shall report in writing (for ratification) all actions taken by it since the last meeting of the Board.

The System Administration Committee shall in addition thereto:

- 7.161 Consider and make recommendations on all budgetary matters relating to System Administration, including the budgets for all properties occupied by System Administration personnel.
- 7.162 Consider and make recommendations on all matters relating to the administrative organization of the System and its component parts.
- 7.163 Consider and make recommendations with respect to the role, operation, and budget of any special function or offices controlled by System Administration.
- 7.17 **Duties of the Academic and Developmental Affairs Committee.** --The Academic and Developmental Affairs Committee shall:
- 7.171 Consider and make recommendations relating to matters of academic policy and student life in the general academic institutions.
- 7.172 Study and make recommendations relating to developmental matters concerning the general academic institutions.
- 7.173 Consider all matters affecting the growth and usefulness of the libraries of the University.
- 7.18 **Duties of the Health Affairs Committee.** --The Health Affairs Committee shall consider all matters connected with the health-related institutions and schools except those specifically assigned to other committees of the Board. There shall be a Subcommittee on Hospitals of the Health Affairs Committee to consist of the Chairman of the Health Affairs Committee and two Regents appointed by the Chairman of the Board. The System Vice Chancellor for Health Affairs shall be an ex officio member of the Subcommittee. The Subcommittee on Hospitals shall have the following duties with respect to each Hospital owned by the System:
- 7.181 Participate in the accreditation process for the Hospital;
- 7.182 Review long-range plans for the Hospital;
- 7.183 Review and make recommendations to the Board concerning the bylaws, rules and regulations of the medical staff of the Hospital, and approval of same;

- 7. 184 Review and make recommendations to the Board concerning mechanisms and controls for the achievement and maintenance of high standards of professional practices in and at the Hospital, and approval of same;
- 7. 185 Hold regular meetings at least once annually, at the Hospital to review programs and problems; and
- 7. 186 Report to the Board the substance of each meeting of the Subcommittee and make any appropriate recommendations.
- 7. 19 Duties of the Buildings and Grounds Committee.--The Buildings and Grounds Committee shall have the following duties:
 - 7. 191 It shall consider and make recommendations relating to the acquisition and use of land and the construction and use of buildings and other matters involving the physical expansion of the System and its component institutions.
 - 7. 192 It shall review, and make recommendations regarding, all proposals for new construction in an amount exceeding \$50,000, all proposals for repairs and remodeling of the physical plant which involve proposed expenditures of \$80,000 or more, and proposals for extensive improvements of the grounds of the System and its component institutions.
- 7. 1(10) Duties of the Land and Investment Committee.--The Land and Investment Committee shall consider and make recommendations on all matters relating to (a) the investment of the Permanent University Fund and all trusts and special funds, (b) management of the state lands constituting the permanent endowment of the University, (c) the acquisition, management, and sale of trust property and special funds, and (d) the issuance of bonds.
- 7. 2 Board for Lease of University Lands.--Two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve on the Board for Lease of University Lands. Neither of such appointees shall be employed either directly or indirectly by any oil or gas company nor shall be an officer or attorney for any oil or gas company.
- 7. 3 Special Committees.--The Chairman of the Board shall appoint such special committees of the Board as the Board may authorize.

Sec. 8. Procedure.

- 8. 1 Rules of Order.--Robert's Rules of Order, when not in conflict with any of the provisions of this chapter, shall be the rules of parliamentary procedure when the Board or any of its committees is in session.
- 8. 2 Order of Business.--Customarily the order of business at a regular meeting of the Board shall be as follows:
 - 8. 21 Correction and approval of Minutes of preceding meeting.

- 8.22 Special items:
 - (a) Chancellor
 - (b) Chief administrative officers of the component institutions
 - (c) Members of the Board
- 8.23 Reports of standing committees.
- 8.24 Reports of special committees.
- 8.25 Report of the Committee of the Whole.

8.3 Open and Closed Meetings. --Meetings of the Board shall be open to the press and the public, unless otherwise determined by the Board, in accordance with law.

8.4 Matters to be Referred to Committees. --Insofar as it is practicable and desirable, all subjects and matters requiring Board action shall be referred to the appropriate committee for consideration and recommendation before action is taken thereon by the Board.

8.5 Communications to the Board.

8.51 Nothing herein shall be construed to prevent members of the Board from informing themselves as to their duties and obligations in such manner as they may deem proper. However, the **regular channel of communication from members of the Board to the faculty, staff, and administration is through the Chancellor and the chief administrative officer of the institution involved, and a copy of any communication sent by a Regent directly to any member of the faculty, staff or administration should be furnished to the Chancellor and the chief administrative officer of the institution involved.** All staff and faculty proposals that are to be acted upon by the Regents shall be presented to the Chancellor in sufficient time to permit him to consider such proposals, make recommendations thereon, and transmit them to the Secretary to the Board no later than seventeen days prior to the next meeting of the Board, in order that the calendar, agenda, and supporting material may be prepared in time to mail to the members of the Board so they will receive it at least five days prior to the meeting. Except where emergency proposals are involved, all such proposals not submitted to the Secretary within the time prescribed shall not be considered by the Board but shall automatically be deferred until the next meeting of the Board.

- 8.52 **Except upon invitation of the Board, the Chairman of the Board or the Chancellor, no person shall appear before the Board or any committee thereof unless he shall file with the Secretary to the Board a written request for such appearance at least ten days before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request; provided, however, that the chief administrative officer, or his delegate, and/or the president of the students' association, or his delegate, of any component institution, without prior notice or request but subject to such time limitation as may be prescribed by the Chairman or a majority of the Board (or by the chairman or a majority of the committee), may appear before the Board or any committee thereof whenever the matter under consideration by the Board or committee directly affects the component institution represented by such chief administrative officer and/or student president. Whenever time and other circumstances permit, the president of the students' association, or his delegate, of such component institution, shall consult with the chief administrative officer, or his delegate, of such institution regarding said "matter under consideration" prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board pursuant to the ten-day notice provision or without notice pursuant to the provisions of this paragraph shall provide a written statement of the substance of such person's presentation to the Board, and, insofar as possible, such written statement shall be delivered to the Secretary to the Board in sufficient time for copies to be distributed to the Regents prior to the meeting.**
- 8.53 **All official material to be distributed to the Regents shall be transmitted through the Office of the Secretary to the Board. Copies of all official communications from administrative officers to the Regents shall be sent to the Secretary. Communications from the Chancellor shall be exempt from this requirement at the Chancellor's discretion, but in such cases information copies shall be furnished to the Secretary.**
- 8.54 **A docket, to be entitled "Docket No. _____ of the Chancellor," composed of routine matters arising from System Administration and the component institutions, which are required to be reported to and/or approved by the Board in accordance**

with established policies of the Board, shall be prepared as directed and approved by the Chancellor. All docket items from the component institutions must be received in the office of the Chancellor not less than twenty-one days prior to the next regular scheduled meeting for inclusion on the docket for that meeting. The Docket of the Chancellor shall be distributed by the Secretary to all members of the Board ten days before the Board convenes, together with a ballot to be returned seven days thereafter. The ballot will read: "Approved, except as to the following items:" with space provided for listing the excepted items. All items not excepted by any Regent will be approved by the Board at its next meeting, without detailed consideration. Any excepted item listed by any Regent will be deferred and will be processed through the System Administration Committee for consideration at the first regular meeting of the Board following action on the item by the System Administration Committee.

8. 55 Except for communications from the Chancellor and the Secretary to the Board, all communications to the Board from members of the faculty and staff should be in writing. The regular channel of communication from the faculty, staff, and administration to the Board is through the chief administrative officer of the institution involved and the Chancellor. A copy of any communication sent directly to a Board member should be furnished to the Chancellor and to the chief administrative officer of the institution involved. A description of all matters to be considered by the Board at any meeting shall be mailed or delivered to each member of the Board and to the Chancellor at least five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to the Regents and the Chancellor at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the need for action thereon, and the recommendations of the Chancellor. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the Chancellor shall state whether or not they are fully concurred in by any institutional head involved, and if not, the views and recommendations of the institutional head shall be included.

Any matter not sent to the members of the Board, documented as herein provided, at least five days in advance of the meeting at which it is to be considered, shall go over to the next meeting for consideration; provided, however that if sufficient emergency exists requiring immediate action and it appears that the delay was unavoidable, this requirement may be waived by a two-thirds vote of the Board.

- 8.6 Report to Press on Actions of Board. --Matters of public interest will be given as promptly as possible after each meeting to the press by the Vice Chancellor for Administration under the direction of the Chairman of the Board or the Chancellor.
- 8.7 Political and Otherwise Obviously Controversial Matters. --The Board reserves to itself the responsibility for passing upon matters of a political or obviously controversial nature which represent an official position of the System or any institution or department thereof. Statements on such matters shall be made by the Chairman of the Board or the Chancellor. Without the advance approval of the Board, no Regent, Officer, or faculty or staff member shall make or issue any public statement on any political or other subject of an obviously controversial nature which might reasonably be construed as a statement of the official position of the System or any institution or department thereof. It is not the intent of this policy statement to stifle the right of freedom of speech of anyone speaking in a personal capacity where he makes it clear that he is not speaking for the System or any of its component institutions. Statements on matters of an emergency nature shall be cleared by the Chancellor with the Chairman of the Board.

Sec. 9. Executive Associate for Economic Affairs

- 9.1 The Executive Associate for Economic Affairs is a staff officer of the System. He is elected by the Board, serves at the pleasure of the Board, reports to and is responsible to the Board, and receives such compensation as may be fixed by the Board.
- 9.2 Duties. --The Executive Associate on a continuing basis conceives and develops long-range plans and studies with respect to the development and management of economic affairs of the component institutions, and upon request, consults and advises with the Board and the Executive Director for Investments and Trusts regarding plans and studies.

CHAPTER II

ADMINISTRATION

Sec. 1. General Provisions.

- 1.1 The "System Administration" is the administration of The University of Texas System.
- 1.2 Component Institutions.
The University of Texas System (herein sometimes called the "System") is composed of those institutions assigned by the Constitution or by the Legislature to be governed by the Board of Regents of The University of Texas System.
- 1.3 Location.
The System Administration shall be based at Austin, to benefit from the proximity of state agencies and to take advantage of economies made possible by sharing use of personnel and facilities with The University of Texas at Austin. System Administration officers shall travel to the other component institutions as their administrative responsibilities require.

Sec. 2. Officers of System Administration.

- 2.1 Executive Officers.
- 2.11 Chancellor.
The Chancellor is the chief executive and administrative officer of the System, and directly reports to and is responsible to the Board.
- 2.12 Vice Chancellors.
The other executive officers of the System are the Vice Chancellor for Academic Affairs, the Vice Chancellor for Administration, the Vice Chancellor for Business Affairs, the Vice Chancellor for Health Affairs, and the Vice Chancellor for Lands Management and General Counsel. Each Vice Chancellor directly reports to and is responsible to the Chancellor.

- 2.2 Principal Administrative Officers.
- 2.21 The Executive Director for Development, the Assistant Chancellor for Planning and the Executive Assistant to the Chancellor are administrative officers of the System, and each such officer directly reports to and is responsible to the Chancellor.
- 2.22 The Manager of University Lands - Oil, Gas and Mineral Interests, the Manager of University Lands - Surface Interests, and the Associate General Counsel are administrative officers of the System; and each such officer directly reports to and is responsible to the Vice Chancellor for Lands Management and General Counsel.
- 2.23 The Budget Director, the Comptroller, the Director of Accounting, the Director of Facilities Planning and Construction, the Director of Police, the Director of Special Services, the Executive Director for Investments and Trusts, and the System Personnel Director are administrative officers of the System; and each such officer directly reports to and is responsible to the Vice Chancellor for Business Affairs (except the Director of Accounting who reports as specified in Part One, Chapter II, Sec. 3.442 of these Rules and Regulations).
- 2.24 The Director of the Institute of Higher Education Management is an administrative officer of the System and directly reports to and is responsible to the Vice Chancellor for Academic Affairs.
- 2.3 Appointment and Tenure of Officers.
- 2.31 The Chancellor shall be elected by the affirmative vote of a majority of the Regents in office and shall hold office without fixed term, subject to the pleasure of the Board.
- 2.32 All other executive and administrative officers of the System shall be appointed by the Board after nomination by the Chancellor. Officers so appointed shall not have tenure by virtue of their respective offices. They shall hold office without fixed term, subject to the pleasure of the Chancellor. His actions concerning such officers are in turn subject to review and approval by the Board.
- 2.4 Staff and Line Functions of Officers.
- 2.41 Staff Function. Each officer of System Administration, other than the Chancellor, shall be responsible for planning and policy formulation in his particular field as delegated by the officer to whom he reports and shall serve as adviser in his area to the officer to whom he reports. In addition, with the

knowledge of the officer to whom he reports, he shall advise and consult with other members of System Administration and with the officials of the component institutions in his particular area of responsibility.

2.42 Duties. Officers of the System Administration shall have such duties as shall be assigned to them by the Chancellor or the officer to whom they report, and as the personal representatives of such officers, they may be assigned specific executive responsibilities for carrying out administrative policies.

2.5 Chancellor Emeritus.

The authority to bestow the title of Chancellor Emeritus shall rest with the Board, and an individual holding this title shall receive such salary and emoluments as are determined by the Board. This title shall be held at the pleasure of the Board. The Chancellor Emeritus shall have such duties and responsibilities as may be delegated or assigned to him by the Board and in these matters he shall report directly to the Board.

Sec. 3. Authority, Duties and Responsibilities of Officers of System Administration.

3.1 Officers in the Office of the Chancellor.

3.11 Chancellor.

The Chancellor, by delegation from the Board, is authorized to exercise the powers and authorities of the Board in the governance of the System. The chief administrative officer of each component institution in the System, acting in a line capacity for the operation of such officer's institution, reports to and is responsible to the Chancellor. The Chancellor will normally act through the chief administrative officer regarding the affairs of a component institution. The Chancellor, however, shall not be precluded from any direct participation and communication with faculty members and groups. The major duties of the Chancellor include:

3.111 Advising and counseling with the Board with respect to the policies, purposes, and goals of the System; acting as executive agent of the Board in implementing its policies; representing the System in all other respects as he deems appropriate to carry out such policies, purposes and goals, and interpreting and articulating the System's

academic, administrative and developmental policies, programs, needs and concerns to the general public and to other constituencies at the community, state, regional and national levels.

- 3.112 Directing the management and administration of System Administration and all component institutions of the System.
- 3.113 Presenting to the Board nominations for all officers of System Administration, and for all officers of component institutions as provided in these Rules and Regulations.
- 3.114 Periodically reviewing the organization of the System and its component institutions, and reporting to the Board recommendations for changes in organization, assignments and procedures.
- 3.115 Preparing and approving recommendations for meetings of the Board (including recommendations for annual operating budgets for the System and its component institutions) and submitting such recommendations to the Secretary to the Board for consideration by the Chairman.
- 3.116 Preparing and approving biennial legislative submissions to the Legislative Budget Board and to the Governor for the System and its component institutions.
- 3.117 Developing and implementing programs for the most efficient management of personnel resources, and for long-range planning for academic programs, physical facilities and financial resources.

3.12 Executive Assistant to the Chancellor.

The Executive Assistant to the Chancellor is an administrative officer of the System and is the principal assistant to the Chancellor in the administration of the responsibilities of the Office of the Chancellor. In this regard, the duties of the position include:

- 3.121 Coordinating all matters between the Office of the Chancellor and the Office of the Secretary to the Board.
- 3.122 Evaluating and coordinating the internal administrative procedures and supporting staff of the Office of the Chancellor.

- 3.123 Advising the Chancellor on policies, purposes, and long-range planning for the System.
 - 3.124 Assisting the Chancellor in reviewing the management of component institutions.
 - 3.125 Managing such other duties and responsibilities as may be directed by the Chancellor.
- 3.13 Executive Director for Development.
 Subject to the delegation by the Chancellor, the major duties of the Executive Director for Development include:
- 3.131 Acting under the authority delegated by the Chancellor for private fund development for the System.
 - 3.132 Coordinating policies and activities involving internal foundations and University-related external foundations.
 - 3.133 Coordinating and cooperating with the chief administrative officers of the component institutions in development programs.
 - 3.134 Coordinating efforts of component institution officials to create a favorable climate for philanthropic support among various constituencies, including alumni, foundations, business and industry, associations, parents of students, friends and benefactors.
 - 3.135 Advising component institution administrative officials, deans, and directors on projects involving private gift support, suggesting possible granting agencies or benefactors, and assisting when needed in the preparation of grant proposals and their presentation.
 - 3.136 Administering procedures for the preparation of gift records, gift processing, gift acknowledgments, and gift dockets for the Board.
- 3.14 Assistant Chancellor for Planning.
 Subject to delegation by the Chancellor, the major duties of the Assistant Chancellor for Planning include:
- 3.141 Representing the System in its relations with state and local legislative bodies and agencies.
 - 3.142 Advising the Chancellor on relations with state and local legislative bodies and agencies.
 - 3.143 Informing appropriate administrative officers of current operations and long-range developments on the state level, which may affect the System.

- 3.144 Maintaining and distributing information on state programs to assure proper action by the System on applications and communications to federal and state agencies and offices.
- 3.145 Assisting the Vice Chancellor for Administration in monitoring federal activities of significance to the System.
- 3.146 Performing such other duties and responsibilities for the efficient operation of the System as shall be assigned by the Chancellor.

3.2 Officers in the Office of Academic Affairs.

3.21 Vice Chancellor for Academic Affairs.

Subject to delegation by the Chancellor, the Vice Chancellor for Academic Affairs has the general assignment of effective coordination of the general academic institutions.

Specifically, his duties include:

- 3.211 Submitting to the Chancellor recommendations on the System programs in education, research, and public service, including general plans and operations of general academic institutions.
- 3.212 Reviewing and making recommendations on proposals from the general academic institutions requiring action by the Chancellor.
- 3.213 Working with the general academic institutions to develop general guidelines concerning faculty workload and faculty policies and recommending to the Chancellor System policies on these matters.
- 3.214 Preparing and submitting to the Chancellor long-range and immediate academic plans for the general academic institutions including programs for continuous evaluation of existing academic programs.
- 3.215 Pursuant to governing policies, recommending to the Chancellor upon the annual operating budget requests submitted by each general academic institution.
- 3.216 Recommending to the Chancellor legislative appropriation requests (and policies for the development of such requests) to be submitted by the System on behalf of the general academic institutions.
- 3.217 Processing all academic matters for the System general academic institutions with the

- Coordinating Board, and coordinating other academic matters directed to the Coordinating Board.
- 3.218 Coordinating the preparation of the agenda for meetings of the Counsel of Academic Institutions.
- 3.219 Coordinating the development and implementation of the individual mission of the general academic institutions.
- 3.21(10) In matters involving joint programs between System general academic institutions and System health institutions, coordinating with the Vice Chancellor for Health Affairs.
- 3.21(11) Coordinating activities of the Institute of Higher Education Management with all System Components and other interested institutions of higher education and directing development of its programs to provide managerial training for persons in administrative positions in such institutions.
- 3.22 Director of the Institute of Higher Education Management. Subject to delegation by the Vice Chancellor for Academic Affairs, the Director of the Institute of Higher Education Management is responsible for directing the programs and training activities of said Institute for the purpose of helping university administrators improve their effectiveness. Specifically, his duties include:
- 3.221 Developing and implementing plans for periodic Institute short courses for those in higher education administrative positions.
- 3.222 Planning and implementing topical seminars on timely issues of importance in higher education.
- 3.223 Communicating with higher education leaders concerning their concepts of critical management problems in higher education and getting their assessment of how Institute programs may meet these needs.
- 3.224 Planning and implementing new Institute programs in a timely fashion such as internship for individuals selected for administrative positions in the higher education institutions in Texas.

3.225 Preparing requests for the Institute's budget and proposals for support from various sources of potential funding for its programs.

3.3 Officers in the Office of Administration.

3.31 Vice Chancellor for Administration.

Subject to delegation by the Chancellor, the major duties of the Vice Chancellor for Administration include:

- 3.311 Representing the System in its relations with federal governmental bodies and units; informing appropriate administrative officers of developments on the national level of significance to the System; recommending System actions and policies responsive to those developments; maintaining and distributing information to, and advising appropriate System Administration and component institution officials, in order to assure proper action by the System with respect to federal governmental programs and activities.
- 3.312 Communicating the activities of the Board and System Administration; coordinating news releases and other public information emanating from the component institutions, **which releases and information involve the Board and System Administration**; coordinating and serving as liaison to System Administration consultants in the area of media relations and public information dissemination; developing a format for the presentation of information about System institutions and activities to the general public; making recommendations to the Chancellor regarding budget requests and staffing requirements for the public **information services of the component institutions.**
- 3.313 Making recommendations to the Chancellor in the area of public policy as it affects the relationships of the System with the federal government, the press, and the general public.
- 3.314 Performing other duties and assignments as delegated by the Chancellor.

3.4

Officers in the Office of Vice Chancellor for Business Affairs.

3.41 Vice Chancellor for Business Affairs.

Subject to delegation by the Chancellor, the Vice Chancellor for Business Affairs has the general assignment of effective coordination of the business activities of the component institutions in the System. Specifically, his duties include:

- 3.411 Submitting recommendations to the Chancellor on business operations of the components of the System.
- 3.412 Reviewing and making recommendations on uniform business systems and management.
- 3.413 Submitting recommendations relating to programs for the most efficient management of personnel and resources.
- 3.414 Submitting recommendations for program development for training of personnel in nonacademic areas.
- 3.415 Reviewing and making recommendations on programs of long-range planning for physical facilities and financial resources.
- 3.416 Reviewing and making recommendations relating to police and security matters within the System.
- 3.417 Coordinating the business affairs of the System with other officers and members of the System Administration staff.
- 3.418 Coordinating the activities of business administrative operations of the component institutions.
- 3.419 Managing the operations of the offices of Facilities Planning and Construction, System Personnel and Special Services.
- 3.41(10) Supervising and coordinating the acquisition of all real property at the component institutions.
- 3.41(11) Directing the management of the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the Chancellor and coordinating the building services for the System buildings.

3.41(12) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical Malpractice Self-Insurance), including approval of all policies and coverages, such programs to include:
Fire and Extended Coverage;
Liability;
Health;
Life;
Accidental Death and Dismemberment;
Income Replacement; and
Retirement.

3.42 Budget Director.

The Budget Director's primary responsibilities are to plan and develop systems and procedures for uniform budget preparation, budget control and financial reporting. Subject to delegation by the Vice Chancellor for Business Affairs, the major duties of the Budget Director include:

- 3.421 Formulating procedures governing the preparation and review of all budgets and developing effective methods of presenting approved budgets to appropriate agencies.
- 3.422 Recommending procedures to be followed, including format, schedules of budget preparation, and effective review of budgets.
- 3.423 Preparing budget-writing instructions.
- 3.424 Conducting budget and other related research studies.
- 3.425 Planning systems and procedures for budgetary control and financial reporting.
- 3.426 Controlling and supervising distribution of all budgets and processing and approving (as delegated) interim budget changes.
- 3.427 Preparing periodic budgetary, financial, and special reports, as appropriate.
- 3.428 Serving as liaison with the staff of the Legislative Budget Board, the Governor's Budget Office, and the Coordinating Board, Texas College and University System.

3. 43 Comptroller.
 3. 431

Subject to delegation by the Vice Chancellor for Business Affairs, the Comptroller formulates and recommends procedures to be followed in the business operations of the System for:

- 3. 431(1) Accounting, auditing and reporting, and expenditure control.
- 3. 431(2) Receipt, disbursement, and custody of funds.
- 3. 431(3) Procurement and purchasing.
- 3. 431(4) Management of auxiliary service enterprises.
- 3. 431(5) Data processing systems -- including prior approval of equipment acquisitions by purchase or lease.
- 3. 431(6) Accounting and business system development.
- 3. 431(7) Accounting records, forms, procedures, and financial reports, including format for such reports.
- 3. 431(8) Terms of depository agreements with banks.
- 3. 431(9) Lease contracts for building space.
- 3. 431(10) Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
- 3. 431(11) Conducting post audits at each component institution.
- 3. 431(12) Supervising the auditing of oil and gas production.

3. 432

The Comptroller is responsible as joint custodian with the Director of Accounting for bearer securities owned by System funds that are maintained in bank safe deposit boxes and are not in the custody of the State Treasurer.

3. 44 Director of Accounting.

The Director of Accounting of The University of Texas at Austin serves also as director of accounting for System Administration and is the accounting officer for both The University of Texas at Austin and for System Administration.

3. 441 Subject to delegation by the Vice Chancellor for Business Affairs, his duties include:

3. 441(1) Having responsibility for custody, accounting and reporting of all funds handled by the Director of Accounting's Office for the component institutions outside of Austin, and for System Administration, the Permanent University Fund, the Available University Fund, and trust and special funds.

3. 441(2) For securities owned by System funds and not in custody of the State Treasurer, having custody of registered securities and joint custodian, with the Comptroller, of bearer securities maintained in bank lock boxes.

3. 441(3) Maintaining a full and complete set of records that accurately reflect the balances and transactions of all financial and property accounts of the System (as contrasted with such accounts of the component institutions).

3. 442 With respect to System Administration matters, the Director of Accounting reports to and is responsible to the Comptroller. With respect to other matters, he reports to the appropriate officers of The University of Texas at Austin.

3. 45 Director of Facilities Planning and Construction.

Subject to delegation by the Vice Chancellor for Business Affairs, the duties of the Director of Facilities Planning and Construction include:

3. 451 Managing the administration and general supervision of any new building construction and initial equipping thereof costing in excess

of \$50,000; managing any inside or outside repairs, remodeling, rehabilitation, new construction of improvements other than building, or campus planning costing \$80,000 or more; managing any preliminary planning, feasibility studies, or investigations which are estimated to ultimately develop into one of the above projects at any component institution of the System; advising and working with the consultants, architects and engineers employed by the Board subject to the terms and conditions of the contracts with those architects and engineers.

- 3. 452 Serving as ex officio member of all faculty building committees at the component institutions.
- 3. 453 Preparing and executing all documents relating to the acquisition and the use of funds received from the federal government and state agencies in connection with construction grant awards.
- 3. 454 Coordinating the preparation of and approving of all grant applications on approved construction projects filed with governmental agencies.
- 3. 455 Coordinating the development of and maintaining of master plans for all component institutions, including but not limited to land utilization, utility and landscape plans.
- 3. 456 Developing standards for maintenance of all physical facilities at component institutions.
- 3. 457 Directing the negotiation and approval of all utility contracts.

3. 46 Executive Director for Investments and Trusts.
Subject to delegation by the Vice Chancellor for Business Affairs, the Executive Director for Investments and Trusts implements, when they are approved by the Board, policies and actions with respect to:

- 3. 461 Investing, managing and administering of all endowment funds belonging to the System and its component institutions, including the Permanent University Fund and all trust and special funds.
 - 3. 462 Issuing, managing and paying all bonds and other evidences of indebtedness issues by the Board for System and its component institutions.
 - 3. 463 Presenting to the Board through the Chancellor periodic reports of the status and prospect of funds for which he has responsibility and that will be available for expenditure by the System and its component institutions.
 - 3. 464 Directing the management of all transactions relative to real estate interests owned or controlled by the Board of Regents, except University (Permanent University Fund) Lands.
 - 3. 465 Consulting with the Executive Associate for Economic Affairs with respect to the development of long-range plans for the development and management of the economic resources of the System and its component institutions.
3. 47 System Personnel Director.
 The System Personnel Director's primary responsibility is to plan, develop, and coordinate System-wide personnel policies and procedures. Subject to delegation by the Vice Chancellor for Business Affairs, the System Personnel Director is responsible for:
- 3. 471 Acting as liaison between component institution personnel officers and the System offices regarding all personnel matters relating to classified personnel, administrative staff, and certain matters relating to teaching and/or academic personnel.
 - 3. 472 Advising the System Officers and making recommendations concerning development of methods and procedures designed to maximize the effectiveness of System Personnel Programs.
 - 3. 473 Reviewing and recommending all classified personnel pay plans for each component institution, including the establishment of

- proper classification and pay scales consistent with needs and System-wide policies and procedures.
3. 474 Reviewing and recommending the Personnel Office budgets for each component institution.
3. 475 Directing the administration of the System Personnel Office, including the Workmen's Compensation Insurance section.
3. 476 Reviewing and recommending to System Officers any rules and regulations or changes thereto that, after proper consultation with officers of component institutions, are considered beneficial or necessary for the proper administration of the System-wide Personnel Program.
3. 477 Establishing employee development and training programs for all component institutions, including particularly supervisory training programs.
3. 478 Formulating policies and procedures concerning labor relations and employer-employee relationships.
3. 479 Assisting in establishing personnel data systems and proper practices and procedures concerning the personnel records of all employees.
3. 47(10) Conducting System-wide wage and salary research studies and formulating data for proper implementation of personnel pay programs.
3. 47(11) In consultation with the personnel offices of the component institutions, developing and maintaining a System-wide personnel pay plan with uniform titles and account numbers.
3. 47(12) Supervising and coordinating the affairs of the Office of Equal Employment Opportunity and Employee Relations.
3. 48 Director of Police.
 Subject to delegation by the Vice Chancellor for Business Affairs, the Director of Police is responsible for:
3. 481 Approving qualifications for police personnel at the component institutions of the System and approving all applicants to a basic or in-service training school or academy.

3. 482 Approving the organizational structure for police departments at the component institutions of the System.
3. 483 Establishing and supervising all training programs for System police, including basic and in-service training, as well as on-the-job training at each component institution of the System.
3. 484 Conducting the System training in accordance with the standards of the Texas Commission on Law Enforcement Officer Standards and Education, in order to maintain accreditation with this state agency.
3. 485 Maintaining liaison with The Director of Training, Texas Department of Public Safety, and the Coordinator of Training, Federal Bureau of Investigation, and being aware of new training techniques, procedures, programs, and equipment.
3. 486 Establishing a uniform reporting and record system for police departments at the component institutions of the System and approving any changes thereto.
3. 487 Conducting periodic inspections of the police departments of the component institutions of the System and evaluating their performance as police agencies.
3. 488 Formulating and establishing policies and procedures for police operations on a System-wide basis.
3. 489 Establishing, maintaining, and supervising on a System-wide basis, a program for police personnel promotion.
3. 48(10) Reviewing and recommending the pay scale for police personnel throughout the System.
3. 48(11) Surveying all component institutions of the System for security needs of existing buildings, grounds, and lighting, in order to make the appropriate recommendations to insure the prevention of criminal activities and the protection of life and property.

- 3. 48(12) Consulting with the Office of Facilities Planning and Construction on security needs for new construction, including security lighting on the property of the component institutions of the System.
- 3. 48(13) Coordinating the use of police throughout the System in emergency situations.
- 3. 48(14) Submitting periodic reports to the Vice Chancellor for Business Affairs concerning the operations of the police departments of the System.

3. 5 Officers in the Office of Health Affairs.

3. 51 Vice Chancellor for Health Affairs.

Subject to delegation by the Chancellor, the Vice Chancellor for Health Affairs has the general assignment of effective coordination of those component institutions concerned primarily with health sciences. Specifically, his duties include:

- 3. 511 Submitting to the Chancellor recommendations on System programs on health science education, research, and public service, including general plans and operations for the health institutions.
- 3. 512 Reviewing and making recommendations on proposals from the health institutions requiring action by the Chancellor.
- 3. 513 Preparing and submitting to the Chancellor long-range and immediate plans for health science education, research and public service for the health institutions.
- 3. 514 Recommending to the Chancellor upon the annual operating budget requests submitted by each health institution.
- 3. 515 Recommending to the Chancellor legislative appropriation requests (and policies for the development of such requests) to be submitted by the System on behalf of the health institutions.

- 3. 516 Processing all matters for the System health institutions with the Coordinating Board, and coordinating other health education matters directed to the Coordinating Board.
- 3. 517 Preparing the agenda for the meetings of the Council of Health Institutions.
- 3. 518 Coordinating the development and implementation of interinstitutional programs to benefit the individual health institutions in the achievement of their missions.
- 3. 519 Interpreting the health institutions' policies and programs to health professional groups at the local, state and national levels, and coordinating efforts with such health professional groups and state and federal regulatory agencies to assist the health institutions in the achievement of their missions.
- 3. 51(10) Providing direction for the efficient and effective operation of The University of Texas System Medical-Dental Application Center.
- 3. 51(11) Directing the activities of the Institute for Health Policy and Planning and coordinating its activities with both state and federal governmental agencies and health professional groups.
- 3. 51(12) Coordinating with the Vice Chancellor for Academic Affairs in matters involving joint programs between System academic institutions and System health institutions.

3. 6 Officers in the Office of Lands Management and the Office of General Counsel.

- 3. 61 Vice Chancellor for Lands Management and General Counsel. Subject to delegation by the Chancellor, the Vice Chancellor for Lands Management and General Counsel is responsible for providing: (a) direction and management of the husbandry, utilization, and sale of University (Permanent University Fund) Lands; (b) all legal services required by the System and its personnel to insure the proper protection and advancement of its interests; and (c) to maintain such

management, supervision, and services at a high level of effectiveness. The major duties of the Vice Chancellor for Lands Management and General Counsel include:

- 3.611 Directing the management and supervision of all legal personnel and affairs of the System.
- 3.612 Directing the personnel, operations, activities and transactions of the System (except accounting and auditing) with respect to the surface of University (Permanent University Fund) Lands.
- 3.613 Directing the personnel, operations, activities and transactions of the System (except accounting and auditing) with respect to oil, gas and mineral exploration and production on the University (Permanent University Fund) Lands.
- 3.614 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 3.615 Directing and managing the operation of the following budgeted activities which are part of the Office of Lands Management: Board for Lease - University Lands, University Lands - Geology and Surveying, Oil Field Supervision and Geophysical exploration, and University Lands - Surface Leasing.
- 3.616 Providing advice, counsel and legal interpretations to System officials and personnel concerning legal matters affecting System operations.
- 3.617 Directing the Office of General Counsel (OGC) personnel with respect to work priorities and assignments, standards of performance, and career development, delegating to staff members responsibility for particular legal and OGC administrative tasks; and coordinating and controlling OGC budget and personnel levels.
- 3.618 Directing and managing (within applicable limits of authority) all litigation and administrative agency hearings; authorizing and approving the institution of legal proceedings; evaluating, directing and approving action and procedures relative to prosecution or defense of pending litigation and administrative proceedings; evaluating, directing and approving action and procedures relative to prosecution or defense

- of pending litigation and administrative proceedings; employing outside counsel; and authorizing and approving settlement or appeal of litigation.
- 3.619 **Advising, counseling and disseminating information to affected System units relative to the nature, evaluation, progress and results of litigation, administrative proceedings, and other legal matters, and making recommendations to System officials and other personnel as to future operations and objectives.**
- 3.61(10) **Approving as to form all contracts and agreements and all amendments to the Regents' Rules and Regulations; and approving as to both form and content all Institutional Handbooks of Operating Procedures, whether finally approved or not, and all amendments to such handbooks.**
- 3.61(11) **Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval.**
- 3.61(12) **Identifying and evaluating administrative and functional problems and directing or recommending, as appropriate, course of action for solution.**
- 3.61(13) **Representing the System before legal, educational and governmental groups and associations.**
- 3.61(14) **Acting as administrator of the System Plan for Professional Medical Malpractice Self-Insurance and System Patent Officer.**
- 3.61(15) **Working in cooperation with the Attorney General of the State of Texas, State Agency legal counsel and outside counsel.**
- 3.61(16) **Assuming responsibility for any other legal, administrative or operational matters delegated by the Chancellor.**
- 3.62 **Manager of University Lands - Oil, Gas and Mineral Interests.**
Subject to delegation by the Vice Chancellor for Lands Management and General Counsel, the Manager of University Lands - Oil, Gas and Mineral Interests is responsible for providing field supervision of System operations, activities and transactions involving oil, gas and mineral

development and production on the University Lands. Within limits of authority set by said Vice Chancellor, such Manager's regular duties include:

- 3. 621 Making recommendations to the Board for Lease of University Lands, and the Board of Regents, as appropriate, for periodic oil and gas lease sales of University Lands, and for unitization, pooling and other transactions involving oil and gas leasehold and royalty interests and other mineral interests in University Lands, after such recommendations have been approved by the Vice Chancellor for Lands Management.
- 3. 622 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
- 3. 623 Reviewing periodically the terms and conditions of forms and transactions involving oil and gas interests in University Lands, and making recommendations with respect thereto to the Vice Chancellor for Lands Management.
- 3. 624 Reporting regularly to the Vice Chancellor for Lands Management all activities, developments and problems which could significantly affect System interests in University Lands, together with his recommendations with respect thereto.
- 3. 625 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 3. 626 Coordinating with the Manager of University Lands - Surface Interests in the discharge of their duties and responsibilities.
- 3. 63 Manager of University Lands - Surface Interests.
Subject to delegation by the Vice Chancellor for Lands Management and General Counsel, the Manager of University Lands - Surface Interests is responsible for providing field supervision of System operations, activities, and transactions pertaining to surface interests, water rights and oil and gas field operations in or on University Lands.

Within limits of authority set by said Vice Chancellor, such Manager's regular duties include:

- 3. 631 Making recommendations to the Board with respect to all transactions involving surface interests in University Lands, including research projects, right of way easements, agricultural, grazing and other surface use leases, and geophysical permits, after such recommendations have been approved by the Vice Chancellor for Lands Management.
 - 3. 632 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
 - 3. 633 Reviewing periodically the terms and conditions of forms and transactions involving surface interests in University Lands, and making recommendations with respect thereto to the Vice Chancellor for Lands Management.
 - 3. 634 Reporting regularly to the Vice Chancellor for Lands Management all activities, developments and problems which could significantly affect System interests in University Lands, together with his recommendations with respect thereto.
 - 3. 635 Working closely with federal and state agencies in connection with research and development projects and activities, involving utilization and husbandry of University Lands, of mutual interest to the System and such agencies.
 - 3. 636 Coordinating with the Manager of University Lands - Oil, Gas and Mineral Interests in the discharge of their respective duties and responsibilities, and acts as oil and gas field supervisor.
3. 64 Associate General Counsel.
Subject to delegation by, and within limits of authority set by the Vice Chancellor for Lands Management and General Counsel, the Associate General Counsel provides direct management and supervision of personnel and

activities of the Office of General Counsel (OGC), and is responsible for the following duties:

- 3. 641 Managing and supervising the activities of the OGC with respect to the System Patent Office, the System Plan for Professional Medical Malpractice Self-Insurance and legal services for the System, including counsel and advice, litigation and litigation management, preparation and approval of documents, administrative hearings and their management, and preparation and analysis of legislation.
- 3. 642 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating work of all OGC personnel reporting to him.
- 3. 643 Identifying and evaluating administrative and functional problems and recommending to the General Counsel a course of action for their solution.
- 3. 644 Reporting regularly to the General Counsel all legal and other OGC activities and developments of significance to OGC or System interests, together with his recommendations thereto if any.
- 3. 645 Substituting for the General Counsel as assigned, assuming responsibility for any other legal or administrative matter delegated by the General Counsel with respect to the responsibilities and activities of the OGC.
- 3. 646 Providing legal counsel and advice to System officers, and their staffs, with respect to legal matters arising from System operations.
- 3. 647 Representing the System in court and before administrative boards and tribunals.
- 3. 648 Preparing, analyzing, and giving legal approval to agreements, contracts and various legal documents and instruments; amendments to Regents' Rules and Regulations; and approval as to both form and content of all Institutional Handbooks of Operating Procedures, and all amendments thereto.

3.649 Reviewing, analyzing and providing legal counsel on pending and enacted legislation and governmental regulations, and drafting proposed legislation and regulations.

3.7 Councils of System Administration.

3.71 The Council of Academic Institutions.

The Council of Academic Institutions is composed of the Chancellor, the Vice Chancellor for Academic Affairs, and the chief administrative officers of the general academic institutions of the System. The Chancellor shall serve as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented. The Vice Chancellor for Academic Affairs shall be the permanent vice-chairman.

3.72 The Council of Health Institutions.

The Council of Health Institutions is composed of the Chancellor, the Vice Chancellor for Health Affairs, and the chief administrative officers of the component institutions of the System concerned directly with health affairs. The Chancellor acts as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented. The Vice Chancellor for Health Affairs shall be the permanent vice-chairman.

3.73 The Business Management Council.

The Business Management Council advises the Chancellor in the areas of budgeting, business management, data processing, physical plant operations, planning, construction, and accounting systems development. The Council is composed of the chief business officers of the component institutions and the Vice Chancellor for Business Affairs (the Chairman), who prepares the agenda.

Sec. 4. Chief Administrative Officers of Component Institutions.

4.1 The Board selects the chief administrative officer of each component institution.

When it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution, an Advisory

Committee, with the Chancellor of the System as Chairman, shall be established as follows to recommend candidates to the Board:

- Chancellor of the System (Chairman)
- Vice Chancellor for Health Affairs or Vice Chancellor for Academic Affairs (as determined by the Chancellor)
- Three Chief Administrative Officers
(to be appointed by the Chairman of the Board from three of the component institutions)
- Three Regents
(to be appointed by the Chairman of the Board)
- Five Faculty members of the institution involved, at least three of whom shall have the rank of associate professor or higher (method of selection to be determined by the General Faculty of the campus)
- One Dean
(for academic institutions to be selected by Dean's Council of the institution involved)
(for health science centers to be the Dean of Medicine of the health science center involved)
- Two Students from the institution involved
(method of selection to be determined by the Student Government of the campus involved)
- President of the Ex-Students' Association of the campus involved or his designee
(if institution does not have an active alumni organization, then a member of the development board or an interested layman to be appointed by the chief administrative officer of the institution involved.)

The Advisory Committee shall determine the availability of each candidate selected. To evaluate a candidate, the Advisory Committee shall set up criteria that relate to the needs of the individual component and shall seek advice on the ability of each candidate interviewed including advice from competent sources as to the candidate's administrative and business ability.

Finally, the Advisory Committee shall submit through its Chairman, the Chancellor, its recommendations with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. If none of the names submitted in the report of the Advisory Committee is satisfactory to the Board, then the Board in its discretion may either name a new committee or proceed to select a chief administrative officer under such other procedures as in its discretion it may deem proper and appropriate.

- 4. 2 Each chief administrative officer reports to and is responsible to the Chancellor, and serves without fixed term, subject to the pleasure of the Chancellor and approval by the Board.
- 4. 3 Within the policies and regulations of the Board, and under the supervision and direction of the Chancellor, the chief administrative officer has general authority and responsibility for the administration of that institution.
 - 4. 31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
 - 4. 311 Develop and administer plans and policies for the program, organization, and operation of the institution.
 - 4. 312 Interpret the System policy to the staff, and interpret the institution's program and needs to the Chancellor and to the public.
 - 4. 313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients.
 - 4. 314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
 - 4. 315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.
 - 4. 316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
 - 4. 317 Serve as presiding officer at official meetings of faculty and staff of the institution, and as ex officio member of each college or school faculty (if any) within the institution.
 - 4. 318 Appoint all faculty, staff, and student committees.

4. 319 Cause to be prepared and submitted to the Chancellor the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the Chancellor, they shall thereafter constitute the Handbook of Operating Procedures for that institution. Provided, however, that whether or not finally approved by the Chancellor, any rule or regulation in any such institutional Handbook of Operating Procedures that is in conflict with any rule or regulation in the Regents' Rules and Regulations, is null and void and has no effect, and whenever any such conflict is detected, the Chancellor and the chief administrative officer of the component institution shall immediately make such amendments to the institutional Handbook of Operating Procedures as may be necessary to eliminate such conflict.
4. 31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
4. 31(11) Assume active leadership in developing private fund support for the institution in accordance with policies and procedures established in the Regents' Rules and Regulations.

Sec. 5. Appointment of Other Administrative Officers.

5. 1 The Board delegates to the Chancellor and the Chancellor delegates to the chief administrative officer of each component institution the responsibility for the appointment and dismissal of all other administrative officers of each component institution, including vice presidents, deans, directors and their equivalents. However, prior approval of the Chancellor shall be necessary for each such permanent or acting appointment and for each such dismissal whether from a permanent or acting appointment. All such other administrative officers serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution and the aforesaid approval of the Chancellor.

- 5.2 The Board delegates to the Chancellor and the Chancellor delegates to the chief administrative officer of each component institution the responsibility for the permanent or acting appointment of department chairmen, department heads, and their equivalents. Such department chairmen, department heads and their equivalents serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution.
- 5.3 The Board endorses the principle of reasonable faculty and student consultation in the selection of administrative officers of the component institutions, and the primary operating units, and expects the chief administrative officer, as he deems appropriate, to consult in the selection process with the representatives of the faculty and student body. However, the chief administrative officer of the component institution is responsible for executing the duties of his office and consequently shall not be bound by nominations to administrative positions in his institution by campus selection committees, and the Handbook of Operating Procedures of each component institution shall so state.

CHAPTER III

PERSONNEL

Sec. 1. Appointments.

- 1.1 **The Board, upon the recommendation of the Chancellor, shall elect or appoint, as the case may be, all of the officers, faculty members, and other employees of the System and of the component institutions and agencies of the System, fixing, subject to State and Federal laws, the duties, rights, and privileges of each employee or each class or group of employees; provided, however, that the Board may delegate to the Chancellor or through him, to the chief administrative officers of the component institutions, authority to appoint employees in certain designated classes or categories.**
- 1.2 **All appointments shall be made on the basis of merit.**
- 1.3 **The chief administrative officers of the component institutions shall investigate thoroughly the character, integrity, scholastic attainment, and other qualifications of prospective members of their faculties and staffs before nominating them to the Chancellor and the Board, or before exercising any delegated authority for making appointments.**
- 1.4 **The chief administrative officers of the component institutions shall not nominate or appoint, nor will the Board approve the appointment of, any person whose conduct or views are not exemplary; and the Board may inquire, or authorize inquiry, into family history, health, and personal and moral character of such person.**
- 1.5 **As provided in the Constitution of the State of Texas, Article I, Section 4, and by statute, no religious qualification shall be required for appointment to any office or position connected with the System or any component institution thereof.**
- 1.6 **There shall be full compliance with statutory and rider provisions requiring notification to employees of specific provisions or languages.**
- 1.7 **Each component institution may require X-rays of the chest for applicants to be employed in regular positions. Employees whose duties**

will require the handling of food or the care of patients must pass a physical examination indicating fitness for the position for which application is made. The examination may be made at the health service of the component institution at which the applicant will be employed, if such service exists. Reports of physical examinations shall be filed as determined by the institutional head.

1.8 Academic Titles.

In order to achieve consistency in the use of academic titles among the component institutions of the System, the following subsections describe the use of titles to apply in all institutions from the date of adoption of this section.

1.81 Except for the title Regents Professor, as described in Section 1.86 of this chapter, the only titles to be used henceforth in which faculty members may hold tenure are as follows:

- (a) Professor
- (b) Associate Professor
- (c) Assistant Professor

1.82 Persons holding a named chair or professorship or a position designated by academic discipline may acquire tenure by virtue of one of the three positions listed above, but not through the named chair or professorship or position designated by academic discipline. At M. D. Anderson, the institution head under special circumstances may use the term Faculty Associate in lieu of Instructor.

1.83 Other academic titles which may be used but in which tenure cannot be held are as follows:

- (a) Instructor. This title denotes a probationary appointment as a member of an institutional faculty. During the period of probationary appointment to this rank the scholarly competence, teaching performance, and professional promise of the candidate will be evaluated.
- (b) Lecturer. This title is used for persons whose salary rates are comparable to those with tenure positions but who for various reasons should not be given formal tenure appointments.
- (c) Assistant Instructor or Teaching Associate. These titles may be used interchangeably for (1) certain graduate students teaching on a part-time or full-time basis who are in the last phase of their doctoral programs and who are unconditionally enrolled in graduate study, or (2) persons who, because of the nature of their duties, such as in a laboratory or in a

hospital, do not qualify for one of the usual academic titles and do not hold the academic training or professional distinction usually required for attaining tenure positions.

- (d) Teaching Assistant. This title usually applies to graduate students who are teachers and who are employed on a part-time basis. The only other teaching titles for graduate students are Teaching Associate and Assistant Instructor.
- (e) Faculty Associate. This title may be applied to a person assigned to a research or nonteaching center, institute, or other unit or interdisciplinary program of a component institution.
- (f) Specialist. This title may be used for professional individuals who will serve as practitioners in specific areas of instruction, training or supervision. Upon approval of the institutional head and the Chancellor, the title may carry appropriate descriptive prefixes so as to indicate the specific area of proficiency, e. g. Practice Teaching Specialist, Physical Activity Specialist, Social Work Field Training Specialist.

1.84 **Prefixes to academic and staff positions in which tenure cannot be acquired:**

- (a) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. These titles are used only for temporary appointments of persons either visiting from other institutions where they hold similar ranks or who are brought to the University on a trial basis. Such appointments are limited to two years.
- (b) **Adjunct Professor, Adjunct Associate Professor, and Adjunct Assistant Professor.** One of these titles may be used when a qualified person from business, industry, government, private practice, or another institution of higher education may be teaching a course or participating in the teaching of a course at one of the component institutions. Except in special circumstances, this prefix should be used to designate part-time service on the faculty. In the health components, this prefix should be used only for those persons not involved in patient care who otherwise satisfy the above criteria. Appointments to the faculty with an adjunct title may be with or without pay and shall be for a stated period of time not to exceed one academic year. Such appointments shall terminate upon expiration of the stated period of appointment without the notification of nonrenewal required by

Section 6. 8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to an adjunct faculty member.

(c) **Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor and Clinical Instructor.** These titles may be used by the components to designate regular part-time service on the faculty while involved in a health professions clinical experience program. Appointments to the faculty with a clinical title may be with or without pay and shall be for a period of time not to exceed one academic year. Such appointments shall terminate upon expiration of the stated period of appointment without the notification of nonrenewal required by Section 6. 8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to a clinical faculty member.

(d) **Professor Emeritus and Associate Professor Emeritus.** One of these titles may be given to a retired faculty member or in anticipation of the retirement of a faculty member, effective upon his retirement. The conferring of one of these titles is not automatic upon retirement and is conferred in accordance with procedures developed at the institution and upon approval by the chief administrative officer of the component institution.

1. 85 **Any person holding a position of Research Scientist, Research Associate, Research Assistant or (in the health units) other appropriate research title will be under the classified personnel system, unless he is specifically identified as faculty or special approval has been granted by the chief administrative officer of the institution to designate him as an unclassified employee in such a position.**

1. 86 **Any faculty member who is awarded the Nobel Prize or who has in the past been awarded the Nobel Prize may, upon recommendation of the chief administrative officer of the component institution and the Chancellor, be given the title Regents Professor. Because of the great honor associated with the award of a Nobel Prize, institutional tenure is awarded to Regents Professors by virtue of the appointment to this rank.**

1. 87 **The following titles, which have been used in the past, shall not be used in the future:**

- (a) **System Professor**
- (b) **University Professor**

- (c) **Research Professor.** Positions for which this title was used in the past should carry the title of Research Scientist or Research Associate or other appropriate title.
- (d) **Guest Professor.** In the future Visiting Professor should be used in lieu of this title.

Although persons may not in the future be appointed to any of the above four titles, this provision does not require that such titles be removed from persons currently holding them, provided, however, that present System Professors must be assigned to specific departments in specific institutions for purposes of determining accountability for their time, and present University Professors must be assigned to specific departments at their institutions for purposes of determining accountability for their time.

Sec. 2. Classified Personnel Systems.

- 2.1 Subject to System-wide rules, each of the component institutions shall provide a classified personnel system covering all positions not entailing significant instructional responsibilities or responsibilities for administration of instructional or research activities. These systems shall be as nearly uniform as possible, and shall include a schedule of class titles, job specifications for each class, a schedule of pay ranges, and policies and rules relating to personnel administration.
- 2.2 All appointments of classified personnel shall be made within appropriate salary ranges and on salary steps as defined by the classified personnel program approved by the Board for the particular component institution.
- 2.3 The System-wide rules as to classified personnel are found in Part Two, Chapter V, Section 1.

Sec. 3. Employment of Aliens on Sponsored Projects.

Where sponsored contracts and grants do not otherwise prohibit or limit the employment of noncitizens, such noncitizens may be employed upon certification by an appropriate administrative officer at the component institution involved that he has examined the applicant's visa and found it to be in order and has ascertained that the applicant has the approval of the United States Immigration authorities to accept such employment.

Sec. 4. Code of Ethics. -- Each employee, under State law, shall be furnished a copy of the Code of Ethics bill, which prescribes the following standards of conduct for employees of the System and its component institutions:

- 4.1 No employee shall accept any gift, favor, or service that might reasonably tend to influence him in the discharge of his official duties.

- 4.2 If an employee owns a controlling interest in a corporation, firm, partnership, or other business entity which is under the jurisdiction of any State regulatory agency, he shall file a sworn statement with the Secretary of State disclosing such interest.
- 4.3 No employee shall use his official position to secure special privileges or exemptions for himself or others, except as may be otherwise provided by law.
- 4.4 No employee shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position.
- 4.5 No employee shall disclose confidential information gained by reason of his official position, nor shall he otherwise use such information for his personal gain or benefit.
- 4.6 No employee shall transact any business in his official capacity with any business entity of which he is an officer, agent, or member, or in which he owns a controlling interest.
- 4.7 No employee shall make personal investments in any enterprise which will create a substantial conflict between his private interests and the public interest.
- 4.8 No employee shall accept other employment which might impair his independence of judgment in the performance of his public duties.
- 4.9 No employee shall receive any compensation for his services as an employee from any source other than the State of Texas, except as may be otherwise provided by law.

Sec. 5. Appointment of Relatives (Nepotism Rule).

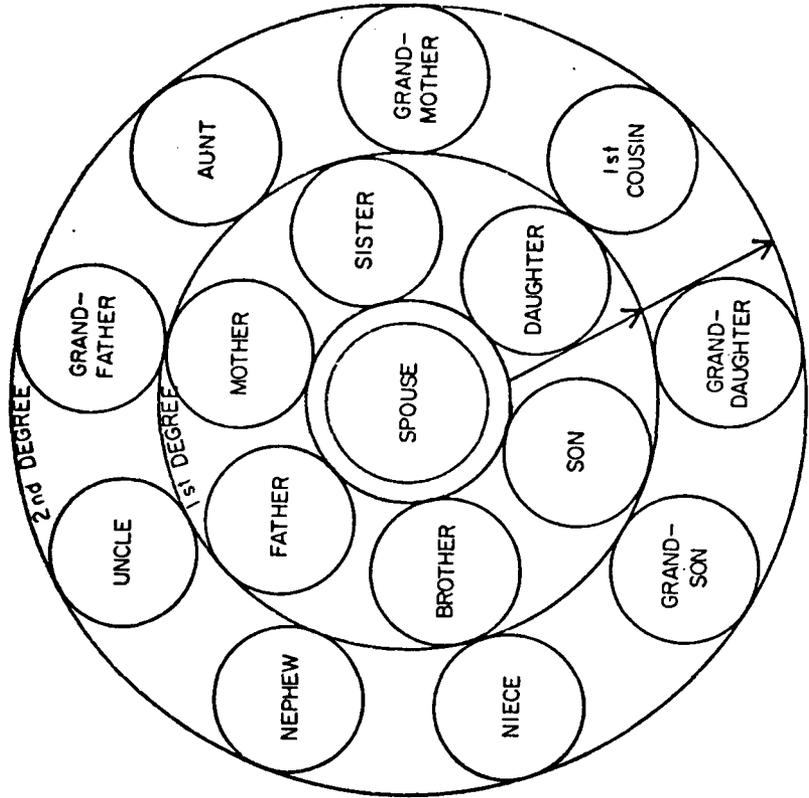
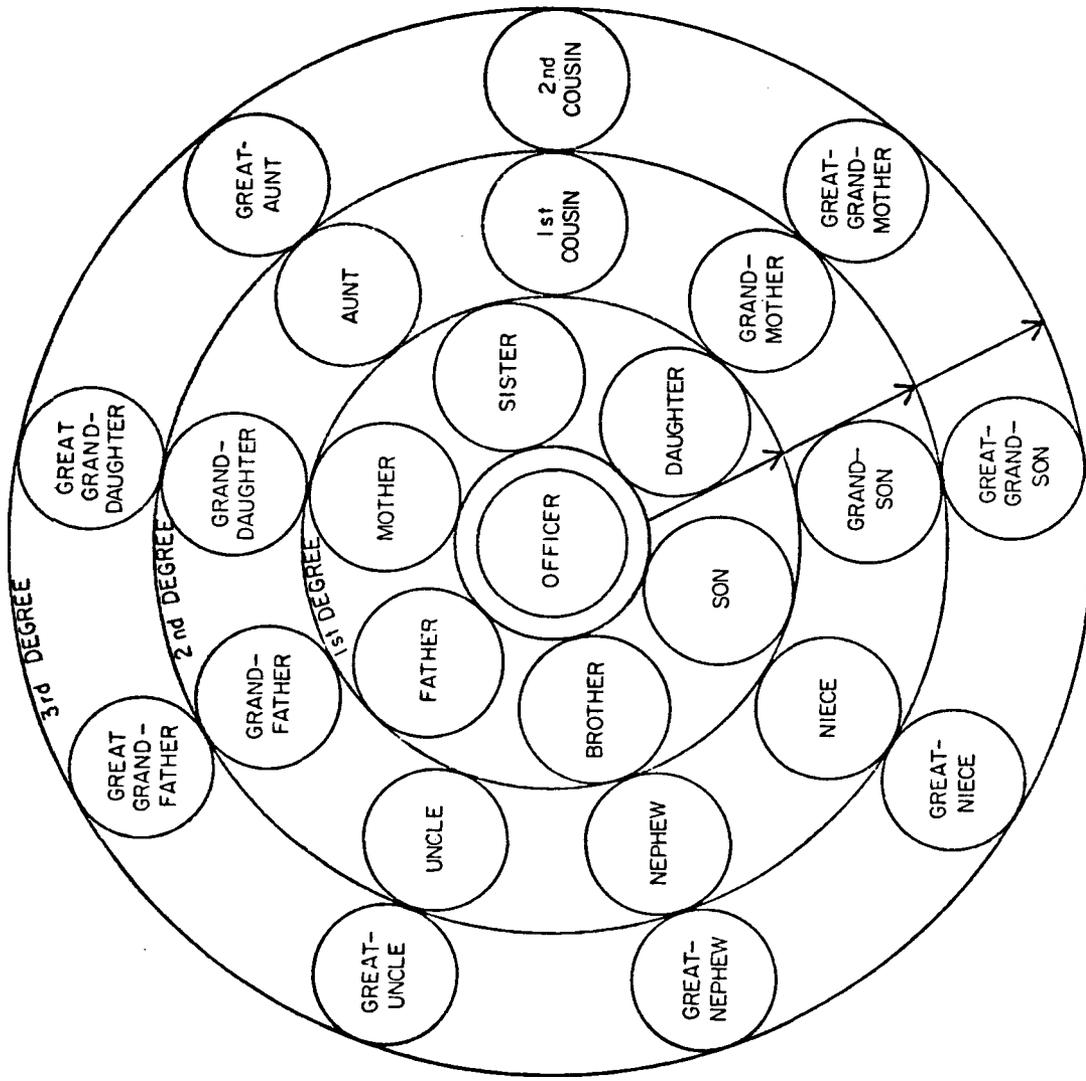
- 5.1 **Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes and subject also to the provisions of this section of the Regents' Rules and Regulations.**
- 5.2 **In accordance with the prohibition of Article 5996a, Vernon's Civil Statutes, no person related to any member of the Board of Regents within the second degree by affinity or within the third degree by consanguinity shall be eligible for appointment to any office, position,**

employment, or duty with The University of Texas System or any component institution thereof, when the salary, fee, or compensation of such appointee is to be paid, either directly or indirectly, out of public funds of any kind.

- 5.21 Article 5996a, Vernon's Civil Statutes, does not prohibit the reappointment or continued employment of any person who shall have been continuously employed in any such office, position, employment, or duty for a period of two (2) years prior to the appointment of the member of the Board of Regents related to such person within the prohibited degree, nor does it apply to prohibit honorary or nonremunerative positions.
- 5.22 Those persons related within the prohibited degrees are indicated on the charts displayed in this Section as Table I.
- 5.23 The prohibition of Article 5996a, Vernon's Civil Statutes, applies to all programs administered under the Board of Regents and may not be waived.

5.3 Even though the appointment of a person would not be prohibited by Article 5996a, Vernon's Civil Statutes, no officer, official or employee of The University of Texas System may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such officer, official, or employee within the second degree by affinity or the third degree by consanguinity regardless of the source of funds for payment of salary.

- 5.31 If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the component institution's Personnel Director in the case of classified employees or the chief administrative officer in the case of faculty or nonclassified employees.
- 5.32 The provisions of Section 5.31 shall apply to situations where two employees of the System marry and one spouse is the administrative supervisor of the other.
- 5.33 All situations covered by Section 5.31 shall be reported annually through the institutions docket.



CONSANGUINITY KINSHIP CHART

AFFINITY KINSHIP CHART

TABLE I

Sec. 6. Tenure, Promotion, and Termination of Employment.

- 6.1 Subject to the provisions of Section 65.32 of the Texas Education Code, which reads, "The board may remove any officer, member of the faculty, or employee connected with the system when in its judgment the interest of the system requires the removal," and subject to the terms and provisions of these Regents' Rules and Regulations, the principles governing tenure and promotion are specified for each component institution in the Handbook of Operating Procedures applicable to that institution. See also Section 1.8 above on academic titles.
- 6.2 Tenure denotes a status of continuing appointment as a member of the faculty at a component institution. Except for the title Regents Professor, only members of the faculty with the academic titles of Professor, Associate Professor, or Assistant Professor may be granted tenure. Tenure may be granted at the time of appointment to any of such academic ranks, or tenure may be withheld pending satisfactory completion of a probationary period of faculty service; however, such tenure status shall not be applicable to the faculty of The University of Texas of the Permian Basin or The University of Texas System Cancer Center.

The University of Texas of the Permian Basin and The University of Texas System Cancer Center are authorized to award a seven-year term appointment which will denote a status of continuing appointment at that institution as a member of the faculty for a period of seven years. Only members of the faculty with academic titles of Professor, Associate Professor, or Assistant Professor may be granted a seven-year term appointment. A seven-year term appointment may be granted at the time of appointment to any of such academic ranks, or may be withheld pending satisfactory completion of a probationary period of faculty service.

No component institution may adopt or implement a seven-year term appointment policy except The University of Texas of the Permian Basin and The University of Texas System Cancer Center.

- 6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the acquisition of tenure or a seven-year term appointment. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period.

- 6.22 Prior service at other academic institutions, whether inside or outside the System, shall not be counted toward fulfillment of the required probationary period unless specifically permitted under the provisions of a component institution's Handbook of Operating Procedures.
- 6.23 The maximum period of probationary faculty service in nontenured status in any academic rank or combination of academic ranks specified in Section 6.21 shall not be more than seven years of full-time academic service. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years. No later than August 31st of the penultimate academic year of the maximum probationary period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event that the employment of a nontenured faculty member is to be terminated prior to the end of the maximum probationary period notice shall be given in accordance with Section 6.8 below.
- 6.24 For purposes of calculating the period of probationary service, an "academic year" shall be the period from September 1st through the following August 31st. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the following September 1st shall not be counted as academic service toward fulfillment of the maximum probationary period. One year of probationary service is accrued by at least nine months full-time academic service during any academic year. A faculty member shall be considered to be on full-time academic service if he is in full compliance with regental standards pertaining to minimum faculty workloads at general academic institutions or when in compliance with the academic service standard in the Handbook of Operating Procedures of any health related institution.
- 6.25 All faculty appointments are subject to the approval of the Board. No nontenured member of the faculty should expect continued employment beyond the period of his or her current appointment as approved by the Board. Any commitment to employ a nontenured member of the faculty beyond the period of his or her current appointment shall have no force and effect until approved by the Board.

- 6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of their appointment, except by resignation or retirement for age in accordance with these rules, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.
- 6.31 An institutional head may for grave cause suspend an accused faculty member pending immediate investigation or speedy trial as hereinafter provided.
- 6.32 In cases of incompetency, gross immorality, or felony, where the facts are admitted, summary dismissal will follow.
- 6.33 In cases where other offenses are charged, and in all cases where the facts are in dispute, the accused faculty member will be informed in writing of the charges against him, which, on reasonable notice, will be heard by a special hearing tribunal whose membership shall be appointed by the institutional head from members of the faculty whose academic rank is at least equal to that of the accused faculty member.
- 6.331 In every such hearing the accused will have the right to appear in person and by counsel of his own selection and to confront and cross-examine witnesses who may appear against him.
- 6.332 He shall have the right to testify, but may not be required to do so, and he may introduce in his behalf all evidence, written or oral, which may be relevant or material to his defense.
- 6.333 A stenographic or electronic record of the proceedings will be taken and filed with the Board, and such record shall be made accessible to the accused.

- 6.334 A representative of the institution may appear before the hearing tribunal to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such institution representative shall have the right to cross-examine the accused faculty member (if he testifies in his own behalf) and the witnesses offered on behalf of the faculty member.
- 6.335 The hearing tribunal shall not include any accuser of the faculty member, and if the accused faculty member is not satisfied with the fairness or objectivity of any member or members of the hearing tribunal, he may challenge any such member or members on account of such member's or members' alleged lack of fairness or objectivity, but he shall have no right to disqualify any such member or members from serving on the tribunal. It shall be up to each such challenged member to determine whether he can serve with fairness and objectivity in the matter, and if any such challenged member should voluntarily disqualify himself, the institutional head shall appoint a substitute member of the tribunal who is qualified hereunder.
- 6.336 The hearing tribunal, by a majority of the total membership, will make written findings on the material facts and a recommendation of the continuance or termination of the accused faculty member's tenure. The hearing tribunal, by a majority of its total membership, may make any supplementary suggestions it deems proper concerning the disposal of the case. The original copy of such findings and the basic recommendation, together with any supplementary suggestions, shall be delivered to the Board and a copy thereof to the accused. If minority findings, recommendation, or suggestions are made, they shall be similarly treated.
- 6.34 The Board, by a majority of the total membership, will approve, reject, or amend such findings, recommendation, and suggestions, if any, or will recommit the report to the same tribunal for hearing additional evidence and reconsidering its findings, recommendation, and suggestions, if any. Reasons for approval, rejection, or amendment of such findings, recommendation, or suggestions will be stated in writing and communicated to the accused.

- 6.35 Nontenured faculty members who are notified in accordance with Section 6.8 that they will not be reappointed or who are notified in accordance with Section 6.23, 6.8, or 6.9 that the subsequent academic year will be the terminal year of appointment shall not be entitled to a statement of the reasons upon which the decision for such action is based. No hearing to review such a decision shall be held unless the affected faculty member submits in writing to the chief administrative officer of the institution factual allegations that the decision to terminate was based upon the faculty member's exercise of rights guaranteed by the laws or Constitution of this State or the United States and requests an administrative hearing to review these allegations. Such allegations shall be heard under the same procedures as in the case of dismissal for cause, with the following exceptions:
- (1) the burden of proof is upon the affected faculty member to establish at such hearing that the decision in question was based on his exercise of rights guaranteed by the laws or Constitution of this State or the United States;
 - (2) the administration of the institution need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents a prima facie case in support of his allegations.
- 6.4 Any employee of any component institution of the System, including any member of the faculty or administration, who is placed on probation for or finally convicted of the illegal use, possession, or sale of a drug or narcotic, shall be dismissed as an employee, regardless of whether or not the illegal act that gave rise to the conviction was committed on the campus of one of the component institutions of the System.
- 6.5 Any employee of any component institution of the System, including any member of the faculty or administration, who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to dismissal as an employee. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.

6.6 Every faculty member and employee is expected to obey all federal, state, and local laws, and particularly the three state statutes set out below. Any faculty member or employee who violates any provision of these three statutes is subject to dismissal as a faculty member or employee, notwithstanding any action by civil authorities on account of the violation:

6.61 DISORDERLY CONDUCT.

Sec. 1 No person, acting alone or in concert with others, may engage in disorderly conduct. Disorderly conduct consists of any of the following:

- (1) behavior of a boisterous and tumultuous character in a residential area or a public place such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists; or
- (2) interfering with the peaceful and lawful conduct of persons in or about their homes or public places under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (3) violent and forceful behavior at any time in or near a public place, such that there is a clear and present danger that free movement of other persons will be arrested or restrained, or other persons will be incapacitated in the lawful exercise of business or amusement; or
- (4) behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or affrays; or
- (5) in a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (6) willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when such conduct tends to cause or provoke a disturbance; or
- (7) behavior near a courthouse or other public building wherein judicial proceedings are being held, designed or having the effect of interfering with the administration of justice, whether by disrupting the courts or by intimidating the judges, witnesses, jurors, or other persons having business with the courts; or

- (8) behavior near any public building wherein matters affecting the public are being considered or deliberated, designed or having the effect of interfering with such proceedings under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (9) willful and malicious behavior which obstructs or causes the obstruction of any doorway, hall, or any other passageway in a public building to such an extent that the employees, officers, and other persons, including visitors and tourists, having business with the government are denied entrance into, exit from, or free passage in such building; or
- (10) behavior involving the display of any deadly weapon in a public place in such a manner as to alarm or frighten other persons present; or
- (11) enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it.

Sec. 2 Any person who violates any of the provisions of Section 1 of this Article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Two Hundred Dollars (\$200). For any second or subsequent conviction of any of the provisions of Section 1 of this Article such person shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000), or by imprisonment in the county jail for not more than thirty (30) days or by both such fine and imprisonment. (H.B. No. 57, Acts of the 61st Legislature, Regular Session, 1969)

6. 62/ DISRUPTIVE ACTIVITY.

Sec. 1 No person or group of persons acting in concert may willfully engage in disruptive activity or ~~disrupt~~ a lawful assembly on the campus or property of any private or public school or institution of higher education or public vocational and technical school or institute.

Sec. 2 (a) For the purposes of this Act, "disruptive activity" means:

- (1) obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school;
 - (2) seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity;
 - (3) preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration;
 - (4) disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or
 - (5) obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.
- (b) For the purposes of this Act, a lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

Sec. 3. A person who violates any provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed \$200 or by confinement in jail for not less than 10 days nor more than 6 months, or both.

Sec. 4 Any person who is convicted the third time of violating this act shall not thereafter be eligible to attend any school, college, or university receiving funds from the State of Texas for a period of two years from such third conviction.

Sec. 5 Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitutions of the United States or the State of Texas. (H. B. No. 141, Acts of the 61st Legislature, Regular Session, 1969)

6.63 **FIREARMS.**

Sec. 1 It shall be unlawful to interfere with the normal activities, the normal occupancy, or normal use of any building or portion of a campus of any private or public school or institution of higher education or public vocational and technical school or institute by exhibiting or using or threatening to exhibit or use a firearm.

Sec. 2 A person who violates Section 1 of this Act is guilty of a felony and upon conviction is punishable by a fine of up to \$1,000 or by imprisonment in jail for a period not to exceed 6 months, or by both fine and imprisonment, or by imprisonment in the state penitentiary for a period not to exceed five years. (H.B. No. 1450, Acts of the 61st Legislature, Regular Session, 1969)

6.7 The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every faculty member and employee of the System and its component institutions. Any faculty member or employee who violates the minimum standards of conduct required by any felony statute of Texas or the United States is subject to dismissal as a faculty member or employee, regardless of whether or not any action is taken against the faculty member or employee by civil authorities on account of such violation. If action for dismissal is taken, the appropriate administrative official shall proceed with the action in the same manner as he would in the case of a violation by a faculty member or employee of any other provision of these rules and regulations or a provision of any Handbook of Operation Procedures.

6.8 In the event of decision not to reappoint a nontenured faculty member, written notice will be given him or her not later than March 1st of the first academic year of probationary service if the appointment expires at the end of that academic year, or not later than December 15th of the second academic year of probationary service if the appointment expires at the end of that academic year. After two or more academic years written notice shall be given not later than August 31st that the subsequent year will be the terminal academic year of appointment. The notice required by this Section is not applicable where termination of employment is for good cause under Section 6.3 above.

- 6.9 A faculty member serving a seven-year term appointment shall be given notice not later than August 31st of the sixth academic year of such appointment period that the subsequent academic year will be the terminal year of employment or that, subject to the approval of the Board, at the conclusion of the subsequent academic year he or she will be reappointed to a seven-year term appointment.
- 6.(10) Reappointment of nontenured members of the faculty to a succeeding academic year, reappointment of members of the faculty who are serving a seven-year term appointment to a succeeding seven-year term appointment, or the award of tenure or a seven-year term appointment, may be accomplished only by notice by the chief administrative officer of a component institution or his delegate with the approval of the Board. Notwithstanding any provisions of Sections 6.23, 6.8 or 6.9 to the contrary, no person shall be deemed to have been reappointed or to have been awarded tenure or a seven-year appointment because notice is not given or received by the time prescribed in Sections 6.23, 6.8, or 6.9 or in the manner prescribed in Section 6.(11). Should it occur that no notice is received by the time prescribed in Sections 6.23, 6.8 or 6.9, it is the duty of the academic employee concerned to make inquiry to determine the decision of the chief administrative officer of a component institution, who shall without delay give the required notice to the academic employee.
- 6.(11) Each faculty member shall keep the chief administrative officer of the component institution or his delegate notified of his current mailing address. The written notice required by Sections 6.23, 6.8, or 6.9 shall be sent by certified mail, return receipt requested, to the last address given by the faculty member.
- 6.(12) Dismissal or demotion of classified or nonteaching personnel before the expiration of the stated period of appointment will be only for good cause shown, as determined by appropriate administrative officers to whom this responsibility is delegated by the chief administrative officer of the component institution and in case of such dismissal or demotion any appeal shall be reviewed by the chief administrative officer of the component institution.

Sec. 7. Rights and Responsibilities as a Citizen and as a Teacher.

- 7.1 The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties.

- 7.2 The teacher is entitled to freedom in the classroom in discussing his subject, but he is expected not to introduce into his teaching controversial matter which has no relation to his subject.
- 7.3 The University teacher is a citizen, a member of a learned profession, and an officer of an educational institution supported by the State. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a person of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make it plain that he is not an institutional spokesman. As a member of the staff of a State institution of higher education, he should refrain from involving the System or any of its component institutions in partisan politics.
- 7.4 The Board of the System recognizes and affirms the right of a member of the faculty or staff to participate in political activities so long as such political activities do not interfere with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions and so long as such political activities do not involve the System or its component institutions in partisan politics (See Section 7.3). With the interest of the System or its component institutions being given first consideration, a leave of absence without pay may--but need not--be granted to a member of the faculty or staff (See Section 16). However, it would be inappropriate for a leave of absence without pay to be granted primarily to permit a member of the faculty or staff of the System or its component institutions to participate in political activity, including, but not limited to, being a candidate for political office, holding a political office, or directing the political campaign of another person seeking a political office. Therefore, if a member of the faculty or staff wishes to engage in political activity that interferes with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions, he should voluntarily terminate his employment by the University. On the other hand, if the faculty or staff member does not voluntarily terminate his employment by the University and if the faculty or staff member's superior officer, such as the institutional head, the Chancellor, or the Board, finds that the faculty or staff member's political activity does in fact interfere with the discharge of the duties and responsibilities

that he owes to the System or any of its component institutions, the institutional head, the Chancellor, or the Board shall terminate his employment by the University.

Sec. 8 The Greater Duties of a Member of the Teaching Staff.

- 8.1 Common practice has fixed the greater duties of a member of the teaching staff so clearly that many institutions do not even list them among their regulations. They are:
- 8.11 Teaching in the classroom, laboratory, seminar, or ward.
 - 8.12 Studying, investigating, discovering, and creating.
 - 8.13 Performing curricular tasks auxiliary to teaching and research, e.g., serving on faculty committees, attending to administrative and disciplinary tasks, promoting diligence and honest work in the student body.
 - 8.14 Influencing beneficially students and citizens in various extra-curricular ways.
- 8.2 Performance as a teacher, as a scholar, as an administrator, and as an individual is valued greatly by any university, for in these four ways its work is chiefly done.
- 8.3 A state university being a public enterprise of maximum social importance, it is the duty of all persons connected with it to be as civic-minded as possible. It is also a duty to cooperate with the Board in carrying out the purposes and policies of the Board which are deliberately considered, usually by both the Board and the several faculties, in accordance with law and designed to attain the best educational results with the resources available. The Regents and all administrative officers are entitled to the cheerful acquiescence of all staffs in carrying out the policies duly adopted. At the same time, administrative officers are expected to listen with an open and appreciative mind to criticisms and suggestions coming to them from members of their staffs.

Sec. 9. Acquaintance with, Conformity to, and Improvement of University Regulations.

- 9.1 It is a specific and important duty of each member of the several teaching staffs to become acquainted with and to conform to all the rules and regulations relating to him and to the proper and orderly discharge of his work that are to be found set forth in both these Regents' Rules and Regulations and the institutional Handbook of Operating Procedures; in catalogues, announcements of courses, and other official publications; in printed or other material regularly prepared for the use of the staff;

and in minutes of the faculties. To this end, copies of the Regents' Rules and Regulations, Part One, and the official institutional Handbook of Operating Procedures shall be reproduced by the chief administrative officer and distributed and located on his campus as considered appropriate by the chief administrative officer. The chief administrative officer shall have one copy of the Rules and Regulations and the institutional Handbook of Operating Procedures available at an appropriate location in his office for ready reference. In addition, he shall distribute a copy of these two documents to the secretary to the faculty or representative faculty body at his institution. The official, current copy of the Regents' Rules and Regulations is maintained by the Secretary to the Board.

- 9.2 It is also the specific duty of each member of the teaching staffs to consider the regulations and the routines in conforming to them and to propose what seem to be desirable changes in these regulations and routines to the appropriate faculty or official.

Sec. 10. Communications, Appeals, and Hearings.

- 10.1 Every member of a teaching staff has the right to propose changes in policies and procedures and to present arguments in support thereof.
- 10.11 **Proposals should originate and follow routines as prescribed elsewhere in the Regents' Rules and Regulations or in the Handbook of Operating Procedures.**
- 10.12 **When a proposal has been approved or amended by the appropriate institutional officials, faculties, and head of the component institution, it shall then go to the Chancellor for recommendation to the Board if such action is required.**
- 10.13 **When a proposal has been approved or amended or rejected by the appropriate institutional officials, faculties, and the component institutional head, any member or group of members of the staff may present an appeal in opposition to the action of the majority or in opposition to the recommendation of the institutional official or the component institutional head, and this appeal, accompanied by reasons for and against the proposal, shall go through the prescribed administrative channels and shall be presented to the Chancellor and thence to the Board for final action. The deans and other institutional officials, the component institutional head, the Chancellor and the Board may invite both sides for personal conferences and discussions.**

10.14 An authorized routine for proposals, with the right of appeal, having been herein fixed, it follows that proposals shall always be made in accordance therewith.

10.2 Every voting member of any faculty has the right and the duty to propose changes and to participate in debate in faculty meetings.

10.3 Appeals of classified (nonteaching) employees concerning conditions of employment must be made in keeping with the rules governing such employees.

Sec. 11. Communication with the Legislature and Other State Agencies or Officials. --

The Board is the only proper channel through which recommendations concerning the administration of the System, as a whole or in any of its parts, should reach the Legislature or other State agencies or officials.

Sec. 12. Office Hours. --Members of the teaching staffs are expected to post on their office doors, and publish in any other manner required by the institutional head, office hours and conference periods most advantageous to students.

Sec. 13. Outside Employment.

13.1 Members of the faculty or staff of component institutions should not be discouraged from accepting appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions. The consideration to the System of such activity is the improvement of the individual by virtue of his continuing contact with real problems in the real world.

13.2 Members of the faculty or staff should be discouraged from accepting regular employment with units outside the System because this action would be divisive of loyalties and does not provide the return to the institutions indicated in 13.1.

13.3 Conflict of interest should be avoided in all instances of outside employment, but conflict of interest in an academic institution means outside activity which intrudes upon the academic functions of teaching, scholarly activities, and service to the institution.

13.4 Even in the case of members of the staff specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for public benefit free of charge,

provided that the meeting of this obligation by a faculty or staff member does not interfere with his regular duties, and provided further that in meeting this obligation a faculty or staff member on full-time duty shall avoid undue competition with legitimate private agencies.

- 13.5 No member of the faculty or staff engaged in outside remunerative activities shall use in connection therewith the official stationery of the System or any of its component institutions, or give as a business address any building or department of the institution.
- 13.6 No member of the faculty or staff shall accept employment or any position of responsibility if the discharge of such employment or responsibility will be antagonistic to the interests of the State of Texas or the System or any of its component institutions.
- 13.7 Every member of the faculty or staff who gives professional opinions must protect the System and its component institutions against the use of such opinions for advertising purposes. That is, when he does work in a private capacity, he must make it clear to those who employ him that his work is unofficial and that the name of the System and its component institutions is not in any way to be connected with his name, exceptions being made of the name of the author attached to books, pamphlets, and articles in periodicals.
- 13.8 No member of the faculty or staff shall accept pay from private persons or corporations for tests, assays, chemical analyses, bacteriological examinations, or other such work of a routine character, which involve the use of property owned by the System or its component institutions, unless advance permission has been obtained from the institutional head and provision has been made for compensation to the System or its component institutions.
- 13.9 No member of the full-time staff of the System on a twelve-month or nine-month basis shall be employed in any outside work or activity or receive from an outside source a regular retainer fee or salary until a description of the nature and extent of the employment has been filed with and approved by appropriate administrative officials as set forth in the institutional Handbook of Operating Procedures of each component institution. For special provisions relating to other state or federal employment, see subsections 13. (10), 13. (11) and 13. (12) of this section.
13. (10) Subject to the other provisions of this section, a member of the faculty or staff may hold other nonelective offices or positions of honor, trust,

or profit with the State of Texas or the United States if his holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between his holding the office or position and his holding the original office or position for which the member of the faculty or staff receives salary or compensation.

- 13.(11) Before a member of the faculty or staff may accept an offer to serve in other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States, the member of the faculty or staff must obtain from the appropriate administrative officials and the Board a finding that the requirements of this section have been fulfilled, including the expected additional compensation to be received from such service. The finding of the Board shall be recorded in the official minutes of the meeting of the Board at which approval was granted.
- 13.(12) The institutional head must keep a record of compensation received from additional state or federal employment, or both, including specifically: salary, bonuses, and per diem or other type of compensation.

Sec. 14. Holidays.

- 14.1 All faculty, classified and other nonteaching personnel are entitled to such holidays as are provided by the Legislature in the then current **appropriation bill and as are approved annually by the Chancellor and the Board, or alternate holidays approved in the official calendars of the various institutions by the Chancellor and the Board.** (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)

Sec. 15. Vacation.

- 15.1 Vacations for faculty, classified and other nonteaching personnel shall be as provided by the Legislature in the then current appropriation bill and as approved by the Board, except that vacation accumulated by faculty on nine-month appointments shall be counted as having been taken during periods when classes are not in session within the appointment period. Vacations for hourly and part-time employees shall be on a percentage basis for the time appointed. (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)
- 15.2 An employee who resigns, is dismissed, or separates from University employment shall be entitled to be paid in "lump sum" for all vacation

leave entitlement duly accrued at the date of termination provided the employee has had continuous employment with the State for six months. The payment shall be calculated at the rate of compensation being paid the employee at the time of termination.

- 15.3 In the case of death of an employee who has accumulated vacation leave, his estate will be paid for all accumulated vacation leave. The payment shall be calculated at a rate of compensation being paid the employee at the time of his death.

Sec. 16. Leaves of Absence without Pay.

- 16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff.
- 16.2 The maximum unit period for which a leave of absence will be granted is the end of the fiscal or academic year in which the leave begins. In normal times, leaves for one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements.
- 16.3 A second consecutive year of leave should not be requested except for military service, reasons of health, or continued graduate study. This provision will be interpreted liberally in the case of junior staff members working on **advanced degrees**.
- 16.4 Except in very **unusual** circumstances, a third consecutive leave of absence for one year will not be granted.
- 16.5 **After a return to active duty of one year or more, the leave-of-absence privilege will again be available.**
- 16.6 The granting of a leave of absence does not affect in any way the tenure position of the grantee.
- 16.7 For leave of absence to participate in a political campaign see Part One, Chapter III, Sec. 7.4.

Sec. 17. Faculty Development Leaves. --Faculty development leaves for faculty members may be granted as set out in House Bill 669, 60th Legislature, Regular Session, 1967. This bill provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his regular salary or for one-half academic year at his full regular salary. Subject to availability of funds, such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.

Sec. 18. Division of Salaries for Staff Engaged in Teaching and Nonteaching Activities. -- Each component institution shall develop policies covering budgetary division of salaries for individuals whose employment is divided between teaching and nonteaching assignments subject to current statutory requirements or limitations. These policies shall be set forth in the institutional supplements.

Sec. 19. Sick Leave.

19.1 Sick leave for all employees, including faculty, nonteaching personnel and classified personnel, shall be governed by the General Appropriations Act or other applicable Statutes.

19.2 In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.

19.3 In the case of death of an employee who has accumulated sick leave, the estate will be paid for the accumulated sick leave as permitted by law. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.

Sec. 20 Leave for Jury Duty. --Necessary time off for jury duty is allowed without loss of pay or vacation leave.

Sec. 21 Absence from Usual and Regular Duties.

21.1 Authorization for any member of a faculty or staff to be absent from his usual and regular duties will be granted only under the following conditions:

21.11 When such absence is on State business, and

21.12 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution; or

21.13 In the case of military leave, not to exceed 15 working days each year.

- 21.2 Permission to be absent from usual and regular duties shall be obtained as prescribed in the Fiscal Rules (see Part Two hereof).

Sec. 22 Authorization to Travel.

- 22.1 Authorization to travel will be granted only under the conditions specified in the Fiscal Rules (see Part Two hereof).
- 22.2 A faculty or staff member whose usual duties do not require travel shall not absent himself from his regular place of work and his usual duties except with permission obtained according to the Fiscal Rules (see Part Two hereof).

Sec. 23 Compensation for Correspondence and Extension Teaching of Full-Time Staff Members. -- Compensation rates for correspondence courses and extension center teaching for full-time teachers on a nine months' basis or for other employees on a twelve months' basis shall be in accord with rates fixed by the then current appropriation bill. If not so fixed, they shall be set from year to year by the institutional head with the approval of the Chancellor.

Sec. 24 Textbooks and Other Materials Prescribed for the Use of Students.

- 24.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:
- 24.11 Although generally the individual instructor or the department should have wide discretion in the choice of materials to be used in the courses offered by the department, frequent changes in the textbooks prescribed should be discouraged and should be made only for cogent reasons.
- 24.12 Although the authorship of books, outlines, manuals and similar materials by members of the staff should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practicable and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the instructional department concerned. Whenever a charge is authorized for such mimeographed or similarly processed materials, the prices should be as low as possible, consistent with the payment of a fair and reasonable royalty to the author or authors.
- 24.2 To carry out this statement of policy the following procedures are prescribed:
- 24.21 Any proposed change in the textbook of any course, within one year from the date of first adoption, shall be approved by the

departmental faculty having jurisdiction, and a statement of the authorization with reasons therefor shall be transmitted by the chairman of the department through the dean to the institutional head.

- 24.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the departmental faculty, the dean or deans concerned, and transmitted to the institutional head for approval and inclusion in the next regular docket. All such requests shall indicate the proposed prices and profits, and their authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.

Sec. 25 Sectarian Courses Prohibited. --No course of instruction of a sectarian character shall be taught in the System or any of its component institutions. (Article 2604, Vernon's Civil Statutes)

Sec. 26 Acceptance of Money from Students.

- 26.1 Members of teaching staffs, without previous and special approval of the Board, shall not collect from students any fees or charges to be expended for institutional purposes, and shall not sell to students books, notes, or similar student supplies.
- 26.2 A member of the faculty or staff of the rank of instructor or above may not accept pay for extra instruction or teaching of students registered in the institution where he is employed.
- 26.3 With written approval, teaching assistants, assistants, and other like instructional employees below the rank of an instructor, may accept pay from students for extra-class instruction or coaching but only in courses or sections of courses with which they have no instructional connection. The Handbook of Operating Procedures of the component institution shall specify the procedure for approval at the institutional level.

Sec. 27 Power to Authorize Expenditures out of System Funds.

- 27.1 No expenditure out of funds under control of the Board shall be made and no debt or obligation shall be incurred and no promise shall be made in the name of the System or any of its component

institutions or of the Board by any member of the respective staffs of the System or any of its component institutions except:

- 27.11 In accordance with general or special budgetary apportionments authorized in advance by the Board and entered in its minutes; or
- 27.12 In accordance with authority specifically vested by the Board in a committee of the Board; or
- 27.13 In accordance with authority to act for the Board when it is not in session, specifically vested in some University officer by these Rules and Regulations or by special action of the Board.

27.2 It shall be the duty of the several institutional business officers to see that all claims for payment of items not authorized as indicated above are refused and returned unpaid.

27.3 There shall be no sale to or purchase from the System or its component institutions by any employee thereof unless same has been duly authorized by the Board and the details relating thereto have been entered in its minutes.

Sec. 28 Indebtedness to the System or the State. --Neither salary payments nor any other payments shall be made to an employee, his agent or assignee, who is indebted to the System, any of its component institutions, or to the State until such debt is paid.

Sec. 29 Power to Bind the System in Fixing its Policies. --No employee of the System or any of its component institutions, as an individual or as a member of any association or agency, has the power to in anyway bind the System or any of its component institutions unless such power has been officially conferred in advance by the Board. Any action which attempts to change the policies or otherwise bind the System or any of its component institutions, taken by any individual or any association or agency, shall be of no effect whatsoever until the proposed action has been approved by the institutional head concerned, if any, and the Chancellor, and ratified by the Board.

Sec. 30 Institutional Employees as Students. --The Handbook of Operating Procedures for each of the component teaching institutions shall express the institutional policy as to the amount of course work that full-time and part-time employees shall be permitted to carry.

Sec. 31 Retirement and Modified Service

- 31.1 No officer, administrator, faculty member, or employee of The University of Texas System or of any component institution or agency thereof shall be continued in a full-time service capacity or at a full-time compensation rate beyond the end of the fiscal year that includes his or her seventieth birthday.
- 31.2 The Board of Regents, upon the recommendation of the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint an officer, administrator, faculty member, or employee to modified service after the end of the fiscal year that includes the person's seventieth birthday.
- 31.3 Recommendation for, and appointment to, modified service shall be made only after a review of the individual's past and current performance and a finding that the individual is not only competent to continue his or her duties, but that the continued service of the individual will result in a significant benefit to the System or a particular component institution.
- 31.4 Appointment to modified service shall be for one academic year and may be renewed for successive terms of one academic year after an annual review, recommendation, and finding as set forth in subsection 31.3. The notice provisions of Section 6.8 of this Chapter shall not apply to non-renewal of such appointments.
- 31.5 **The workload of an individual on modified service shall be no more than one-half of his or her workload immediately preceding appointment to modified service. Salary rate shall be in the same proportion of his or her salary rate for the fiscal year immediately preceding appointment to modified service as his or her workload is to a full time workload and shall be subject to adjustment, in accordance with policies and procedures applicable to other employees.**
- 31.6 **Upon recommendation of the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, the Board of Regents may, by unanimous vote of the members present, make exceptions to this Section in special cases when the Board finds that the services of a particular individual will be of unique benefit to the System or a component institution.**

Sec. 32 Staff Benefits. -- For other staff benefits, see Part Two hereof.

CHAPTER IV

FACULTY ORGANIZATION

Sec. 1. Educational Policy.

- 1.1 The Board will devote its best efforts to making all of the institutions composing the System institutions of the "first class," as the Texas Constitution directs in Article VII, Section 10. The Board will be guided in general by the best practices of the best universities in the United States and abroad, especially by the best practices of state universities in the United States.
- 1.2 The Board will not, except in extraordinary cases, act on important matters of academic policy until it has received, or requested and obtained, advice thereupon from the institutional faculty or faculties affected or their legislative bodies. When new policies originating in any faculty give rise to serious differences of opinion in that body, the advice and recommended legislation shall, at the request of the minority, be accompanied by a record of the vote and by a summary of the reasons for and against the matters proposed.

Sec. 2. Institutional, College, School, and Departmental Faculties and Legislative Bodies.

- 2.1 General Authority. --Subject to the authority of the Board and subject further to the authority that the Board has vested in the various administrative officers and subdivisions of the System, the faculties of the component institutions regularly offering instruction shall have a major role in the governance of their respective institutions in the following areas:
 - 2.11 General academic policies and welfare.
 - 2.12 Student life and activities.
 - 2.13 Requirements of admission and graduation.
 - 2.14 Honors and scholastic performance generally.
 - 2.15 Approval of candidates for degrees.
 - 2.16 Faculty rules of procedure.

- 2.2 **Necessity of Approval by Regents.** --Legislation recommended by an institutional faculty, or legislative body thereof, requiring approval of the Board, shall not be effective unless and until approved by the Board. Such legislation by a college or school faculty shall not be presented to the Board until it has been approved by the institutional faculty, either directly or through its legislative body, and has received the consideration and recommendation of the appropriate institutional head(s) and the Chancellor. The faculty affected will be notified by the Board, through administrative channels, of its action on recommended faculty legislation.
- 2.3 **When Legislation is Effective.** --Except where the Board has specifically authorized procedure for placing into effect emergency faculty legislation without prior Board approval, institutional faculty legislation shall become effective only upon approval by the Board or at such later time as the Board shall specify. The secretary of the institutional faculty shall be notified of Board action, and notice of such action shall be included in the official minutes of the faculty.
- 2.4 **Approval of Degree Candidates.** --It shall be the duty of the several institutional faculties to recommend approval or disapproval of all candidates for degrees. This duty may be delegated for any academic year by affirmative vote of the institutional faculty, or its legislative body, to the respective deans or other appropriate official. Should this duty not be delegated, then the institutional registrar, or his equivalent, shall furnish to the members of the institutional faculty a complete list of the degree candidates for recommendation.
- 2.5 **List of Degree Candidates in Minutes.** --The institutional registrar, as soon as possible after each commencement, shall provide the secretary of his institutional faculty, or its legislative body, with a complete list of all successful degree candidates, and the secretary shall insert the list in the minutes of the faculty.
- 2.6 **Changes in Degree Requirements.** --Changes in degree requirements shall not become effective until approved by the Board and published in the appropriate catalogue; provided, however, that students may be given the benefit of any action reducing or modifying the requirements for their degree immediately upon Board approval.
- 2.7 **Faculty Minutes.** --Copies of institutional faculty minutes, or of their legislative bodies, shall be available for use of members of the particular faculties individually, if desired; and shall be filed in the office of their secretaries, the institutional heads, the Chancellor, and the Secretary to the Board and in the institutional libraries.

CHAPTER V

GRADUATE EDUCATION IN THE UNIVERSITY OF TEXAS SYSTEM

- Sec. 1 The various component institutions of the System authorized to offer graduate degrees shall provide and maintain an appropriate faculty and administrative organization for such graduate degrees. The chief administrative officer of each component institution of the System shall be responsible to the Chancellor, and through him, to the Board for the policies and administration of the graduate programs.
- 1.1 "Graduate programs," as the term is used in these rules, does not include the programs that lead to the M.D., D.D.S., M.P.H., Dr. P.H., J.D., LL.M., and M.C.J. degrees, or others that may be excluded upon recommendation by the Chief Administrative Officer of the component institution and concurrence by the Chancellor.
- Sec. 2 Within the general academic components, the designation "Graduate School" will be used if (a) there is a minimum of three distinct programs approved for doctoral degrees and thirty such doctoral degrees have been awarded; or (b) there is a minimum of ten distinct programs approved for master's degrees and fifty master's degrees have been awarded. In component institutions that do not meet these requirements, graduate study will be in a "Division of Graduate Studies."
- Sec. 3 Graduate programs in the health components shall be administered as follows:
- 3.1 In the Health Science Centers at Dallas, Houston, and San Antonio and at Galveston Medical Branch the graduate programs will be administered through a Graduate School of Biomedical Sciences.
- 3.2 In the Nursing Schools of component institutions, graduate education will be administered as specific graduate programs coordinated by an administrative officer designated by the chief administrative officer of the component institution.

3.3 In the System Cancer Center research and graduate instruction will be offered in cooperation with other components which are authorized to award graduate degrees.

Sec. 4 Component institutions which offer graduate degrees and elect an administrative organization and designations different from those authorized above may do so only upon the recommendation of the chief administrative officer, the concurrence of the Chancellor and the approval of the Board.

Sec. 5 The policies and procedures for staffing and administering the graduate programs at all component institutions shall be set forth in the institutional Handbook of Operating Procedures. These policies and procedures shall include qualifications for faculty members assigned to teach graduate courses, supervise graduate programs, and advise graduate students.

Where two or more components of the System are authorized to conduct joint or cooperative degree programs, the chief administrative officers of the cooperating institutions shall be authorized to establish, subject to the approval of the Chancellor, special procedures and organizations for the administration of such programs.

CHAPTER VI

STUDENT SERVICES AND ACTIVITIES

Sec. 1 General Provisions.

- 1.1 **These policies and regulations apply to all component institutions of the System and shall be implemented appropriately in the Handbook of Operating Procedures for each institution.**
- 1.2 **When the title, "Dean of Students," appears in this chapter, reference is made to the administrator bearing that title, or the officer or officers directly responsible for student affairs at each component institution.**
- 1.3 **All authority held and exercised by a Dean of Students is delegated to him by the institutional head just as all authority held and exercised by an institutional head is delegated to him by the Chancellor. Therefore, any action taken is subject to review by the institutional head and the Chancellor, and both the Chancellor and the institutional head may approve, amend, or disapprove such action, just as the Chancellor may approve, amend, or disapprove any action taken by the administrative head of any component institution.**
- 1.4 **Any individual student, group of students, or student organization may petition the Board on any matter relating to these policies and regulations through the Dean of Students, the institutional head, and the Chancellor.**
- 1.5 **These policies and regulations shall become effective on December 1, 1978 and shall, at that time, supersede all other policies and regulations that may be in conflict herewith.**
- 1.6 **Definition of Student. --A student is one who is currently enrolled at any of the component institutions of the System. These policies and regulations will also apply to any prospective or former student**

who has been accepted for admission or readmission to any component institution while he is on the campus of any component institution.

- 1.7 Definition of Campus. --The campus of a component institution is defined as all real property over which that institution has possession and control.

Sec. 2 The Dean of Students and His Staff.

- 2.1 The Dean of Students shall be the administrative officer primarily responsible for the development and administration of policies relating to students and for the development and implementation of services to students in the areas assigned to him. He shall have responsibility for the initial preparation of institutional regulations which will implement the policies and regulations set forth in this chapter.
- 2.2 The Dean of Students shall have primary responsibility for (1) the supervision and development of student out-of-class programs and activities and of all student organizations; (2) the development of policies affecting student life; (3) the promulgation and enforcement of institutional rules that govern student conduct; and (4) the administration of student discipline on the campus.
- 2.3 The administrative staff of the Dean of Students shall consist of the heads of services for which he has administrative responsibility.
- 2.4 The Dean of Students shall work with academic deans and department chairmen in structuring and implementing a program of faculty advising for both old and new students.
- 2.5 The Dean of Students shall be responsible for the preparation of the budgetary recommendations for the student services and activities under his jurisdiction.

Sec. 3 Student Conduct and Discipline.

- 3.1 The System and its component institutions have rules and regulations for the orderly and efficient conduct of their business, and each student is charged with notice and knowledge of the contents and provisions thereof.

3.2 All students are expected and required to obey the law, to show respect for properly constituted authority, and to observe correct standards of conduct.

3.21 Gambling, immoral conduct, dishonesty, or the excessive use of intoxicating liquors renders the student subject to discipline.

3.22 Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution of the System is subject to discipline, including expulsion, pursuant to the procedures set out in Subsections 3.(10) and 3.(11) of this chapter.

3.3 (Reserved for future use)

3.4 The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas; provided, however, that with the prior consent of the institutional head, the foregoing provisions of this section may be waived with respect to any specific affair which is sponsored by the institution. However, with respect to the possession and consumption of alcoholic beverages, state law will be strictly enforced at all times on all property controlled by the System and its component institutions.

- 3.5 No former student who has been suspended for disciplinary reasons from a component institution of the System shall be permitted on the campus of any component institution during the period of such suspension without the prior written approval of the chief administrative officer of that institution.
- 3.6 Hazing in state educational institutions is prohibited by state law (Section 4.19, Chapter 4, Title I, Texas Education Code). Hazing with or without the consent of a student is prohibited by the System, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline.
- 3.7 Initiations by organizations may include no feature which is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders the organization subject to discipline.
- 3.8 Any student who advocates or recommends, either orally or in writing, the conscious and deliberate violation of any federal, state or local law is subject to discipline.
- 3.9 Any student who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to discipline, including expulsion. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.
- 3.(10) **The Dean of Students shall have primary authority and responsibility for the administration of student discipline at his institution. It shall be his duty to investigate allegations that a student has violated the Regents' Rules and Regulations, the rules and regulations of the institution, or specific orders and instructions issued by an administrative official of the institution in the course of his duties.**
- 3.(10)1. If the Dean of Students determines that such allegations are not unfounded, he shall prepare a written statement of charges, a statement of the evidence supporting such charges, including a list of witnesses and brief summary of the testimony to be given by each, and shall send such charges and statement to the accused student by certified mail, return receipt requested, addressed to the address appearing in the registrar's records.

3. (10)2 In any case where the accused student does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures specified in Subsection 3. (11), the Dean of Students shall assess the penalty appropriate to the charges and inform the student of such action in writing. The decision of the Dean of Students may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3. (11).
3. (11) In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial person, hereinafter called the Hearing Officer, selected in accordance with procedures adopted by the institution. Except in those cases where immediate interim disciplinary action has been taken under authority of Subsection 3. (18), the accused student shall be given at least 10 (ten) days' notice of the date, time, and place for such hearing and the name of the Hearing Officer. Hearings held under Subsection 3. (18) will be held under the same procedures set forth below, but will be held as soon as practicable within ten (10) days after the disciplinary action has been taken.

Upon a hearing of the charges, the institutional representative has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence. The hearing shall be conducted in accordance with procedures adopted by the institution and that assure both parties (institutional representative and the accused student) the following minimal rights:

3. (11)1 Both parties will exchange lists of witnesses and copies of documents to be introduced at a reasonable time prior to the hearing.
3. (11)2 Each party shall have the right to appear and present evidence in person or through a designated representative or counsel of choice.
3. (11)3 Each party, or his/her designated representative or counsel, shall have the right to cross-examine witnesses.
3. (11)4 The hearing will be recorded. If either party desires to appeal the finding, the record will be transcribed and both parties will be furnished a copy of the transcript.
3. (12) The accused student may challenge the impartiality of the Hearing Officer at any time, but the Hearing Officer shall be the sole judge of whether he or she can serve with fairness and objectivity. In the event the Hearing Officer disqualifies himself/herself, a substitute will be chosen in accordance with procedures adopted by the institution.

3. (13) The Hearing Officer shall render and send to both parties a written decision which shall contain findings of facts and conclusions as to the guilt or innocence of the accused student and shall assess a penalty in accordance with the published disciplinary penalties of the institution or in accordance with one of the following prescribed penalties:
- 3. (13)1 Disciplinary probation - not to exceed one calendar year.
 - 3. (13)2 Withholding of transcript or degree for failure to pay authorized fees.
 - 3. (13)3 Bar against readmission for failure to pay prescribed fees.
 - 3. (13)4 Restitution or reimbursement for damage to or misappropriation of University property.
 - 3. (13)5 Suspension of rights and privileges, including participation in athletic or extracurricular activities.
 - 3. (13)6 Failing grade for scholastic dishonesty.
 - 3. (13)7 Denial of degree for scholastic dishonesty.
 - 3. (13)8 Suspension from the University for a period of time not to exceed one calendar year.
 - 3. (13)9 Expulsion from the University for an indefinite period of time.
3. (14) Within thirty-five (35) days after the decision has been mailed, either or both parties may appeal to the Chancellor through the chief administrative officer of the institution. The decision or decisions will be reviewed upon the basis of the transcript of the hearing. Both parties may submit arguments to support their position. At the discretion of such authority, such arguments may be oral or written, or both.
3. (15) The chief administrative officer of the institution or the Chancellor may approve, reject, or modify the decision in question, or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. The action of each reviewing authority shall be communicated in writing to the accused student and the Dean of Students. The decision of the Chancellor shall be the final appellate review.
3. (16) Through matriculation at an institution of the System, a student neither loses the rights nor escapes the responsibilities of citizenship. Students who violate the law may incur penalties prescribed by civil authority, but institutional penalties shall not be used merely to duplicate the penalties imposed by civil authority. However, when a student violation of the law occurs on the campus of a component institution or in connection with a component institution-oriented activity, institutional penalties may be imposed regardless of whether penalties have been imposed by civil authority for the same offense.

3. (17) ~~Since~~ the value of an academic degree depends on the absolute integrity of the work done by the student for that degree, it is imperative that a student maintain a high standard of individual honor in his scholastic work. Scholastic dishonesty is the submission as one's own work of material that is not one's own. As a general rule, it involves one of the following acts: cheating, plagiarism, and/or collusion. Each component institution will adopt detailed regulations concerning scholastic dishonesty.
3. (18) The Dean of Students, the chief administrative officer of the institution, or the Chancellor may take immediate interim disciplinary action, including suspension pending a hearing, against a student for violation of a rule and regulation of the System or of the institution at which the accused is a student when the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the academic process.
3. (19) Each component institution shall maintain for every student who has been charged with dishonesty or other serious misconduct at such institution, a permanent written disciplinary record that shall reflect the nature of the charge, the disposition of the charge, the penalty assessed, if any, and any other pertinent information. This disciplinary record shall be separate from the student's academic record and shall be treated as confidential, and the contents shall not be revealed except upon request of the student or in accordance with applicable state or federal laws.
3. (20) Every student is expected to obey all federal, state, and local laws and is expected to familiarize himself/herself with the requirements of such laws. Any student who violates any provision of those laws is subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities on account of the violation.
3. (21) Pursuant to the authority conferred upon the Board of the System by Sections 51.202 and 51.204, Texas Education Code, and in order to protect the safety and welfare of students and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water located on the campus of any component institution of the System unless such person shall have theretofore been granted permission by the administrative head of that institution to enter, remain, or be in such water.

It shall further be unlawful for any person to dump, throw, place, or cause to be placed any material, object, trash, waste, or debris in the water of any fountain or other artificial body of water located on the campus of any component institution of the System.

It shall also be unlawful for any person to damage, deface, or remove any portion of any fountain, monument, or memorial located on the campus of any component institution of the System.

Any person who violates any portion of this regulation shall upon conviction thereof be punished by a fine of not more than \$200.

Any student of a component institution who violates any portion of this regulation shall, in addition to the penalty prescribed in the last preceding section, be subject to discipline, including expulsion, by the institution.

3. (22) **The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every student attending any component institution of the System. Any student who violates such standards of conduct is subject to discipline by the Dean of Students, regardless of whether or not any action is taken against the student by civil authorities on account of such violation. If disciplinary action is taken, the Dean of Students shall proceed with action in the same manner as he would in the case of a violation of any other provision of these rules and regulations or a provision of any Handbook of Operating Procedures.**

Sec. 4 Student Organizations.

- 4.1 An organization in which membership is limited to students (recognizing that faculty and staff may also be members) of a component institution may become a registered student organization at that institution by complying with the registration procedures established by the Dean of Students.
- 4.2 The Dean of Students, with the approval of the institutional head, may establish regulations requiring faculty or staff advisers for registered student organizations.
- 4.3 A registered student organization may state that its membership is composed of students, or of students, faculty, and/or staff, of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of that institution.
- 4.4 The Dean of Students, with the approval of the institutional head, may issue regulations governing the eligibility of students for participation in organized activities.

- 4.5 At each component institution, an appropriate committee or committees shall have initial jurisdiction over all registered student organizations.
- 4.6 Any student organization is subject to disciplinary action or revocation of registration as a student organization for violation of a rule or regulation of the System and/or of the institution at which the organization is registered.
- 4.7 The administrative head of each component institution of the System shall require and enforce the following:
- 4.71 As a condition to being a registered student organization or group during a semester, every registered student organization or group shall furnish to the appropriate institutional officer at the beginning of each such semester a complete list of officers or other members of the organization or group who are authorized to speak for or represent the organization or group in its relations with the institution and who are authorized to receive for the organization or group official notices, directives, or information from the institution. Each such list shall be kept current and accurate throughout the semester by the organization or group, and it shall be conclusively presumed that the officers or members whose names are on the list most recently filed by the organization or group are authorized to speak for and represent the organization or group in its relations with the institution and are authorized to receive for the organization or group official notices, directives, or information from the institution.
- 4.72 No registered student organization or group may have any person as a member who is not either a student or a member of the faculty or staff of the institution. Except pursuant to the provisions of Section 6.5 of this chapter, no organization or group, whether registered or not, may use any facility of any component institution of the System if it has as a member any person who is not either a student or a member of the faculty or staff of the institution.
- 4.73 At the beginning of each semester, each registered student organization or group must file with the appropriate institutional officer an affidavit stating that the organization or group does not, and will not during the semester, have as a member any person who is not either a student or a member of the faculty or staff of the institution. If an organization or group fails or refuses to file the required affidavit, or if, after such reasonable investigation as the institutional

head shall deem appropriate (which investigation shall afford the accused registered organization or group every right guaranteed to it by the due process clauses of the United States and Texas Constitutions), the institutional head shall during the semester find that the affidavit is or has become false, and that the organization or group does, in fact, have as a member a person who is not either a student or a member of the faculty or staff of the institution, the institutional head shall immediately cancel the registered status of the organization or group and shall deny to the organization or group any and all privileges to which it would otherwise be entitled as a registered student organization or group.

4.74 No organization or group, whether registered or not, may use the facilities of any component institution as long as it owes a monetary debt to the institution and the debt is considered delinquent by the crediting institutional agency.

4.8 No component institution shall register any student organization or group whose actions or activities, in the opinion of the institutional head or the Chancellor, are inimical to the educational purpose and work of the institution.

4.9 A registered student organization whose registered status has been canceled by the institutional head pursuant to Subsection 6.13 of Section 6 of this chapter or Subsection 4.73 of Section 4 of this chapter may apply for re-registration not less than six months following the date of such cancellation.

Sec. 5 Participation in Student Government.

5.1 Students' Associations. --Students' associations currently authorized at the component institutions of the System are hereby approved. They shall have such jurisdictions and shall exercise such powers as the Board may now or hereafter delegate to them.

5.11 Constitutions and Laws Approved. --The constitutions and laws of the several associations in force at the date of adoption of these Rules and Regulations are hereby approved.

5.12 Mode of Amending Constitutions and Laws. --An amendment to the constitution or laws of a students' association may be adopted by an association, in accordance with its constitution and laws, but the change shall not become effective until transmitted to and acted upon by the Dean of Students, the institutional head, and the Chancellor and approved by the Board.

5. 13 Amendment or Repeal by Regents. --The Board shall amend or repeal any portion of the constitution and laws of a students' association when, in the judgment of the Board, the interests of the particular institution shall require it.
5. 14 Amendment or Repeal by Dean of Students. --The Dean of Students shall have the power, when in his judgment the interests of the institution require it, to amend or repeal any provision in the constitution or laws of the particular association, but his action shall be in force only until the next meeting of the Board when Section 5. 13, above, shall become applicable.
5. 15 Salaried Employees Approved by Regents. --All persons officially employed on salary by or under the direct supervision of a students' association shall be subject to approval by the Dean of Students, the institutional head, the Chancellor, and the Board, both as to salary and as to qualifications.
5. 16 Annual Financial Reports. --Every officially recognized students' association shall make annually a complete financial report to the institutional business officer, and shall make such special reports as may be called for by such business officer. A duplicate copy of each report shall be filed with the Dean of Students. Committees and administrative units of a students' association maintaining a budget in excess of \$25.00 per annum shall make such interim reports of financial condition as may be required by the Dean of Students.
5. 2 The students' association on each campus shall be a recognized forum of student opinion.
5. 21 When a students' association takes a position with reference to issues directly related to a component institution and its operations, its recommendations shall go through the Dean of Students, the institutional head, and the Chancellor to the Board.
5. 22 When a students' association takes a position on non-University issues, it shall make clear the fact that it does not speak for the institution.
5. 23 A students' association may conduct polls, initiate petitions, and/or establish forums for debate or discussion under conditions approved by the Dean of Students.
5. 24 Officers of a students' association may so identify themselves when they express their personal views, but they shall then make it clear that they are not speaking for the

institution, or for the student body, and they shall make it clear they are not speaking for the students' association unless the legislative body of that association has authorized the statement in advance.

Sec. 6 Use of University-Owned Facilities.

6.1 The campuses of the component institutions of The University of Texas System are not open for assembly and expression of free speech as are the public streets, sidewalks and parks. The responsibility of the Board of Regents to operate and maintain an effective and efficient system of institutions of higher education requires that the time, place, and manner of the exercise of the right of assembly and free speech on the grounds and in the buildings and facilities of the various component institutions be ~~regulated~~. Acting pursuant to the general authority of Chapter 65 of the Texas Education Code and the specific authority of Subchapter E, of Chapter 51 of the Texas Education Code, the Board of Regents adopts and promulgates the Rules and Regulations of this Section and this Chapter relating to the use of institutional buildings, grounds and other facilities for purposes other than regular academic use. No individual, organization, group, association, or corporation may use the grounds, buildings, or facilities of any component institution of The University of Texas System except as permitted by the provisions of the Rules and Regulations of the Board of Regents and the rules and regulations of the component institutions approved in accordance with such Regents' Rules and Regulations.

6.11 The term "solicitation" as used herein means the sale or offer for sale of any property or service, whether for immediate or future delivery; the receipt of or request for any gift or contribution; and the request that a vote be cast for or against a candidate, issue, or proposition appearing on the ballot at any election held pursuant to state or federal law.

6.12 No solicitation shall be conducted in any building, structure, or facility of any component institution of the System, provided, however, that the following activities shall be deemed not to be solicitations prohibited by this subsection if they are conducted in a manner that will not disturb or interfere with the academic or institutional programs being carried on in a building, structure or facility, or do not interfere with entry to or exit from a building, structure or facility:

(1) The sale or offer for sale of any newspaper, magazine, or other publications by means of a vending machine in an area designated in advance by the institutional head or his delegate for the conduct of such activity.

(2) The sale or offer for sale of any food or drink item by means of a vending machine operated by the institution or its subcontractor in an area designated in advance by the institutional head or his delegate for the conduct of such activity.

(3) The sale or offer for sale of any publication of the institution or of any book or other printed material to be used in the regular academic work of the institution.

(4) The operation by the institution or its subcontractor of any bookstore, specialty store, laundry, cafeteria, or other service facility maintained for the convenience of the students, staff and/or faculty.

(5) The sale or offer for sale by the institution or its subcontractor of food and drink items and programs at athletic contests or at any other ~~program or event sponsored or~~ authorized by the institution.

(6) **The collection of tuition and fees in connection with enrollment of a student in any course or degree program.**

(7) The collection of membership fees or dues by registered student, faculty, or staff organizations at meetings of such organizations scheduled in accordance with the facilities use regulations of any component institution.

(8) The collection of admission fees for the exhibition of movies or other programs that are sponsored by the component institution, a recognized faculty group, or a registered student organization, and are scheduled in accordance with the facilities use regulations of the component institution.

(9) The activities of any organization that can present to the institutional head, or his delegate, written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under 26 U.S.C.A. 501 (c) (3) (Internal Revenue Code).

6. 121) No organization may solicit under Subdivision (9) of this subsection for more than a total of fourteen days, whether continuous or intermittent, during each state fiscal year.

6. 13 No solicitation shall be conducted on the grounds, sidewalks, or streets on the campus of any component institution of the System, except by the agents, servants, or employees of that institution acting in the course and scope of their agency

or employment, or by the students' association of that institution, or by a registered student, faculty, or staff organization at that institution.

- (1) Solicitation made pursuant to the terms of Subsection 6.13 must be conducted in such a way (a) that it will not disturb or interfere with the academic or institutional programs being carried on in campus buildings, (b) that it will not interfere with the free and unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from campus buildings, and (c) that it will not harass, embarrass, or intimidate the person or persons being solicited. If, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused organization every right guaranteed by the due process clauses of the United States and Texas Constitutions) the institutional head determines that a solicitation is being conducted in a manner violative of this subsection, the institutional head shall prohibit the offending organization from solicitation on the campus for such period or periods of time as he shall determine to be appropriate and in the case of repeated violations of these solicitation rules, the institutional head may cancel the registered status of the offending organization.
- (2) The students' association and each registered student organization shall, within 30 days following the end of each academic semester or summer session, file with the institutional head or his delegate a sworn statement fully and fairly disclosing the sources and amounts of money which it obtained from solicitations (sales and contributions) on the campus during the preceding semester or summer session and fully and fairly disclosing the beneficiaries and amounts of the expenditures which it made during the preceding semester or summer session. A registered student organization which during a semester or summer session receives no money or thing of value other than from its own members need file only a sworn statement to that

effect. Any organization failing to comply with the provisions of this paragraph shall be prohibited from solicitation on the campus until such organization places itself in compliance.

6. 14 **Use of Physical Facilities of the System by Registered Student, Faculty or Staff Organizations.** --Registered student, faculty or staff organizations may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. Groups of students, faculty or staff who are not registered may not use the institution's buildings and/or grounds. Registered student, faculty or staff organizations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.
6. 15 **Reasonable and nondiscriminatory regulations may be promulgated to authorize students and registered student organizations, under specified conditions, to petition, post signs, set up booths, and/or peacefully demonstrate on the campus.** Such regulations shall prohibit any activity that would interfere with academic and institutional programs.
6. 16 No person, whether or not a student or employee of a component institution, shall publicly distribute on the campus of any such institution any petition, handbill, or piece of literature that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
6. 17 No person, whether or not a student or employee of a component institution, shall post or carry any sign or poster that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
6. 18 No person, whether or not a student or employee of a component institution, shall install, occupy, or use on the campus of any such institution any booth, if the use of the booth is wholly or partly for the distribution or dissemination of words or material that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law. For the purpose of this provision, the word "booth" includes furniture, enclosure, and any other structure temporarily installed for distributing petitions, handbills, or literature, or for displaying signs, or for raising funds or soliciting tangible items.

- 6.2 The use of student center or student union facilities on the campus of each component institution shall be subject to reasonable and nondiscriminatory regulations as may be promulgated by that center's governing board and approved by the Dean of Students and the institutional head.
- 6.3 Extracurricular student, faculty or staff activities involving the use of System-owned buildings and grounds shall be conducted in accordance with local, state and national law and in accordance with the applicable System and institutional regulations. Such activities shall not disrupt or disturb the academic and institutional program and shall not result in damage to or defacement of property.
- 6.4 Identification Required.
- (a) Pursuant to the authority conferred upon the Board of the System by Chapter 80, Acts of the 60th Legislature, Regular Session, 1967 (Section 51.209, Texas Education Code), and in order to protect the safety and welfare of students and employees of the component institutions of the System, and to protect the property of the System, it is hereby declared that it shall be unlawful for any person on any property either owned or controlled by the System or any component institution to refuse to identify himself to an institutional representative in response to a request. For the purpose of this subsection, a person identifies himself by: (1) giving his name and complete address; and (2) by stating truthfully whether or not he is a student at the institution and whether or not he is an employee of the institution.
- (b) For the purpose of Subsection (a), an "institutional representative" is:
- (1) any member of the Board of the System;
- (2) any administrative officer of the System, including the Chancellor, the Executive Assistant to the Chancellor, the Assistant Chancellor for Planning, the Executive Director for Development, the Vice Chancellor for Academic Affairs, the Vice Chancellor for Administration, the Vice Chancellor for Business Affairs, the Vice Chancellor for Health Affairs, the Vice Chancellor for Lands Management and General Counsel, the Executive Director for Investments and Trusts, the Comptroller, the Director of Facilities Planning and Construction, the Budget Director, the Associate General Counsel, the Director of Police, the System Personnel Director, the Director for Special Services, and the Director of Accounting;

- (3) any administrative officer of the component institution, including the institutional head, any assistant to the institutional head, any vice president, any Dean of Students, and any associate or assistant dean of students; and
- (4) any attorney, peace officer, or security officer of the System or the institution.
- (c) Any person who refuses to identify himself fully in accordance with Subsection (a) is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.
- (d) Any student who refuses to identify himself fully in accordance with Subsection (a) is, in addition to the penalty prescribed in Subsection (c), subject to discipline, including expulsion, by the institution.

6.5 Use of Grounds and Physical Facilities by Outside Groups, the System as a Joint Sponsor. -- Use of grounds and physical facilities of the System, especially auditoriums, gymnasiums, and large rooms, by outside individuals, groups or associations shall be subject to the following rules in which the "System" shall mean any component institution.

- 6.51 The System will not permit the unrestricted use by non-System groups of any of its facilities.**
- 6.52 The System will not enter into joint sponsorship of any project or program that is to result in private gain for the cooperating individuals, group or associations.**
- 6.53 The System, established as a public institution without regard to political affiliation or religious faith, cannot be a joint sponsor with any noncampus organization for political or sectarian gatherings. However, the appearance by or on behalf of a candidate for public office may be authorized under conditions prescribed by the Board in Section 7.2 of this Chapter.**
- 6.54 Whenever non-System groups share in the use of System buildings, it must be upon the invitation of the System and under its joint sponsorship, and with the further understanding that all the conditions governing such sponsorship are to be set by the System.**
- 6.55 The System, when entering into joint sponsorship of any program or activity, assumes full responsibility for all details and reserves the right to approve all copy for advertising, as well as news releases.**
- 6.56 The System will not enter into joint sponsorship of any program or activity in which the educational implications are not self-evident and which does not directly supplement the educational purposes of the System.**

6.57 It shall be understood that the availability of the System's facilities for functions other than the institution's own activities is strictly subject to the needs and the convenience of the System, which are always to have priority in the scheduling of facilities.

6.58 In the case of programs for which the System is a joint sponsor with some other individual, group or organization, the fee to be paid by the co-sponsor will be a matter for negotiation in each case and will be specified in the agreement providing for the joint sponsorship.

6.6 **Notwithstanding any other provisions of this chapter, the chief administrative officer of a component institution may designate specific facilities of a component institution, such as special events centers, conference centers, concert halls, theaters, or auditoria, as Special Use Facilities. The chief administrative officer shall cause to be prepared and submitted for approval, as a part of the Handbook of Operating Procedures of the institution, appropriate rules and regulations for the reservation and use of such designated Special Use Facilities. Such rules and regulations must restrict the reservation and use of such facilities in accordance with the following:**

6.61 **Designation as a Special Use Facility shall not constitute the facility as a public facility open to use by non-University persons, groups, associations, or corporations on a first come, first served basis.**

6.62 **Priority in the reservation and use of Special Use Facilities shall be given to activities and events sponsored by the component institution that are in furtherance of and related to the educational, cultural, recreational, and athletic programs of the institution.**

6.63 **As a lower priority, the institutional rules and regulations may provide for reservation and use of Special Use Facilities by non-University individuals, groups, associations or corporations, without the necessity of joint sponsorship by the institution. The institution shall establish rates to be charged for the use of the facility that will, at a minimum, insure recovery of that part of the operating cost of the facility attributable directly or indirectly to such non-University use. If the non-University user charges those attending an event any admission or registration fee, or accepts donations from those in attendance, the institution shall require the user to make a complete account of all funds collected and of the**

- actual cost of the event. If the funds collected exceed the actual cost of the event, the non-University user shall be required to remit such excess funds to the institution as an additional charge for the use of the Special Use Facility.
- 6.64 **Subject to all constitutional and statutory provisions relating to the use of state property or funds for religious or political purposes, and subject to Subsection 6.63, above, Special Use Facilities may be made available for religious and political conferences or conventions. Religious organizations applying for use of a Special Use Facility must submit written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501 (c) (3) of Title 26 of the United States Code [Internal Revenue Code]. Political organizations applying for use of a Special Use Facility must present written evidence that the organization had candidates for either state, district, or local offices listed on the ballot at the last general election. A religious or political organization shall be permitted to use a Special Use Facility only one time during a calendar year.**

Sec. 7 Speech and Assembly.

- 7.1 **Freedom of inquiry and discussion are basic and essential to intellectual development. However, these freedoms must be exercised in a manner that does not intrude upon or interfere with the academic programs and administrative processes of the System. Each component institution may designate one or more appropriate "free speech" areas on the campus where students may assemble and engage in free speech activities without prior administrative approval. In the absence of the designation of such "free speech" areas, all speech and assembly activities must be conducted in accordance with the provisions of this Chapter and the rules and regulations of the component institution.**
- 7.11 **Students, faculty or staff who are candidates for public office or who wish to campaign on behalf of a particular candidate or candidates may engage in conduct in behalf of such candidacy in the designated "free speech" areas or in accordance with the provisions of Section 7.2 of this Chapter relating to off-campus speakers.**
- 7.2 **Off-Campus Speakers. --The Board has and reserves the right to regulate the presentation of guest speakers on the campus who are unaffiliated with the System or any component institution thereof (hereafter referred to as off-campus speakers).**

- 7.21 Only registered student organizations, faculty or staff organizations, System-owned dormitories, and Student Government may present off-campus speakers on the campus.
- 7.22 The organization sponsoring an off-campus speaker has the responsibility of making clear the fact that the organization, not the institution, is extending the invitation to speak and that any views the speaker may express are his own and not necessarily those of the System or of any component institution.
- 7.23 An off-campus speaker is subject to all provisions of the Texas Civil Statutes.
- 7.24 Registered student organizations, faculty or staff organizations, University-owned dormitories, and Student Government may be permitted the use of System-owned facilities to present off-campus speakers on campus pursuant to the facilities' use regulations promulgated by the component institution and subject to the requirement that each component institution must submit to the System Administration for approval as a part of its institutional Handbook for Operating Procedures a copy of all applicable facilities' use regulations, and no facilities' use regulation shall have any force or effect until it has been approved by the Chancellor and the Vice Chancellor for Land Management and General Counsel.
- 7.25 An application for the use of any System-owned facility must be made to the chief administrative officer, or his delegate, at least forty-eight hours before the time the event is scheduled to take place.
- 7.26 No person shall be permitted to speak on any campus of the System who is known to advocate or recommend, either orally or in writing, the conscious and deliberate violation of any federal, state, or local law.
- 7.27 No off-campus speaker who is to be paid from state funds as consideration for his or her speech shall be permitted to speak on the campus of any component institution of the System unless the university facility in which the speech is to be delivered will be open to the public, including members of the news media, who will be entitled to record, videotape, or telecast live portions of the speech. The provisions of this subdivision do not apply to classes, seminars, symposia, and conferences intended for the use and benefit of students, faculty, staff, and invited guests. No person may in any way obstruct or lessen in any way the opportunity for the audience to take the fullest advantage of the speech, including the opportunity to see and hear the speaker during the entire speech.

Sec. 8 Off-Campus Student Housing.

- 8.1 Off-Campus Student Housing. --The component institutions of the System will not extend Approved Housing status to any student residential units except those directly operated by the System. Each student at a component institution will have free choice in the selection of his non-University-operated residential accommodations, subject to parietal rules.

Sec. 9 University Policy in Regard to Debts of Students.

- 9.1 Neither the System nor any component institution is responsible for debts contracted by individual students or by student organizations. On the other hand, all students and student organizations are expected to conduct themselves honorably in all commercial transactions. Neither the System nor any component institution will assume the role of a collection agency except for monies owed to the System or one of its component institutions, nor will the System nor any of its component institutions adjudicate disputes between students and creditors over the existence or the amounts of debts.
- 9.2 In the event of nonpayment to the System or one of its component institutions, one or more of the following actions may be taken: (a) a bar against readmission for the student, (b) withholding of the student's grades and official transcript, (c) withholding of a degree to which the student otherwise would be entitled.

Sec. 10 Anonymous Publications.

- 10.1 Anonymous publications are prohibited. Any student publishing or aiding in publishing, or circulating or aiding in circulating, any anonymous publication will be subject to discipline.

Sec. 11 Negotiations Prohibited.

- 11.1 Neither the institutional head nor the Chancellor, nor any representative of either of them when dealing with disruptive activities, shall negotiate or attempt to negotiate with any person or persons engaged in any disruptive activity on the campus of any component institution of the System. When such a situation arises, the institutional head or the Chancellor, or any representative of either of them, shall take immediate action to utilize all lawful measures to halt and eliminate any and all such disruptive activities that come to their attention.

Sec. 12 Other Regulations Concerning Student Affairs are Reported in the Rules and Regulations of the Board, as follows:

Fellowships, Scholarships, and Loan Funds - Part Two, Chapter I, Sec. 2, p. I-2.

Tuition and Other Fees - Part Two, Chapter I, Sec. 3, p. I-2.

Policy Against Discrimination - Part Two, Chapter I, Sec. 5, p. I-3.

Auxiliary Enterprises - Part Two, Chapter X, Sec. 1-7, p. X-1.

Texas Student Publications at The University of Texas at Austin - Part Two, Chapter X, Sec. 8, p. X-2.

The Texas Union at The University of Texas at Austin - Part Two, Chapter X, Sec. 9, p. X-8.

Employment of a Students Attorney - Part Two, Chapter X, Sec. 11, p. X-12.

CHAPTER VII

THE SYSTEM PRIVATE-FUND DEVELOPMENT AND FOUNDATIONS

Sec. 1 The System Private-Fund Development.

- 1.1 Responsibilities of the Board and Administrative Officials of the System in Private-Fund Development.
 - 1.11 Among the most important responsibilities of the Board are those of establishing policies and procedures by which the developmental needs of the System and its component institutions can be determined and of directing vigorous efforts to attract private-fund support for meeting these needs.
 - 1.12 **The Chancellor is to serve as the Chief Executive Officer for Fund Development and as the agent of the Board for the discharge of development responsibilities. The Chancellor shall define for the Board, at periodic intervals, descriptions of current and future needs, as determined by the institutional heads and System Administration, taking into account such needs as the System Development Advisory Council and each component institution development board may have recommended.**

Sec. 2 The Development Board of a Component Institution for Private-Fund Development.

- 2.1 With the approval of the institutional head, the Chancellor, and the Board of Regents, any component institution may have a development board dedicated to its own unique interests. Such a development board is the agency responsible through the institutional head to the Chancellor, and through him to the Board of Regents, for all private-fund development for that component institution. Each component institution development board shall determine its development needs and shall direct the formulation of plans and the promotion of support for its programs.
- 2.2 Responsibilities and duties of the component institution development boards:
 - 2.21 The component institution development board is the agency responsible to the institutional head of each institution for all private-fund development for that institution.
 - 2.22 The component institution development board shall recommend through the institutional head and the Chancellor to the Board of Regents the approval of current and long-range policies which shall govern activities and responsibilities in cultivating and securing private funds for the institution.

- 2.23 The component institution development board shall have responsibility:
- 2.231 For studying and developing total development needs of the component institution.
 - 2.232 For coordinating and formulating plans and actively promoting support for both current and long-range programs to meet the developmental needs of the component institution.
 - 2.233 For developing gift possibilities not related to pre-determined projects.
 - 2.234 For periodic reports of progress to the institutional head and the Chancellor on the plans and programs of the component institution development board. It is expected that a continuing program of the component institution will include collection and dissemination of information regarding gifts and endowments.
 - 2.235 At periodic intervals, the institutional head shall lay before his development board descriptions of current development needs.

2.3 Composition and Operation of the Component Institution Development Board:

- 2.31 The component institution development board shall consist of not more than 25 appointed members, and these shall be recommended and appointed by the institutional head of each component institution with prior specific written approval of the Chancellor and the Board of Regents. Initial appointments to the component institution development board shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointment of the board will be for a three-year term. All terms shall officially begin on September 1. At least one member shall be nominated by the ex-students' association of that institution. The institutional head and the Chancellor (or his delegate) shall be *ex officio* members with voting privileges. The component institution development board will elect a Chairman and such other officers as are appropriate from among its membership.
- 2.32 The component institution development board shall elect a representative from its membership to the System Development Advisory Council for a three-year term except as specified in paragraph 1.31(2). This representative may serve on the System Development Advisory Council only so long as he is a member of the component institution development board.

- 2.4 General Policies of the Component Institution Development Boards:
- 2.41 A component institution development board shall seek to enlist the aid of numerous friends of the institution in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its program.
- 2.42 A component institution development board shall serve the individual component institution of the System to coordinate and assist in the plans and programs of that component institution with consideration of development interests of all component institutions in the System.
- 2.43 A component institution development board will work closely with the internal foundations of the component institutions. No internal foundations shall be established or continued in existence except with the approval of the Chancellor and the Board of Regents. The institutional head of each component institution shall be responsible for stimulating, guiding, and assisting the component institution development board and internal foundations of the component institution he heads and he may require suitable annual reports from each. All such activities shall be coordinated through the office of the institutional head and the director of the component institution development board.
- 2.44 From time to time, special campaigns for specific objectives **may be conducted, with or without the assistance of private fund-raising counsel. Such campaigns may originate upon recommendation by the Board of Regents, the Chancellor, the institutional head with the concurrence of the Chancellor, or the component institution development board. No such campaign shall be authorized or undertaken, however, until the Chancellor has advised the Board of Regents of his approval or disapproval and the campaign has been approved by the Board of Regents.**
- 2.45 **Notwithstanding the provisions hereof conferring authority upon and placing responsibility with the Chancellor for fund development and fund raising, it is understood that ex-students' associations of the System component institutions may engage in fund raising for their own support through dues and payments for memberships, both annual and life. However, it is expected that no such ex-students' association will sponsor or participate in any other organized fund-raising effort without first consulting and advising with the institutional head and the Chancellor, and then receiving the approval of the Board of Regents.**

2.46 The component institution development boards shall make recommendations to the System Development Advisory Council regarding the appropriate recognition of donors.

2.5 **Executive Office of a Component Institution Development Board:**

2.51 Within the office of the institutional head there may be appointed by the institutional head, with the approval of the Chancellor, an executive director of the component institution development board. He is to be charged solely with fund-development activity, and subject to supervision, evaluation, and termination of employment by the institutional head.

2.52 The executive director of the component institution development board shall have such staff and such operating funds as shall be determined from time to time by budgets recommended by the institutional head, endorsed by the Chancellor, and adopted by the Board of Regents. Duties of staff members shall be established by the executive director.

2.6 **Finances.** -- Financial support of the component institution development board and the executive director shall be provided exclusively by the budget of the institution. Such budgets will be made through established budgetary procedures. The Board of Regents may accept gifts designated for use by the component institution development board and may make such funds available for expenditure by said board.

Sec. 3 **Foundations** -- The following policies shall govern the creation and administration of foundations:

3.1 **Internal Foundations:**

3.11 The establishment of internal foundations shall be limited to teaching and research divisions of the component institutions of the System. This is not in any sense to be construed as excluding nonteaching and nonresearch divisions from seeking support from private sources through the component institution development boards as the authorized agencies for correlating all fund-raising activities.

3.12 The establishment of foundations for other than component institutions, colleges, or schools shall be limited to divisions and departments with respect to which it can be clearly demonstrated that there exists, actually or potentially, the support of a strong business or professional group, the activities of which will not be in substantial conflict with the foundation

which represents the school or college of which the division or department is a part. It is believed that divisions and departments which cannot meet these tests may effectively work as separate groups within the framework of the foundation which represents this school or college. The provisions now existing for the designation of special funds to be used for specific activities should continue within the framework of the various foundations. This opportunity to earmark funds obtained by specific groups should help to avoid stifling the interest and initiative of these groups.

- 3. 13 Any foundation in addition to those now existing shall be authorized by the Board of Regents only after approval by the Chancellor.
- 3. 14 The work of all internal foundations shall be considered a part of the work of the component institution development boards. It is the duty of the System Development Advisory Council and the component institution development boards to cooperate with such foundations at all times and to stimulate their efforts by counsel, by personal contacts and by providing promotional materials. Further, the foundations shall report periodically to the Chancellor through the component institution development boards. Every effort should be made to permit a free range of initiative within the foundations, but activities should be in conformity with policies of the Board of Regents so as to permit maximum overall achievements in fund raising throughout the System.
- 3. 15 There should be periodic reviews of the activities of each foundation to determine its effectiveness; and, if it is unproductive over a reasonable length of time, provisions should be made for its dissolution.
- 3. 16 There shall be established, wherever practical, advisory councils to the foundations. The executive director of each component institution development board shall be an ex officio nonvoting member of each such advisory council.
- 3. 17 The presently authorized internal foundations are:

<u>Foundation</u>	<u>Date Established</u>
<u>The University of Texas at Austin</u>	
John Charles Townes Foundation (School of Law)	1941

Pharmaceutical Foundation of the the College of Pharmacy	1949
Fine Arts Foundation of the College of Fine Arts	1950
Architectural Foundation of the School of Architecture	1952
Genetics Foundation of the Zoology Department	1952
College of Business Administration Foundation	1953
The Psychological Research Foundation	1953
Geology Foundation	1953
Arts and Sciences Foundation	1955
Engineering Foundation	1955
College of Education Foundation*	1976
School of Social Work Foundation	1966
The Lyndon Baines Johnson School of Public Affairs Foundation, Inc. (Chartered)	1968
Communication Foundation of the School of Communication	1969
Graduate School of Library Science Foundation	1969
<u>University Cancer Foundation</u>	1951
<u>The University of Texas at Arlington Foundation</u>	1967

*Formerly Teacher Education Foundation - 1956

<u>The University of Texas Medical Branch at Galveston Foundation</u>	1967
<u>The University of Texas at El Paso Foundation</u>	1967
<u>The University of Texas Medical School at Houston</u>	
Houston Medical Foundation (Chartered)	1970
<u>The University of Texas System</u>	
Hogg Foundation for Mental Health	1940
The University of Texas Foundation, Inc. (Chartered)	1967
The University of Texas Nursing School (System-wide) Foundation	1968
<u>The University of Texas at Dallas</u>	
The Aerospace Heritage Foundation, Inc.	1978

3.2 External Foundations

- 3.21 No component institution or department or school of a component institution of the System may accept or receive gifts or bequests from any external foundation (whether or not an authorized external foundation) until such gifts or bequests have been accepted and approved by the Board of Regents.
- 3.22 Wherever such external foundations now exist, the Board of Regents shall establish a working relationship with the officials of that foundation and coordinate their activities in such a way as to assure their conformity with the general policies of the Board of Regents.
- 3.23 The only presently authorized external foundations are:

Foundation

Law School Foundation

Texas Chest Foundation

The Business School Foundation

CHAPTER VIII

MISCELLANEOUS

- Sec. 1 Naming of Buildings and Other Facilities. --Buildings and other facilities (including laboratories and clinics) of the System and its component institutions shall not be named in honor of any person until such person shall have been dead at least five years and a nomination accompanied by reasons shall have been received by the Board from the institutional faculty; provided, however, that the Board may act without receiving a nomination from the institutional faculty when unusual circumstances justify such action and particularly when a substantial donation has been made toward the construction of the building or facility to be named.
- Sec. 2 Flags at Half Mast. --Flags at any of the component institutions of the System shall be placed at half mast on the death of a Regent, the death of a member of the teaching or nonteaching staff, the death of a student in residence at the institution, or at such other times as may be deemed appropriate by the institutional head.
- Sec. 3 Medical and Hospital Services. --No medical or hospital services shall be provided by any component institution of the System to any person without compensation or reimbursement to the System, except that in the case of hospitals operated by the System, which under the law are open to the general public, free or partly free medical and hospital services may be rendered to persons who are indigent and who are able to offer proof that they are not financially able to pay either all or any part of their hospital or medical expense.

In the health components, full-time faculty in clinical services meeting the American Medical Association definitions of primary care may accept patients for acute or continuing, or both, care without referral by another physician or agency if the patients certify that they have no primary physicians. The patients are accepted for total and continuing care including the obligation to obtain the services of other physicians when indicated.

Upon the referral of a duly licensed physician, dentist, or governmental agency or for the purpose of preparing for testimony before any administrative or judicial tribunal, full-time faculty in nonprimary care clinical services may accept patients for examination, care and/or treatment. The referral source should be documented in the patient's records.

This referral policy shall not apply to patients with emergency conditions, or to employees or students of UT component institutions.

Sec. 4 Institutions and Entities Composing the System. --The System is composed of the component institutions and entities set forth below in paragraphs 4.1 et. seq.; and such other component institutions and activities as may from time to time be assigned to the governance, control, jurisdiction, or management of the Board of the System. To insure uniformity and consistence of usage throughout the System, the component institutions and their respective entities shall be listed in the following order and the following titles shall be used:

	<u>Full Title</u>	<u>Short Title</u>
4.1	The University of Texas System Board of Regents, including	Board of Regents
	The University of Texas Permanent University Fund	Permanent University Fund
4.2	The University of Texas System Administration	System Administration
4.3	The University of Texas at Arlington	U. T. Arlington
4.31	The University of Texas at Arlington School of Architecture and Environmental Design	
4.32	The University of Texas at Arlington College of Business	
4.33	The University of Texas at Arlington College of Engineering	
4.34	The University of Texas at Arlington College of Liberal Arts	
4.35	The University of Texas at Arlington School of Nursing	
4.36	The University of Texas at Arlington College of Science	
4.37	The University of Texas at Arlington School of Social Work	
4.38	The University of Texas at Arlington Graduate School	
4.39	The University of Texas at Arlington Institute of Urban Studies	Institute of Urban Studies
4.4	The University of Texas at Austin	U. T. Austin
4.41	The University of Texas at Austin School of Architecture	
4.42	The University of Texas at Austin College of Liberal Arts	

- 4.43 The University of Texas at Austin
College of Natural Sciences
- 4.44 The University of Texas at Austin
College of Business Administration
- 4.45 The University of Texas at Austin
School of Communication
- 4.46 The University of Texas at Austin
College of Education
- 4.47 The University of Texas at Austin
College of Fine Arts
- 4.48 The University of Texas at Austin
School of Law
- 4.49 The University of Texas at Austin
Graduate School of Library
Science
- 4.4(10) The University of Texas at Austin
School of Nursing
- 4.4(11) The University of Texas at Austin
College of Pharmacy
- 4.4(12) The University of Texas at Austin
School of Social Work
- 4.4(13) The University of Texas at Austin
Graduate School
- 4.4(14) The University of Texas at Austin
Marine Science Institute
Marine Science
Institute
- 4.4(15) The University of Texas at Austin
McDonald Observatory at
Mount Locke
McDonald Observatory

- 4.5 The University of Texas at Dallas
U. T. Dallas
- 4.51 The University of Texas at Dallas
School of Arts and Humanities
- 4.52 The University of Texas at Dallas
School of General Studies
- 4.53 The University of Texas at Dallas
School of Human Development
- 4.54 The University of Texas at Dallas
School of Management and
Administration
- 4.55 The University of Texas at Dallas
School of Natural Sciences and
Mathematics
- 4.56 The University of Texas at Dallas
School of Social Sciences
- 4.57 The University of Texas at Dallas
Callier Center for Communication Disorders

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|------|--|--------------------------------|
| 4.6 | The University of Texas at El Paso | U. T. El Paso |
| 4.61 | The University of Texas at El Paso
College of Business Administration | |
| 4.62 | The University of Texas at El Paso
College of Education | |
| 4.63 | The University of Texas at El Paso
College of Engineering | |
| 4.64 | The University of Texas at El Paso
College of Liberal Arts | |
| 4.65 | The University of Texas at El Paso
College of Nursing | |
| 4.66 | The University of Texas at El Paso
College of Science | |
| 4.67 | The University of Texas at El Paso
Graduate School | |
| 4.7 | The University of Texas of the Permian Basin | U. T. Permian Basin |
| 4.71 | The University of Texas of the
Permian Basin College of
Arts and Education | |
| 4.72 | The University of Texas of the
Permian Basin College of
Management | |
| 4.73 | The University of Texas of the
Permian Basin College of
Science and Engineering | |
| 4.8 | The University of Texas at San Antonio | U. T. San Antonio |
| 4.81 | The University of Texas at
San Antonio College of Business | |
| 4.82 | The University of Texas at
San Antonio College of Fine and
Applied Arts | |
| 4.83 | The University of Texas at
San Antonio College of Humanities
and Social Sciences | |
| 4.84 | The University of Texas at
San Antonio College of Multidisci-
plinary Studies | |
| 4.85 | The University of Texas at
San Antonio College of Sciences
and Mathematics | |
| 4.9 | The University of Texas Institute of Texan
Cultures at San Antonio | Institute of Texan
Cultures |

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| 4. (10) | The University of Texas Health Science Center at Dallas | Dallas Health Science Center |
| 4. (10)1 | The University of Texas Southwestern Medical School at Dallas | Dallas Southwestern Medical School |
| 4. (10)2 | The University of Texas Graduate School of Biomedical Sciences at Dallas | Dallas G.S.B.S. |
| 4. (10)3 | The University of Texas School of Allied Health Sciences at Dallas | Dallas Allied Health Sciences School |
| 4. (11) | The University of Texas Medical Branch at Galveston | Galveston Medical Branch |
| 4. (11)1 | The University of Texas Medical School at Galveston | Galveston Medical School |
| 4. (11)2 | The University of Texas Graduate School of Biomedical Sciences at Galveston | Galveston G.S.B.S. |
| 4. (11)3 | The University of Texas School of Allied Health Sciences at Galveston | Galveston Allied Health Sciences School |
| 4. (11)4 | The University of Texas Marine Biomedical Institute at Galveston | Marine Biomedical Institute |
| 4. (11)5 | The University of Texas Institute for the Medical Humanities at Galveston | Galveston Medical Humanities Institute |
| 4. (11)6 | The University of Texas Hospitals at Galveston | Galveston Hospitals |
| 4. (11)7 | The University of Texas School of Nursing at Galveston | Galveston Nursing School |
| 4. (12) | The University of Texas Health Science Centers at Houston | Houston Health Science Center |
| 4. (12)1 | The University of Texas Medical School at Houston | Houston Medical School |
| 4. (12)2 | The University of Texas Dental Branch at Houston | Houston Dental Branch |
| 4. (12)3 | The University of Texas Graduate School of Biomedical Sciences at Houston | Houston G.S.B.S. |
| 4. (12)4 | The University of Texas School of Allied Health Sciences at Houston | Houston Allied Health Sciences School |
| 4. (12)5 | The University of Texas School of Public Health at Houston | Public Health School |
| 4. (12)6 | The University of Texas Speech and Hearing Institute at Houston | Speech and Hearing Institute |
| 4. (12)7 | The University of Texas School of Nursing at Houston | Houston Nursing School |

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| 4. (13) | The University of Texas Health Science Center at San Antonio | San Antonio Health Science Center |
| 4. (13)1 | The University of Texas Medical School at San Antonio | San Antonio Medical School |
| 4. (13)2 | The University of Texas Dental School at San Antonio | San Antonio Dental School |
| 4. (13)3 | The University of Texas Graduate School of Biomedical Sciences at San Antonio | San Antonio G.S.B.S. |
| 4. (13)4 | The University of Texas School of Allied Health Sciences at San Antonio | San Antonio Allied Health Sciences School |
| 4. (13)5 | The University of Texas School of Nursing at San Antonio | San Antonio Nursing School |
| 4. (14) | The University of Texas System Cancer Center | University Cancer Center |
| 4. (14)1 | The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston | M. D. Anderson |
| 4. (14)2 | The University of Texas Science Park | Science Park |
| 4. (15) | The University of Texas Health Center at Tyler | Tyler Health Center |

CHAPTER IX

ENACTMENT AND AMENDMENT

Sec. 1 Repeal of Existing Rules in Conflict Herewith.

- 1.1 All rules, regulations, orders, and resolutions heretofore enacted by the Board which are in conflict with these Regents' Rules and Regulations are hereby repealed.

Sec. 2 Format for Rules.

- 2.1 **The Regents' Rules and Regulations for the government of the System apply to and govern the Board and all employees and agencies directly under its control, the Chancellor, the System Administration of The University of Texas System, and the component institutions comprising The University of Texas System**
- 2.2 These Regents' Rules and Regulations are organized in two parts. Part One shall, in general, contain all rules and regulations other than those of a fiscal nature. Part Two shall consist, **in general,** of the fiscal rules and regulations of the Board.

Sec. 3 Official Copies.

- 3.1 The official copies of the Regents' Rules and Regulations and the Handbook of Operating Procedures for each component institution of the System shall be maintained on file in the Office of the Secretary to the Board.
- 3.2 **Copies of these Regents' Rules and Regulations and of the Handbooks of Operating Procedures shall be furnished to members of the Board and such other persons and offices as the Board shall designate.**

Sec. 4 Amendment of Rules and Regulations. -- The Regents' Rules and Regulations may be added to or amended by a majority of all of the members of the Board at any regular meeting or at any special meeting called for that purpose.

Sec. 5 Distribution of Amendments. --After any change in these Regents' Rules and Regulations, the Secretary to the Board shall conform the Official Copies and shall send corrected pages containing such changes for substitution in copies in the possession of members of the Board, administrative officers, or others on an official list in the Office of the Secretary to the Board.

Originals

RULES AND REGULATIONS
PART TWO

Proposed Revision

RULES AND REGULATIONS

OF THE

BOARD OF REGENTS

OF

THE UNIVERSITY OF TEXAS SYSTEM

FOR THE GOVERNMENT OF

THE UNIVERSITY OF TEXAS SYSTEM

PART TWO

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CHAPTER I

GENERAL

Sec. 1 Gifts to The University of Texas System.

- 1.1 The authority to accept gifts to the System or to any of the component institutions is vested in the Board.
- 1.2 Recommendations for the acceptance of gifts showing details as to value, form, stipulations regarding use, and provisions for custody and disbursement of funds shall be transmitted by the chief administrative officer to the Chancellor and by him, with recommendations, to the Board.
- 1.3 The authority to accept gifts to a component institution is delegated to the chief administrative officer when the gift is to a fund, foundation, or enterprise already approved by the Board or is a continuation of a series which has been previously approved by the Board. Each chief administrative officer is empowered to accept cash gifts to a component institution of the System of \$5,000 or less, within the policies of the Board and Legislature governing the acceptability of gifts, and to deposit such gifts to the appropriate accounts. All gifts (except those described in subsection 1.4 below) shall be reported by the dockets of each component institution as prescribed by the Board.
- 1.4 A quarterly report of such gifts of \$5000 or less showing name and address of donor, amount, purpose, and date of the gift shall be filed with the Board within thirty (30) days after August 31, November 30, February 28, and May 31 of each year. Such reports will summarize gifts of \$500 or less showing only total dollars and number of gifts.
- 1.5 Except as provided in the preceding sections, no member of the staff of any institution has the authority to accept gifts of money to the System or to any of its component institutions. Gifts to the component institutions of books or other objects of very small value and very obvious propriety, without conditions attached, may be accepted by individual members of the staffs provided these gifts are reported to the Board.

- 1.6 Neither the System nor any of its component institutions will accept a gift for the benefit of any designated student unless the donor is exempt from Federal Income Taxes as defined by the Commissioner of Internal Revenue.
- 1.7 The acceptance of gifts of real property is prohibited without prior express approval of the Legislature except for establishing scholarships, professorships, or other trusts for educational purposes, provided that such property will not thereafter require legislative appropriations for operation, maintenance, repair, or construction of buildings. (Current Appropriation Bill)

Sec. 2 Acceptance of Small Gifts. --The Board welcomes contributions, both large and small, in aid of the educational purposes of its various component institutions. Because of the high, and mounting, costs involved in the continued maintenance and servicing of individual accounts, practicality requires the establishment of policies with respect to the acceptance of gifts made for the establishment of permanent endowment funds. Accordingly, the following guidelines are hereby adopted with respect to the establishment hereafter of permanent endowment funds:

- 2.1 No gift of less than \$10,000 will be accepted as a separate permanent endowment.
- 2.2 ~~All gifts are subject to the ensuing provisions:~~
 - 2.21 Should the Board determine at any time that the fund is not of sufficient size, and has no foreseeable prospects of growing to sufficient size to justify the continuing costs of maintenance of such fund as a separate fund, then in the Board's discretion the principal of such fund may be expended for or otherwise devoted to the accomplishment, as near as may be possible, of the purposes for which the fund was established.
 - 2.22 A permanent register of Memorial Gifts shall be maintained at each component institution to record gifts, or where the gift or donation is not specifically directed to a component, the register shall be maintained by System Administration.

Sec. 3 Fellowships, Scholarships, and Loan Funds.

- 3.1 After gifts for fellowships, scholarships, and loan funds have been accepted by the Board, as indicated previously, they are administered jointly by designated committees and the business office of each component institution.

- 3.2 In the case of scholarships and fellowships, the appropriate committee, or designated individual, receives applications, makes the necessary inquiries, and determines the award. The committee advises the institutional head of the award and he, in turn, approves and forwards the notice of award to the business office. Payments on scholarships and fellowships are made through the business office of the component institution.
- 3.3 In the case of loan funds, the appropriate committee or designated person receives applications for loans, makes the necessary inquiries, and approves or declines the original loan as well as all renewals and extensions. The chairman notifies the business office of the granting of loans, and all records including notes, cash, accounts and collections are thereafter handled by that office. The principal of loan funds is kept intact insofar as possible. The chairman of the awarding committee may be requested by the business office to assist in collection of past due interest or principal.

Sec. 4 Endowment of Academic Positions.

- 4.1 **No endowment will be established or announced without prior approval of the Board, and no initial appointment of an individual will be made to an endowed academic position without prior approval by the Board via the Agenda. Subsequent successive appointments of the same individual to the same position may be approved via the Chancellor's Docket.**
- 4.2 **No negotiations or commitments implying the establishment of the endowment of an academic position will be undertaken by any faculty member or officer of the component institution until the proposal has been formally approved by the chief administrative officer.**
- 4.3 **Recommendations to the Board concerning acceptance of gifts for endowment of academic positions will be made through the Chancellor in the dockets of the several institutions or System Administration or in special reports by the Chancellor to the Board. Before the final action of the Board, such recommendations will be referred to the Land and Investment Committee as to fiscal arrangements and to the Academic and Developmental Affairs Committee as to policy.**
- 4.4 **The four categories of endowed and named academic positions are: Chairs, Professorships, Visiting Professorships, and Lectureships, and requirements for same are:**
- 4.41 **Endowed Chairs. The endowed chair will be established with a minimum of \$500,000 or the equivalent in annual contributions arranged according to agreements recommended by the**

Chancellor and approved by the Board. Grants of \$400,000 already under contractual agreement for the future, bequests included in wills made prior to January 25, 1975 and other prior bona fide arrangements for \$400,000 endowment chairs are excepted in this regulation. The component institution will pay from its funds such amounts as are necessary to set the salary of the occupant at a level commensurate with his or her record, experience, and position in the faculty. The endowment will be used both for salary supplementation and for other professional support of the holder of the chair, including assistance in the holder's research.

4. 42 **Endowed Professorships.** The endowed professorship will be established with a minimum of \$100,000 or the equivalent in annual contributions arranged according to agreements recommended by the Chancellor and approved by the Board. Income from endowment will be used chiefly to supplement the salary of the occupant of the professorship but will be available for other professional support, including assistance in the occupant's research.
4. 43 **Visiting Professorships.** The endowment of the visiting professorship specifies that such positions must be funded with a minimum endowment of \$50,000. Such appointments will be given to distinguished scholars who are in temporary residence at the component while participating in planned academic programs.
4. 44 **Endowed Lectureships.** The endowed lectureship will be established with a minimum of \$20,000 and within a range of \$20,000 and \$100,000, with the provision that all such lectureships for which bona fide arrangements are in negotiation are excluded from this regulation. The lectureship will be considered a temporary appointment, usually given to a visiting scholar during temporary residence at the institution where the lectureship is established. Other emoluments for such visiting lectureships may be provided the visiting scholar through regular budgetary procedures, but no visiting lecturer will be remunerated from two or more lectureship endowments.

Sec. 5 **Tuition and Other Fees.** -- Tuition fees and other charges will be fixed as prescribed or as authorized by statute, and will be set out in the institutional catalogue.

Sec. 6 **Fiscal Year.** -- The fiscal year of the System shall be September 1 through August 31.

Sec. 7 Policy Against Discrimination. --No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under, any program or activity sponsored or conducted by the System or any of its component institutions, on any basis prohibited by applicable law, including, but not limited to, race, color, national origin, religion, sex, or handicap.

Sec. 8 General Admission Policy.

- 8.1 The System will make maximum use of its resources, subject to the limited enrollment policy of the Board, to admit and educate as many qualified students as possible, consistent with accreditation standards and consistent with maintaining a high quality of education. Neither the faculty nor students of any component institution will solicit or recruit for admission to that institution any person who cannot meet the usual academic requirements for admission to that institution. Other than for the exceptions set forth in the General Appropriation Act, no funds appropriated by the Legislature, including local institutional funds, may be expended for the recruitment of students, whether qualified or unqualified. However, this provision does not prohibit the distribution of informational literature about an institution or a particular program in appropriate schools or among economic or social groups which might have a special interest in a particular institution or educational program. Such information might focus upon, but need not be limited to, programs for which there is a state-wide need for graduates. Nor does it prohibit visits by students, faculty members, or administrators, upon request, with groups of high school or college students or other groups interested in information on higher education, a particular institution, or particular programs when such visits are supported by funds from gifts and bequests.
- 8.2 All Texas resident applicants to medical schools within the System shall be notified of their eligibility to apply to the State Rural Medical Education Board for financial assistance pursuant to Article 4498 (c), Vernon's Civil Statutes. Article 4498 (c) authorizes the Rules Medical Education Board to make loans, grants or scholarships to medical students who are contractually obligated to practice medicine in rural areas of the State. The notification will also inform applicants that they may seek financial assistance from the State Rural Medical Education Board at any time during medical school should they subsequently determine that they desire to enter the practice of medicine in a rural area. The fact that an applicant has contracted for a loan, grant or scholarship from the State Rural Medical Education Board will be considered by the admissions committee in the overall consideration of the applicant.

Sec. 9 Admission of Nonresident Students. --No nonresident of the State of Texas shall be enrolled as a new or transfer student in any school, college, or degree-granting program at any component institution of the System when all of the three following conditions occur: (1) when there is a limitation on the number of students that will be enrolled in the class of which such nonresident would be a member if he were enrolled; (2) when the result of enrolling such nonresident would be to increase to greater than 10% the percentage of nonresidents enrolled in the class of which such nonresident would be a member if he were enrolled; and (3) when at the time of the proposed enrollment of such nonresident, admission to the school, college, or degree-granting program is being denied to one or more Texas residents who have applied for admission and who reasonably demonstrate that they are probably capable of doing the quality of work that is necessary to obtain the usual degree awarded by the school, college, or degree-granting program.

Sec. 10 Official Seal, Colors, Flag, and Mascot.

- 10.1 The official seal of the System shall be the seal held in the custody of the Secretary to the Board on which shall be inscribed "Seal of The University of Texas." The official seal of each component institution shall consist of the System seal with such heraldic variations as may be approved by the Board upon recommendation of the head of the component institution and the Chancellor. This official seal shall be used for the purpose of certifying diplomas, official transcripts for students and for such other official purposes as may be approved by the Board, by System Administration, or by the chief administrative officer of a component institution. Provided, however, that if any component institution has previously adopted and presently uses an institutional seal, such component institution may continue to use such seal in lieu of the seal hereby provided for. Provided further, however, no component institution shall use as its official seal that seal approved herein as the official seal of the System, unless the full title of the institution as designated in the Rules and Regulations of the Board, Part One, Chapter VIII, Section 4, is also used as an integral part of the seal.
- 10.2 The official colors for the System shall be orange and white; provided, however, that a component institution may adopt other colors to be used only in connection with athletic activities of the institution when approved by the Board upon recommendation of the chief administrative officer of the component institution and the Chancellor.
- 10.3 The Texas State Flag shall be designated as the official flag of the System, and the official flag of each component institution shall be the

Texas State Flag with a streamer with the official name of the component institution in white letters on an orange field. No component institution shall have or display as its official flag or as a flag representative or symbolic of the institution any other flag.

- 10.4 Each component institution may adopt a theme and a mascot to be used in connection with athletic activities, provided same is approved by the Board upon recommendation of the chief administrative officer of the component institution and the Chancellor.

Sec. 11. Appropriation Act Riders. --The System will comply with the provisions of the current General Appropriation Act insofar as applicable.

CHAPTER II

ACCOUNTING, AUDITING, REPORTING, AND BUDGETARY CONTROL

Sec. 1 Types of Funds.

1. 1 Current Funds.

1. 11 General. --General Funds are those unrestricted operating funds which are available for any purpose. Such funds are expended in accordance with the budgets and appropriations approved by the Board. General Funds balances shall not be reappropriated from one fiscal year to another unless specific approval is given by the Chancellor and the Board.
1. 12 Auxiliary Enterprises. --Auxiliary Enterprises Funds are those funds set aside for operating entities which exist to furnish specified services to students, faculty, or staff, and which charge fees that are directly related to the cost of the service.
1. 13 Designated. --Designated Current Funds are those funds designated for special activities by the System. The income and expenditures are ordinarily related to a particular department. Expenditures follow the same programs as are found in the General and Restricted Current Funds. Such funds are subject to the same budgetary restrictions as General Funds although balances are automatically reappropriated at the end of each fiscal year.
1. 14 Restricted. --Restricted Current Funds are those received from federal and local governments, state agencies, individuals, foundations, corporations, etc., or income derived from endowments, to be used only for a particular purpose or project, specified by the donor, such as research, conferences, scholarships, fellowships, etc. The period of use is usually designated in the agreement approved by the Board. The accounting for the funds will be on the accrual basis; however, in financial reporting, the amounts reported as revenues are limited to the expenditures. Unless otherwise specified, balances are automatically reappropriated at the end of each fiscal year.

- 1.2. Loan Funds. --Those funds that have been set aside for loans to be granted to students, faculty, or staff, including interest earned thereon.
- 1.3 Endowment and Similar Funds.
- 1.31 Endowment Funds. --Those funds that donors have stipulated, as a condition of gift, that the principal is to be maintained inviolate in perpetuity, or in the case of "term" endowments to be maintained inviolate for a specified term. All endowment funds are administered by the Office of Investments and Trusts of System Administration as provided in Part Two, Chapter IX of these Rules and Regulations.
- 1.32 Quasi-endowment Funds. --Funds functioning as endowment as a result of determination by the Board that they are to be retained and invested. All quasi-endowment funds are administered by the Office of Investments and Trusts of System Administration as provided in Part Two, Chapter IX of these Rules and Regulations.
- 1.4 Annuity and Life Income Funds. --Those funds acquired by the System subject to annuity contracts, living trust agreements, or gifts and bequests reserving life income to one or more beneficiaries. Such funds shall be administered by the Office of Investments and Trusts of System Administration.
- 1.5 Plant Funds.
- 1.51 Unexpended Plant Funds. --Funds specified by the Board or by external sources for the acquisition, construction, or improvement of physical properties to be used for institutional purposes.
- 1.52 Renewals and Replacement Funds. --Funds specified by the Board or by external sources to be used for the renewal and replacement of plant fund assets. A regular source for such funds shall be the portion of indirect cost allowances represented by use charges on buildings, other improvements and equipment allocated to sponsored programs. (See also Part Two, Chapter XI, Section 7).
- 1.53 Retirement of Indebtedness Funds. --Funds specified by the Board or by external sources to be set aside to meet debt service charges and the retirement of indebtedness on institutional plant assets. All such funds shall be administered by the Office of Investments and Trusts of System Administration.

1.54 Investment in Plant Funds.--Funds invested in physical properties to be used for institutional purposes.

1.6 Agency Funds.--Those funds received and held by the System as custodian or fiscal agent for others. Agency funds shall be expended in accordance with the limitations of the agency agreement.

Sec. 2 Accounting.

- 2.1 The financial records of the System shall be kept as nearly as practicable in accordance with the recommendations set forth in "College and University Business Administration, Third Edition," (1974) published by the National Association of College and University Business Officers. Where those recommendations conflict with statutes or with regulations of the Coordinating Board, Texas College and University System, the latter shall be controlling.
- 2.2 All accounting records and procedures shall be subject to the approval of the chief business officer and the Vice Chancellor for Business Affairs or his delegate.
- 2.3 The business office of each component institution shall be the central office for accounting control for all financial transactions of the institutions. The chief business officer shall confer with departmental and administrative officials and instruct them concerning the records of financial transactions to be kept by the departments, as indicated in the next subsection.
- 2.4 Each person directly responsible for a department or other administrative unit (hereinafter called "department head") shall keep an account of funds and property for which he is responsible, as detailed as necessary to supplement the business office records.
- 2.5 All expenditures must be in accordance with the approved institutional operating budget.
- 2.6 Statements of department or other administrative unit accounts shall be prepared monthly by the business office and shall be sent periodically to the department heads who will compare their records with those of the business office and report any differences promptly to the business office.
- 2.7 A person in each department or other administrative unit may be designated by the department head, with the approval of the chief business officer, to sign vouchers, requisitions, etc., in the absence

of the department head. These designations shall expire upon receipt of notification by the accounting office in writing from the department head or upon termination or transfer of the designee from the department.

Sec. 3 Auditing.

- 3.1 The chief business officer is initially responsible for the preaudit of all business transactions as a part of the regular accounting procedures of the business office and consistent with the system of internal control.
- 3.2 Postauditing shall be regularly performed with formalized audit programs developed by the chief business officer and the System Comptroller. Each institution is expected to maintain an internal audit staff to perform the basic postaudit functions and to augment the work of the System Comptroller's staff and the State Auditor, unless otherwise exempt from this requirement by the Vice Chancellor for Business Affairs.
- 3.3 The audit staff of the System Comptroller shall review and/or conduct postaudits of business activities at the component institutions. Such audits shall be conducted in accordance with accepted auditing standards, including necessary tests of the records. Written reports will be prepared for all such audits, calling attention to transactions which may not be in accord with legal requirements, System and institutional accounting principles, policies and regulations. The audit staff shall recommend corrective measures and procedures when appropriate.
- 3.4 The audit staff of the System Comptroller, in addition to the above duties, shall review the internal audit programs of the component institutions, and shall conduct procedural studies and make recommendations for effective, and insofar as practical, uniform systems of accounting and reporting for all component institutions of the System.
- 3.5 The State Auditor, under State law, is responsible for the external audit of the books of the System.

Sec. 4 Reporting.

- 4.1 All financial reports shall be prepared in accordance with the provisions of the statutes, official directives of the Coordinating Board, Texas College and University System, and directives of the Board, and in conformity with the manual, "College and University Business Administration, Third Edition," (1974) referred to above. The reports shall be prepared by the chief business officer and approved by the System Comptroller.

- 4.2 Two reports, both of which shall be prepared under the direction of the chief business officer and the System Comptroller, shall be prepared annually:
- 4.21 Annual Financial Report. --As required by law, printed financial reports, in the format recommended in "College and University Business Administration, Third Edition," (1974), or its successor publication, shall be filed with the Coordinating Board, Texas College and University System, and other State offices as specified by law.
- 4.22 Salary Payment Report. --On or before December 31, each year, an itemized report in format prescribed by System Administration shall be prepared of salaries and wages paid all employees for services during the preceding fiscal year out of any funds from any source or character under the control and/or custody of the Board, listing for each employee the total amount paid from each source during the twelve months of the fiscal year, the title of the position held or kind of service rendered. Copies of this report shall be furnished the Secretary to the Board, the System Budget Director, and the System Comptroller.
- 4.3 Monthly ~~financial~~ reports, in the form prescribed by the System Comptroller, shall be prepared by each institutional chief business officer and distributed to the ~~chief administrative officer~~, the Secretary to the Board, the System Budget Director, and the System Comptroller. Copies of such monthly reports, verified under oath, shall be furnished semiannually to the Governor.

Sec. 5 Operating Budgets.

- 5.1 Operating Budgets for all the component institutions shall be approved annually by the Board within the budget estimates of income prepared by the chief business officer and the chief administrative officer and approved by the Chancellor. ~~the System~~
- 5.2 General policies for the budget preparation shall be recommended by the Chancellor to the Board and shall be followed in preparing the budgets. Instructions for details of budget preparation shall be furnished to the ~~chief administrative officers~~ by System Administration.
- 5.3 The institutional chief administrative officer shall issue local instructions and shall furnish forms to the budget-recommending officials. Their recommendations for salaries, maintenance and operation, equipment, travel, and other pertinent items shall be reviewed by the chief administrative officer. The budget as finally recommended by the chief administrative officer shall be forwarded to the Chancellor for further review and recommendation to the Board.

- 5.4 Rules and procedures for budget administration shall be prepared by System Administration, approved by the Board, and shall be included in the completed budgets.
- 5.5 A copy of each budget, and any subsequent amendment thereto, shall be filed by the Secretary to the Board with the Legislative Reference Library to be available for public inspection, and also with such other State offices as required by law.

Sec. 6 Legislative Budget Requests.

- 6.1 Legislative budget requests, biennial or otherwise, as may be required shall be submitted to the Coordinating Board, Texas College and University System, to the Legislative Budget Board, and to the Executive Budget Office in the form and at the time prescribed.
- 6.2 These legislative budget requests shall be prepared in conformity with the same general procedures, as outlined above in Section 5, for the annual budgets in the following sequence:
 - 6.21 Approval of budget request writing policies by the Board upon recommendation of the Chancellor.
 - 6.22 Preparation of a recommended budget request of expenditures by the chief administrative officer in conformity with these policies.
 - 6.23 Approval of the completed budget request by the Chancellor and the Board.

CHAPTER III

RECEIPT, CUSTODY, AND DISBURSEMENT OF MONEYS; ABSENCE FROM USUAL AND REGULAR DUTIES INCLUDING TRAVEL

Sec. 1. Receipts, Admission Tickets, and Charges.

- 1.1 No department, division, or individual staff member is authorized to receive money in the name of a component institution of the System unless authorized by the chief business officer and chief administrative officer.
- 1.2 An official receipt in the form prescribed by the chief business officer shall be issued to payors for all moneys received unless the chief business officer has specifically authorized exceptions for certain types of collections.
- 1.3 All moneys received shall be recorded and handled under appropriate internal accounting controls.
- 1.4 Admission tickets, including complimentary tickets, shall have the price of admission indicated thereon, and all such tickets shall be prenumbered, except for certain events where the section, row, and seat number are shown. Admission tickets and coupon books shall be purchased for delivery to the institutional business office and issued to the department concerned. Unused tickets or books shall be returned along with a prescribed ticket report to the business office within 30 days from the date of the event, and a list showing the names of all persons receiving complimentary tickets shall be a part of the prescribed ticket report.
- 1.5 All unpaid (including complimentary, free, or discounted) charges for sales or service of auxiliary enterprises, organized activities, or service departments or similar activities shall be reported to and recorded by the chief business officer or his delegate under appropriate internal accounting controls. A list or other documentation showing the authorization and names of all persons receiving complimentary, free, or discounted goods or services and the values thereof shall be furnished the business office within 30 days from the date such

goods were issued or such services were rendered by any auxiliary enterprise, organized activity, or service department or similar activity.

Sec. 2. Deposits with Institutional Business Office.

- 2.1 Money received by all departments from all sources shall be deposited, using an official form, in the institutional business office, unless depositing directly to a special bank account has been specifically authorized by the System Comptroller. The deposits shall be daily if the receipts are \$50 or more, and weekly even if the accumulation is less than \$50. Except for mail deposits authorized under subsections 2.11 and 2.12, the deposit shall be made in person by a departmental representative to whom an official receipt is issued.
- 2.11 Mail deposits by on campus departments are authorized if the amount of each deposit is less than \$100 and does not contain cash (currency).
- 2.12 Mail deposits by off campus activities are authorized if such deposit does not contain cash (currency).
- 2.2 Departments or activities mailing deposits shall maintain adequate record of such deposits, including detailed description of negotiable instruments.
- 2.3 Cash overages or shortages shall be reported to the business office with each deposit. Cash overages shall be deposited in the business office.
- 2.4 Petty cash funds shall be provided only on approval of, and by arrangement of, the department with the chief business officer. Special petty cash fund bank accounts may be established only with the approval of the System Comptroller.

Sec. 3. Deposits with the State Treasurer.

- 3.1 The statutes and the current appropriation act require that all cash receipts of the general academic teaching institutions be deposited in the State Treasury with the exception of those from auxiliary enterprises, noninstructional services, matriculation fees collected in lieu of student activity fees, agency and restricted funds, endowment funds, student loan funds, and Constitutional College Building Amendment Funds.

- 3.2 Institutional receipts required to be deposited in the State Treasury shall be so deposited in the manner prescribed in the statutes and the current appropriation act.
- 3.3 Component institutions of the System are authorized by the current appropriation act to establish Revolving Funds under certain prescribed procedures to facilitate the payment of nominal expenses and to pay bills within cash discount periods, as well as for regular monthly payrolls, weekly, and special payrolls. Such Revolving Funds are authorized, subject to approval of the System Comptroller.

Sec. 4. Local Institutional Funds.

- 4.1 All local income not required to be deposited in the State Treasury, must by law be deposited in official depository banks for safekeeping.
- 4.11 Depository agreements with official depository banks shall be negotiated, as necessary, by the System Comptroller with those banks approved by the Board and in accordance with the then current policies of the Board. Such depository agreements shall be executed by the Chairman of the Board.
- 4.12 Requests for authorized signatures, or changes thereto, for bank accounts maintained in all depository banks, shall be forwarded to the System Comptroller, who, after review and approval, shall refer such requests to the Vice Chancellor for Business Affairs for notification of the banks concerned.
- 4.2 Depository banks selected shall furnish adequate surety bonds or securities to assure safety of these funds. Local funds shall be deposited in the depository banks as soon as possible, but in no event later than seven days from the date of collection. Demand deposits and time deposits will be maintained in accordance with the current policies of the Board.
- 4.3 The Board and the chief administrative officers may not, by law, borrow money from any person, firm, or corporation to be repaid from local funds except as specifically authorized by the Legislature.
- 4.4 Interest on Time Deposits. --As permitted by statute, interest received from depository banks for funds on time deposit shall be credited to appropriate accounts in either general funds or trust funds in relationship to the sources of balances on time deposit, provided that disposition of such earning was not specified by the grantor. Interest received from Current Restricted funds (Trust Funds) time deposits shall be subject to further appropriation or transfer by the Board for any lawful purpose.

Sec. 5. Vouchers for Expenditures.

- 5.1** Properly approved and fully supported vouchers are the authorization for cash disbursements.
- 5.11** The Chairman of the Board or his delegate or the chief administrative officer or his delegate must approve all vouchers. One of these delegates shall be the chief business officer who shall select the other delegates from his staff. Such approval is based upon satisfactory supporting documentation evidencing that goods or services were properly ordered, that the vendor has submitted invoice and certification, and that the goods or services have been received by the institution and are acceptable to the requisitioning department.
- 5.2** Appropriate internal accounting controls shall be exercised over the vouchering and disbursement procedures.
- 5.21** To the extent that centralized receiving facilities are available, delivery of all purchased supplies, materials, and equipment should be received at a centralized location under the direction of the chief business officer.
- 5.22** Vouchers should be prepared centrally in the business offices of those component institutions having centralized receiving operations.
- 5.3** Vouchers are to be coded in the business offices within the approved expenditure codes, and if payable by warrant drawn by the State Treasurer, with the proper expenditure classifications furnished by the State Comptroller, as well as complying with other current requirements of the State Comptroller and the State Board of Control.

Sec. 6. Cash Discounts. --The accounting procedures should be designed to assure realization of advantageous cash discounts allowed by vendors.

Sec. 7. Outstanding Checks. --Outstanding checks shall be carried on the official accounting records for the two fiscal years following the year in which they are issued.

Sec. 8. Institutional Membership Dues. --General funds of the System may be used to pay membership fees only in educational, scientific, or other associations, in which the System, or a component institution thereof, is an institutional member, with memberships approved by the chief administrative officers. Such other approvals as may be required by law shall also be secured.

Sec. 9. Payrolls.

- 9.1 There are three general types of payrolls, those for (1) regular monthly salaried employees; (2) weekly salaried employees; and (3) hourly salaried employees.
- 9.2 All payrolls shall be prepared or verified in the business office from regular budgets, appointment documents, authorizations, time cards, or other documentation, and approved by the chief business officer or a person designated by him.
- 9.3 If payment for regular salaried employees is for less than a month, the salary calculated shall be figured proportionately on the basis of the actual number of working hours in such month.
- 9.4 Deductions for income tax, retirement, social security, and programs authorized by the Board, such as group insurance, are made where applicable on all payrolls.
- 9.5 Dates for distribution of salary checks vary at the component institutions and will be announced by the respective business offices.

Sec. 10. Absence from Usual and Regular Duties, Authorization for Absence, Including Travel, and Travel Expense Reimbursement.

- 10.1 Approvals of travel shall not be routine or perfunctory, but shall be made only after the chief administrative officer or his authorized representative have carefully examined the purpose and need for each trip with a view to the economic and effective utilization of all travel funds.
- 10.2 Approvals of travel by the chief administrative officer or his authorized representative shall be made only:
- 10.21 When such travel is on state business, which shall include among other purposes, the formal presentation of original research by an employee before a national, international, regional, or state learned society; and
- 10.22 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution.
- 10.3 Authorization for Absence for Staff Members Whose Regular Duties Do Not Require Travel. -- Authorization for absence from usual and regular duties, including travel from the city or town where the officer or

employee is regularly stationed, will be granted by the Board, or by the administrative officer as hereinafter delegated by the Board, only in advance, as follows:

- 10.31 Requests for authorization to be absent for a period not in excess of two weeks (fourteen calendar days) shall be transmitted through proper administrative channels to the chief administrative officer of the component institution for approval.
- 10.32 Requests for authorization to be absent for a period in excess of two weeks, but not in excess of twenty-nine days, including travel on official business, shall be transmitted through proper administrative channels to the Chancellor for approval prior to such absence.
- 10.33 Requests for authorization to be absent for a period in excess of twenty-nine days, (excluding holidays approved by the Board), including travel on official business, shall be transmitted through proper administrative channels to the Chancellor for approval prior to such absence. Such approvals are to be reported in the regular dockets of the institutions affected.
- 10.34 Requests for authorization to be absent by the administrative officers and staff of System Administration shall be approved by the Chancellor.
- 10.35 Any travel that contemplates reimbursement from funds appropriated by the Legislature for travel expenses incurred must have the advance written approval of the Governor, with the exception of travel to, in, and from the several states, United States possessions, Mexico, and Canada.
- 10.36 In lieu of any of the delegations of authority to approve absence from usual and regular duties, including official travel, specified in the above subsections, the Chancellor may exercise such authority.
- 10.37 The chief administrative officers of the component institutions shall keep records of all approved absences which shall be available for review by the Chancellor and the Board, or their delegate.

10.4 Travel Expense Reimbursements.

- 10.41 Travel expenses shall be reimbursed only from funds appropriated or authorized for travel. The chief administrative officers shall plan the travel of all employees under their authority to achieve maximum economy and efficiency.
 - 10.411 Each travel voucher submitted for reimbursement shall include such a description as to identify persons or places contacted and/or the nature of the

official business of the State performed within the legal responsibilities of the institution.

When recruiting of faculty and staff is involved, names of persons contacted are required.

- 10.412 In submitting travel vouchers for payment from funds in the State Treasury, component institutions should recognize the regulations of the State Comptroller with respect to such claims.
- 10.42 Travel vouchers for reimbursement of all official travel authorized pursuant to the foregoing provisions shall be approved and signed as follows:
- 10.421 System Administration - Reimbursement for all travel by employees of the System Administration shall be approved either by the Chancellor or his delegate, or the Director of Accounting, or Assistant Director of Accounting of The University of Texas at Austin.
- 10.422 Component Institutions - Reimbursement for all travel by employees of the component institutions shall be approved either by the Chancellor or by the institutional administrative officers designated below:
chief administrative officer or
chief business officer or other
senior administrative or fiscal
officers as may be delegated in
writing by the chief administrative officer and the chief business officer. Such delegations shall be approved by the Chancellor and filed with the Secretary to the Board and the State Comptroller of Public Accounts, together with the names of the individuals occupying the positions named.
- 10.43 Allowances for Meals and Lodging (Including Per Diem), Transportation and Related Expenses. --Provisions of the applicable current appropriations act and the Travel Regulations Act of 1959 (Article 6823a VTCS), as amended, shall govern such allowances.
- 10.431 Exceptions to Per Diem Allowance--
- 10.4311 Chief administrative officers shall be reimbursed for their actual meals, lodging, and incidental expenses (exclusive of expenses

related to motor vehicles for which transportation is paid) when traveling on official business either in or out of state.

10.4312 Partial Per Diem Allowance for Meals and Lodging. --An employee who is traveling on official University business for a continuous period of a minimum of six (6) hours but less than twenty-four (24) hours which does not involve over-night stay will be reimbursed a partial per diem for meals in lieu of actual expenses, for both in-state and out-of-state travel. System Administration shall prescribe such reimbursement within the limitations established by the current appropriations act.

10.4313 In addition to employees, these provisions apply to reimbursement of travel expenses for prospective employees as provided in the statutes.

10.432 Reimbursement for Dues or Membership Fees. -- Reimbursement will not be allowed for dues or membership fees incurred in joining or attending any type of organization or association unless the membership is in the name of the State of Texas and/or the System or a component institution thereof. Such dues or membership fees will not normally be included for reimbursement on a travel claim, but will be separately approved and paid. (See Section 8.)

10.44 Special Exceptions to Foregoing Travel Provisions. -- The foregoing provisions apply to all employees and all funds but employees may elect to take advantage of the specific exceptions authorized below:

10.441 Contracts. --Travel allowances under research or other contracts, which are 100 percent reimbursable, will follow the terms of the contract, and in the absence of specifications the travel rules and regulations covering payments from gifts, grants, and designated funds will apply.

10.442 Gifts, Grants, and Designated Funds. --Reimbursement of travel expenses paid from Gifts, Grants, and Designated Funds will be as follows:

- (a) For grants from or derived from Federal or State agencies, travel allowances shall be paid as specified in the foregoing provisions.
- (b) For other gifts, grants, trust or designated funds, travel allowances may be for actual expenses

for meals, lodging and airport parking, not to exceed \$40 per day. The transportation allowances will be as specified in the foregoing provisions.

The provisions of both (a) and (b) above are subject to the terms, provisions and conditions of the particular gifts, grants, or funds involved. Further exceptions to these provisions may be in accordance with specific authorization by the Board with certain designated funds. Likewise, when anticipated living costs are unusually low for those engaged in travel, the person authorizing the travel may reduce the allowance for all or any part of the travel, provided that the employee shall be notified of such reduced allowance before being allowed to incur any expense. When not otherwise prohibited by the terms of the gift or grant, employees may also be reimbursed for required registration fees or similar expenses incurred in attending meetings of organizations or associations. Receipts for lodging, registration fees, or similar expenses shall be obtained and attached to the expense voucher. Project Directors, Principal Investigators, Departmental Chairmen, or other authorized personnel under a gift or grant who travel in their personally owned airplanes on necessary official business may be reimbursed at the rate of twenty-three cents (23¢) per highway mile for in-state travel. The same rate shall apply to out-of-state travel, subject to the limitation that the mileage reimbursement shall not exceed the amount equal to the number of persons flying by private plane times the lowest available airline fare.

- 10.443 Intercollegiate Athletics.--Actual expenses will be paid at no per diem limit, provided such expenditures in the amount of \$4.00 or more are supported by signed receipts.
- 10.45 Travel Advances.--As provided by statute, the System, including component institutions may establish procedures for making advances for travel expenses incurred by employees in the exercise of their official duties. Any such procedures established shall be in accordance with the statute, based on guidelines provided by the State Comptroller, and provide for prompt recovery of any such advances.
- 10.46 Institutional Travel Regulations.--Component institutions shall issue institutional travel regulations to implement the provisions

of this Section 10.4 for guidance of all personnel concerned. Copies of all such regulations shall be filed with the System Comptroller, who shall also issue clarifying instructions as appropriate.

Sec. 11. Insurance on Money and Securities; Fidelity Bonds.

- 11.1 Insurance on Money and Securities. --As approved by the Board, the System carries a blanket System-wide policy insuring against loss of money or securities at any of the component institutions. The premium paid by each institution is separately computed and is based on the coverage applicable at each institution. At the time any loss occurs at any institution, the Vice Chancellor for Business Affairs shall be notified by the appropriate chief business officer and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board. Money and Securities coverage may be combined with the blanket position fidelity bond.
- 11.2 Fidelity Bonds.
- 11.21 As approved by the Board, the System shall carry a blanket position (fidelity) bond that shall cover employees of all component institutions. All employees shall be covered in the amount of not less than \$5,000 each. For total coverage in excess of \$10,000, approval of the State Auditor is necessary.
- 11.22 The Secretary of State and the State Comptroller of Public Accounts shall be each furnished with an original of the bond.
- 11.23 The premium for the bond is prorated to the component institutions on the basis of the number of employees covered for which a premium charge is made and the excess coverage thereon.
- 11.24 At the time a loss occurs, the Vice Chancellor for Business Affairs shall be notified by the chief business officer and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board.
- 11.25 The blanket position fidelity bond coverage may be combined with money and securities coverage.

CHAPTER IV

PURCHASING

Sec. 1 Authority to Obligate Institutional Funds. --The official purchasing agents of the component institutions shall have sole authority to obligate institutional funds for purchases of supplies, materials, services, and equipment unless otherwise provided in these regulations or otherwise specifically approved by the component chief administrative officer and the Chancellor or by the Board. No liability can be assumed for payment of obligations except those incurred in accordance with authority thus granted.

Sec. 2 Purchasing Ethics.

- 2.1 First consideration shall be given to the objectives and policies of the System and its component institutions.
- 2.2 Every effort shall be made to obtain the maximum ultimate value for each dollar of expenditure.
- 2.3 Honesty in sales representation shall be demanded, whether offered through the medium of oral or written statement, an advertisement, or a sample of the product.
- 2.4 Purchasing agents and their staffs and others authorized by or under these regulations to make purchases shall not accept personal gifts or gratuities that might in any way result in an obligation to individuals or firms seeking business.
- 2.5 All qualified, reputable bidders shall be given equal opportunity to submit bids on a uniform basis when competition is possible.
- 2.6 No bidder shall receive special consideration or be allowed to revise his bid after the time set for opening bids.
- 2.7 Any violations of these purchasing ethics shall be reported promptly by the chief business officer to the Chancellor.

Sec. 3 Contacts with the State Board of Control. --All contact, whether oral or written, with the State Board of Control and with vendors are handled through the official purchasing agents and the divisions, departments, or offices to whom the purchasing function has been specifically delegated, unless advance written authorization is obtained from the purchasing agent or the chief business officer for other persons to do so.

Sec. 4 Purchases of Supplies and Equipment.

4.1 Unless otherwise provided in these Rules and Regulations or specifically approved by the Board, the State Purchasing Act of 1957 shall govern the purchasing policies of the System.

4.2 Under the provisions of the State Purchasing Act of 1957, purchases of the following items may be made without approval of the Board of Control:

- (a) Supplies, materials, services, and equipment for resale.
- (b) Supplies, materials, services, and equipment for Auxiliary Enterprises.
- (c) Supplies, materials, services, and equipment for Organized Activities Relating to Educational Departments.
- (d) Supplies, materials, services, and equipment purchased with gift and grant funds, including contract funds.

Sec. 5 Purchasing Procedures.

5.1 The official purchasing agent of each component institution shall promulgate procedures to facilitate and expedite the purchasing function. Such procedure shall be developed in accordance with sound business practices and applicable state law. Purchasing procedures shall be implemented only after review and approval of the chief business officer.

5.2 Closed or noncompetitive specifications shall not be used except in unusual instances clearly justified as being essential to efficient operating performance. Reports of all such exceptions shall be maintained by the chief business officer.

Sec. 6 Space Leases.

6.1 Space leases involving buildings and paid from State appropriations must, by law, be approved by the State Board of Control and may not extend beyond a ten-year period.

6.2 Proposals for space leases require the advance approval of the Vice Chancellor for Business Affairs. Lease contracts drawn in accordance with such approval shall be executed by the Vice Chancellor for Business Affairs, or his delegate, and submitted for ratification by the Board through the institutional docket.

6.3 A proposal shall be approved and the lease completed prior to occupancy of any space for office, storage, or other purposes. The proposal must show type of space and purpose of its use, approximate number of square feet, location, whether janitor service and/or utilities will be furnished by the lessor, period of lease, and any other requirements.

Sec. 7 Purchases from Employees. -- Purchases are not permitted from any officer or ~~employee of the System unless the cost is less than that from any other~~ known source and until approved by the component chief administrative officer, the Chancellor, and the Board. Details of such transactions shall be reported in the dockets or Minutes of the Board.

CHAPTER V

PERSONNEL

Sec. 1 Classified Personnel. --The Policy of the Board on the Development and Coordination of the Classified Personnel Programs is and includes:

1.1 System Personnel Director.

The System Personnel Director serves as an administrative officer advising the Vice Chancellor for Business Affairs.

1.2 The development and coordination of the System-wide Classified Personnel Program.

1.21 The Classification Plan.

- 1.211 Coverage. --The Classified Plan of the System shall include all positions which do not entail significant instructional responsibilities or responsibilities for the administration of instructional or research organizations. The chief administrative officer or his delegate of each component institution shall determine the inclusiveness of the Classification Plan within this general definition.
- 1.212 Type of Plan. --Uniform use shall be made of the job grading procedure method system of job evaluation. Job descriptions shall be prepared according to the Procedure for Writing Job Specifications provided by the System Personnel Office.
- 1.213 Job Titles. --Standardized job titles shall be used for similar job classes common to two or more of the component institutions in order that a particular job title shall describe similar work to the extent possible. Classes unique to a component institution shall have suitable descriptive titles.
- 1.214 Job Code. --A uniform job code shall be used to designate job classes.
- 1.215 Job Descriptions. --Standardized job descriptions shall be used for similar job titles common to two or more component institutions when practicable.

- 1.22 **The Pay Plan.**
 - 1.221 A uniform system of salary steps providing for an increase of approximately 3.4 percent, to the nearest dollar, above each preceding step shall be used for all pay plans. All salaries shall be on salary steps, or a fractional part thereof.
 - 1.222 A System-wide Personnel Pay Plan setting forth the salary ranges for each job classification shall be utilized encompassing the salary ranges reflected in the component unit pay plans.
 - 1.223 A classified employee appointed to a part-time paid teaching rank shall be paid at the rate applicable to each position.
 - 1.224 Salary ranges for each job classification shall be dependent upon the competitive labor market situation for each institution.
- 1.23 **The Policies and Rules.**
 - 1.231 Each institution shall operate its Classified Personnel Program under a policy statement covering the appointment, compensation, and working conditions of classified employees.
 - 1.232 Formal approval of the policies and rules developed by each institution was obtained from the Board at the time each program was formally adopted.
 - 1.233 Changes in the policies and rules require the approval of the chief administrative officer or his delegate, the System Personnel Director, and the Vice Chancellor for Business Affairs.
 - 1.234 Uniform policies shall be followed in providing vacation, sick leave, etc., within the limitations imposed by local operating conditions.
- 1.24 **Approval of additions to and changes in the Classified Personnel Program.**
 - 1.241 Formal approval of the Classification Plan and System-wide Personnel Pay Plan, including annual revision thereto, is obtained annually from the Board. Such approval shall be secured prior to the effective date of the plan.
 - 1.242 Changes in the Classification Plan and System-wide Personnel Pay Plan involving the following require only the approval of the chief administrative officer or his delegate, the System Personnel Director, and the Vice Chancellor for Business Affairs.

- (a) Type A. Adjustment of a salary range in a component unit plan within the established System-wide salary range, which when approved, will not change the System-wide Personnel Pay Plan in any way.
- (b) Type B. Adjustments to the component unit personnel pay plan, which when approved, will change the System-wide Personnel Pay Plan in some way.
 - (1) Deletion of Title
 - (2) Change in title only
 - (3) Change in code number only
 - (4) Addition of a title to a component unit pay plan that is in the System-wide Plan and the salary range requested is within the established System-wide salary range.

1.243 Changes in the Classification Plan and System-wide Personnel Pay Plan involving the following must have approval of the chief administrative officer or his delegate, the System Personnel Director, and the Vice Chancellor for Business Affairs. In addition, such changes require ratification of the Board through the docket procedure.

- (a) The addition of a title to a component unit pay plan which is not included in the the System-wide Plan.
- (b) The addition of a title to a component unit pay plan which is included in the System-wide Plan, but the salary range being proposed is not within the established System-wide salary range.
- (c) Adjustment of a salary range in a component unit pay plan that would change the established System-wide salary range.

1.25 Institutional Personnel Officer.

1.251 The chief business officer of each institution shall designate an institutional personnel officer to be responsible for the development and operation of the Classified Personnel Program.

1.252 Functional direction and help on technical personnel matters shall be provided each institutional personnel officer by the System Personnel Director.

Sec. 2 General Personnel.

2.1 Leave for Military Duty.

- 2.11 A leave of absence not to exceed fifteen working days in any one calendar year is granted faculty or staff members who, as members of the National Guard or Official Militia of Texas or members of any of the Reserve Components of the Armed Forces, shall be engaged in authorized training or duty, ordered or authorized by proper authority. During such periods, the employee is absent without loss of efficiency rating, vacation time, or salary, and when relieved from military duty, is restored to the position and status he previously held.
- 2.12 A leave of absence with full pay shall be provided any employee who is called to active duty with the National Guard by the Governor of Texas. Such leave shall in no way be charged against the employee's vacation or sick leave privileges.
- 2.13 The chief business officer of each institution may prescribe forms and procedures for such leaves.

2.2 Maternity Leave

- 2.21 Any employee, whether faculty, classified, or administrative, who expects to be, or who becomes temporarily disabled due to pregnancy, or a pregnancy related illness, may request and receive a leave of absence without pay for a "reasonable period" of time, provided the request is made under the following terms and conditions:
- 2.22 If possible, the employee must notify the department head at least three (3) months prior to the beginning date for the maternity leave.
- 2.23 The employee and the department head will submit a request to the chief administrative officer through channels. The request will include a statement, from the department head, detailing the manner in which the responsibilities of the employee will be assumed. A statement encompassing the details of a maternity leave shall be entered in the remarks section of the appropriate personnel action form.
- 2.24 "Reasonable period," as used herein, shall normally not exceed six (6) months, provided the six (6) month period may be extended upon proper medical evidence.
- 2.25 Accrued sick leave and vacation leave shall be granted in conjunction with maternity leave and shall be governed by the current law and policy on sick leave and vacation leave. Also, vacation leave and sick leave do not accrue while on maternity leave.

- 2.26 An employee, returning from temporary disability leave, shall have the right to return to the former position or to a position of like nature and salary class.
- 2.27 The employee will furnish a statement from a duly licensed physician certifying that the employee is medically capable of resuming normal working duties.
- 2.28 In the case of faculty on maternity leave, the date for return to work will coincide with the beginning of the next semester, following the period of absence, if the chief administrative officer determines that such beginning date is necessary in order to obtain a temporary replacement or to maintain the integrity of the academic program of the institution.
- 2.29 A replacement may be provided on a temporary basis during the absence of an employee on maternity leave.

2.3 Overtime.

- 2.31 The schedule of activities shall be so organized that employees are not required to work in excess of established work periods except when operating necessities demand it. Any overtime services actually required must have the advance written approval of the chief administrative officer or the chief business officer, or both.
- 2.32 With the exception of professional medical personnel and bona fide executive, administrative, and professional positions, regular, full-time employees required to work in excess of forty hours per week shall be compensated for such overtime either:
 - 2.321 By receiving equivalent time off during the same biennium in which the overtime was accrued. If possible, the equivalent time off should be granted within the same pay period in which the overtime was accrued; or
 - 2.322 In cases where granting compensatory time is impracticable, by receiving pay equivalent to one and one-half times the regular rate of pay.
- 2.33 Compensatory time for those employees excepted from this provision, shall be determined by the chief administrative officer of the institution involved.
- 2.34 Institutions paying overtime shall maintain a monthly record of overtime paid indicating the number of employees so compensated and the total amount paid.

2.4 Patent Policy.

- 2.41 Statement of Basic Philosophy and Objectives.
While the discovery of patentable processes or inventions is not the primary objective of the System, for any such discoveries made, it is the objective of the Board to provide a patent

policy which will encourage the development of such inventions for the best interest of the public, the inventor, and the sponsor whenever an invention occurs, and will permit the timely disclosure of any patentable discoveries, whether by patent, publication or both. The policy is further intended to protect the respective interests of all concerned by ensuring that the benefits of patents accrue to the public, to the inventor, to the System and to sponsors of specific research in varying degrees of protection, monetary return and recognition, as circumstances justify or require.

2.42

General Policy.

2.421 The patent policy as adopted shall apply to all persons employed by the component institutions of the System, to anyone using System facilities under the supervision of System personnel, and to postdoctoral and predoctoral fellows.

2.422 It is the intent of this policy to permit staff members maximum freedom in respect to their findings, consistent with their obligations to the System. Any person affected by this policy who, as a result of his or her researches makes a discovery, other than on certain government or other sponsored research projects, where individual grant agreements provide otherwise, should retain the ultimate right to decide how it is to be made public--by publication, by patenting, or both.

2.423 Property rights in inventions will be based on the degree of System support, as hereinafter specified.

2.424 The System will provide patent review and management services either by its own staff, through a related Foundation, or by other means.

2.425 It is a basic policy of the System that patents be developed primarily to serve the public interest. This objective usually will require patent development by non-exclusive licensing but the public interest may best be promoted by the granting of a limited exclusive license or even an exclusive license for the period of the patent. These determinations will be recommended and made in accordance with the administrative procedures hereinafter set out and with the approval of the Board.

2.43

Institutional Patent Committees and System Patent Office.

2.431 Patent Committees: To help administer the patent policy at each component institution and to make

recommendations to chief administrative officers for further referral to the Chancellor and Board (in those cases when action by the Chancellor and/or the Board is required), Institutional Patent Committees shall be established as directed by the Chancellor.

- 2.432 System Patent Office: To assist the Institutional Patent Committees to provide technical advise to individual faculty and staff members in patent matters, and to coordinate details in respect to patent procedures, a System Patent Office shall be established.
- 2.44 Classification of Discoveries by Source of Research Support.
 - 2.441 The patentable idea has developed as a result of the individual's efforts on his own time, with no direct System support or use of System facilities.
 - 2.442 The patentable idea has resulted from research performed by the individual on System time, with support by State funds, or using System facilities.
 - 2.443 The patentable idea has resulted from research supported by a grant or contract with the Federal Government or an agency thereof, or with a non-profit foundation, or by a private gift to the System.
 - 2.444 The patentable idea has resulted from research supported by commercial concerns or industry.
- 2.45 Property Rights and Obligations:
 - 2.451 Patentable ideas developed on an individual's own time and without direct System support or use of System facilities (see 2.441) are the exclusive property of the inventor, and the System has no interest in any patent obtained, and no claim to any profits resulting therefrom. Should the inventor choose to offer his invention to the System, the Institutional Patent Committee shall recommend as to whether the System should support and finance the patent application and manage the patent development. If the inventor makes his offer after obtaining the patent, the Institutional Patent Committee shall recommend as to whether the System should reimburse the inventor for his expenses in obtaining the patent. If the Patent Committee recommends and the invention is accepted for patent management by the System, the procedures to be followed and the rights of the parties shall be those set out in Sub-section 2.4524 following.

2.452 Patentable ideas resulting from research performed on System time, with support by State funds, or using System facilities (see 2.442).

2.4521 The inventor may choose to publish the details of his research and not to patent.

2.4522 Before or after publishing, if the inventor decides to patent ideas resulting from research done on System time, with support by State funds, or using System facilities, he shall submit such ideas to the Institutional Patent Committee for determination of the System's interest. In those instances, however, where delay would jeopardize obtaining the patent, the inventor may, with the approval of the Chairman of the Institutional Patent Committee and the chief administrative officer, file the patent application prior to the Committee and administrative review provided in the following two subsections. If the request is granted, the inventor may proceed with the filing of his patent application pending the determination of the System's interest as provided therein; provided, however, that the inventor shall be reimbursed for his expenses in filing the patent application if the decision of the System is to assert and exploit its interests. The Chairman of the Institutional Patent Committee shall notify the System Patent Office of any such application.

2.4523 If the Institutional Patent Committee recommends that the System not assert and exploit its interest, and that recommendation is approved by the System Patent Officer and the Chancellor, the inventor shall be notified within ninety (90) days of the date of submission that he is free to obtain and exploit a patent in his own right and the System shall not have any further rights, obligations or duties thereto. (In some instances, the Committee may elect to impose certain limitations or obligations, dependent upon the degree of System support.)

2.4524 If the System decides to patent and assert and exploit its interest, it shall proceed either through its own efforts or those of a patent agent to obtain and manage the patent. The division of royalties or other income, patenting and licensing costs first being recaptured, shall be as follows:

0 - \$ 5,000 / 75% to Inventor
25% to System

5,000 - 10,000 / 50% to Inventor
50% to System

above - 10,000 / 25% to Inventor
75% to System

The division of royalties and other income from patents managed by a patent agent will be controlled by the System's agreement with such agent, as approved by the Board. Any other deviation from this rule requires the prior approval of the Board.

2.453 Patentable ideas resulting from research supported by a grant or contract with the Federal Government, or an agency thereof, or with a non-profit foundation or by a private gift to the System (see 2.443).

2.4531 Administrative approval of application requests to, and acceptance of grants or contracts with, the Federal Government, or any agency thereof, or with a non-profit foundation or a private donor, implies a definite decision that the value to the System of receiving the grant or performing the contract outweighs the impact of any resulting change in the basic patent policy of the System.

2.4532 The patent policy of the System is subject to, and thus amended and superseded by, the specific terms pertaining to patent rights included in Federal grants and contracts, or grants and contracts with non-profit foundations or private donors, to the extent of any conflict.

2.4533 In those instances where it is possible to negotiate System-wide patent agreements with the Federal agencies or non-profit

foundations or private donors and thereby obtain more favorable treatment for the inventor and the System, every effort will be made to do so after consultation with the Institutional Patent Committees and the chief administrative officer.

- 2.454 **Patentable ideas resulting from research supported by a grant or contract with commercial concerns and industry. (see 2.444)**
- 2.4541 The System recognizes the academic advantages which can come from close scientific cooperation between the research staffs of the System and the research staffs of industry.
- 2.4542 The provisions of joint research arrangements with industry shall take into account (a) the extent of the industrial participant's contribution of funds and other services, including unique knowledge; (b) the import of the joint effort to the research and educational program of the System; (c) the protection of the personal achievements of the System participant or participants; and (d) most importantly, the interests of the State and its citizens who provide basic fiscal support.
- 2.4543 Balancing the equities between these different interests may require the joint arrangement to contain provisions for (a) non-exclusive licensing; (b) granting exclusive information prior to publication or patent application; (c) royalty free non-exclusive license; (d) exclusive license for some limited period of time; (e) exclusive license for the life of the patent; or (f) such other provisions as will properly equate the equities involved, including the right of the System to terminate an exclusive license upon failure of the industrial participant to develop or exploit the invention in a manner which will enhance the interests of the public.
- 2.4544 All such arrangements or contracts with industrial participants shall be approved

in advance by the Institutional Patent Committee and recommended and approved by the chief administrative officer, the Chancellor, and the Board.

- 2.46 Any agreement altering the basic patent policy of the System as set out in the preceding sections shall have the advance approval of the Patent Committee, the chief administrative officer, Chancellor, and the Board.
- 2.47 **University Income from Patents.**
The portion of the net income the System retains from royalty or other patent-related income shall be used first to defray the expenses of the System Patent Office, if any, and thereafter, as approved by the Board, for research purposes at the component institutions where the invention originated.
- 2.48 **Implementation of Revised Patent Policy.**
A Patent Procedures Manual shall be developed to provide more detail as to procedures to be followed under the various provisions of this policy.

Sec. 3 Certain Provisions in Current Appropriation Act. --The Rules and Regulations of the Board are subject to and shall comply with the provisions appearing in the current Appropriation Act, including the following pertaining to personnel:

- 3.1 **Use of Alcoholic Beverages.** --"None of the moneys appropriated under this Act shall be used for the payment of salaries to any employee who uses alcoholic beverages while on active duty. None of the funds appropriated under this Act for travel expenses may be expended for alcoholic beverages."
- 3.2 **Advocating Overthrow of the Government.** --"None of the funds appropriated to the agencies and institutions of higher education enumerated in this Act shall be expended in payment of salary or other compensation of any faculty member or employee who advocates the overthrow of the Government of the United States of America, or of any State, by force, violence or any other unlawful means."

Sec. 4 Employee Training, Education, and Development.

- 4.1 The Texas State Employees Training Act of 1969, Chapter 283, Acts of the 61st Legislature, Regular Session, 1969 (Article 6252-11a, Vernon's Texas Civil Statutes), recognizes that the State departments and other State institutions, including the System, must develop a more

comprehensive Training Program as an integral part of a successful personnel program. The System Personnel Director, as delegated by the Vice Chancellor for Business Affairs, is responsible for promulgating the necessary policies and procedures for implementation of the State Employees Training Act, consistent with the guidelines already approved by the Governor of the State of Texas and the Regents' rules.

- 4.2 Through implementation of the State Employees Training Act, the System will provide programs that will greatly benefit most employees. In addition, the use of various types of training programs will also encourage the initiative of young, talented employees and stimulate and motivate less productive employees. Organized training programs will, moreover, help identify those employees who are willing to exercise their initiative and prove their performance and also find the areas where employees are resisting change and improved procedures and programs.
- 4.3 The following general objectives of the overall training effort will lead to the System's gaining more efficiency and economy in its overall personnel program:
- 4.31 Developing well trained staffs, both professional and supportive;
 - 4.32 Assisting all employees toward achieving their highest potential usefulness;
 - 4.33 Motivating employees and stimulating a sense of participation and involvement;
 - 4.34 Insuring that the System receives a fair return on its investment in training and education.
- 4.4 The program elements for this general training program are:
- 4.41 Identifying staff members who need staff development in order to determine the exact kind and scope of program needed;
 - 4.42 Training individuals for current assignments and developing them for future assignments, as a means of improving the quality and quantity of work done;
 - 4.43 Developing all supervisors to enable them to assume and discharge their primary responsibility for the maximum utilization of personnel, the training of their staff members, and the maintenance of sound employee relations;
 - 4.44 Advising and assisting employees with respect to continuing education, and means by which they can improve their usefulness;
 - 4.45 Evaluating all training and education activities to determine whether they have effectively met the needs of the System.

- 4.5 With these objectives and general program elements as a background, four specific training programs are established. The administration and implementation of the following training programs at each component is to be primarily the task and responsibility of the institutional personnel officer, with approval of the chief administrative officer. The System Personnel Director shall have the responsibility of coordinating all training programs through review and approval of training policies promulgated by the component institution.
- 4.6 College or University Degree Program.
- 4.61 Definition: This program will provide graduate or undergraduate level training leading to a degree. Basically, it provides for fulltime student enrollment and is to be for selected, qualified employees of the System. This program will be provided by the System on the basis of need of the System and to the extent funds are available.
- 4.62 Objectives: To provide a college or university education for qualified System employees specifically required in their area of employment.
- 4.63 Program Elements: This training is essentially of only one type: to provide full-time student enrollment in a graduate or undergraduate program leading to a degree.
- 4.64 Administration: Eligibility Requirements
- 4.641 Selected employees must have necessary academic qualifications to meet all entrance requirements of the college or university where training is provided.
- 4.642 Degree training must be directly related to an existing job or job series used by the System.
- 4.643 Selected employees must be scheduled for appointment to a job requiring the degree training on completion of schooling.
- 4.644 Selected employees must have been successfully evaluated as to competence and aptitude for training granted and recommended through the chief administrative officer and approved by the System Personnel Director.
- 4.645 Selected employees on educational stipend shall be considered as employees on official leave of absence while in student status. Vacation, sick leave, group insurances, and other benefits will be governed under appropriate rules regarding such official leaves of absence.
- 4.65 Administration: Obligations. Employees who receive financial assistance under this program from the System, in completion of either undergraduate or advanced degrees, will be

obligated to fulfill the following terms and conditions:

- 4.651 An agreement to be bound by the rules and regulations contained herein and such other policies, rules, and procedures as may be promulgated by the System Personnel Director applicable to the college degree training program.
- 4.652 An agreement to return to the System as an employee upon graduation and attainment of the degree and to remain in the employment of the System for a period of time subsequent to his graduation that is proportionate either to the period of time the employee has received financial assistance to attend college or university or to the amount of financial assistance he has received.
- 4.653 An agreement to execute, as required by the System Personnel Director, a formal obligatory document between the System and the recipient of assistance under this program, to repay in a lump sum or such alternate arrangement as the System Personnel Director may prescribe, the amount of money expended by the System for the cost of such college education if the individual for any reason, except circumstances beyond his control, fails to complete the training or otherwise defaults in any provision of the agreement between the System and himself.

4.7 In-Service Training and Education Program.

- 4.71 Definition: This training and education is job-oriented training that is provided essentially within the System. It may include on-the-job training, training in preparation for job assignment, and continuing training programs that are basically job oriented. This program is for selected individual staff members and will be provided on the basis of need and to the extent funds are available.
- 4.72 Objectives: To equip an individual to perform a particular task within a particular situation and/or to equip the employee to deal with new technological and legal developments, to develop additional work capabilities, or increase his level of competence.
- 4.73 Program Elements: In-service training and education programs are divided into the following three principal categories:
 - 4.731 Orientation serves the purpose of acquainting the employee to a new job situation. It does not include the development of skills for that particular job situation.

- 4.732 Basic Training for a Specific Task includes pre-employment and recruit type training involving job knowledge and/or the development of skills required for a specific task. It also includes training in supervisory and managerial skills.
- 4.733 Advanced In-Service Training includes the development of a higher level of skill, an increase in job knowledge, and instruction in new concepts and changing aspects of job responsibility.
- 4.74 Administration: Eligibility Requirements. It is a basic responsibility of the System to provide training as the individual situation may require. It is recognized that the need for some of these programs will vary according to skills required and the availability of pre-employment training. Manpower needs and the availability of skilled applicants may also be a determining factor. With this general background as reference, employees will be identified, selected, trained, and evaluated according to the needs of the System.
- 4.75 Administration: Obligations. The employee has an obligation to successfully complete the training program and should recognize that the System will use this type of training as a continuation of the selection process.
- 4.8 Out-of Agency Staff Development Program.
 - 4.81 Definition: This program is to provide training through workshops, seminars, institutes, training sessions, extension courses, college or university courses (with or without academic credit), and other special programs or activities offered either within or outside the State. Such programs must be of concentrated, precise content and designed to improve the individual's professional or technical knowledge in the performance of his present or prospective duties and responsibilities. This program is for selected individual staff members and will be provided on the basis of need of the System and to the extent funds are available.
 - 4.82 Objectives: To improve and enhance the individual's professional and technical knowledge and ability in the performance of his present or prospective duties and responsibilities.
 - 4.83 Program Elements: This program is generally the type that meets the following criteria: relatively short term; specific in content; and presented outside the employing agency.
 - 4.84 Administration: Eligibility Requirements.
 - 4.841 Out-of-Agency Staff Development education and training authorized by the System will be conducted primarily for the benefit of the System.

- 4. 842 The training and education must be related to the employee's current or prospective duty assignment during the period of his participation.
- 4. 843 Such training and education must be approved by the chief administrative officer or someone delegated by him on recommendation of the head of the employing department or unit.
- 4. 85 Administration: Obligations. Employees receiving Out-of-Agency Staff Development authorized by the System will be obligated to fulfill such terms and conditions as the chief administrative officer may prescribe, compatible with the nature and extent of the training or education.
- 4. 9 Internship Training Program.
 - 4. 91 Definition: Internship training is intended to provide the type of learning experience that can be obtained only through actual work experience. Internship programs will normally be of a longer duration than training mentioned under the headings of Out-of-Agency Staff Development and In-Service Training and Education. This training will be provided to those individuals selected under the standards listed below in 4. 95, Eligibility Requirements. This training will be provided on the basis of need of the System and to the extent funds are available.
 - 4. 92 Objectives: This type of training and education has a broader objective than other types of training in that it serves not only the System but also the State of Texas in the following ways:
 - 4. 921 It allows the System and/or the State of Texas to screen potential employees while simultaneously enjoying an advantageous recruiting position.
 - 4. 922 It facilitates the infusion of new people and new ideas into the information interchange which is continually taking place between State government and the System.
 - 4. 923 It will allow the System and/or the State to gain trained personnel who can carry a heavier work load in a relatively short period of time.
 - 4. 924 Internship programs produce a work product, although this is not the justification for any internship program.
 - 4. 93 Program Elements: Type I Internships are those that are within the System for Non-Employees of the State.
 - 4. 931 Type I Internships are held with the System by persons who are not employed by the State or the System.

- 4.932 Such internships relate to the educational program of the person serving the internship, which suggests that there will be a constant interchange and evaluation between both the System and the sponsor of the person's educational program.
- 4.933 These internships should be initiated only to the extent that the System can provide a meaningful working role and learning experience.
- 4.934 Type I Internships are not designed primarily to produce a work product. (Example: The employee of a private data processing equipment firm observing and being trained in the Data Processing Department of a component institution which serves as the training ground.)
- 4.94 Program Elements: Type II Internship Programs are for the State of Texas and/or System employees.
- 4.941 Type II (a) internships provide for the State of Texas to be the trainee represented by a person in the employ of a State agency other than the System. [Example: An employee of another state agency (State Auditor's Office) serving as an intern trainee with the System.]
- 4.942 Type II (b) internships provide for the State of Texas to be the trainee represented by a person in the employ of the System. A Type II (b) internship may be served either within the System or with another State agency. Employees on Type II (b) internship status should be considered as employees of the System as they would if they were physically present on the job. (Example: An **employee** of a System component serving as an intern trainee at another System component or with another State agency, i. e., an accountant from a component business office serving as a trainee in the business office of another component or in the State Auditor's Office.)
- 4.943 The primary objective sought by both of the Type II Internship programs is for the trainee to gain skills from the training agency and to promote the ability of persons to work with broader situations and more competently in the multi-levels of administration of the State or the System.
- 4.944 A "No Proselyting" agreement should be secured in both of the Type II Internship programs.

- 4.95 Administration: Eligibility Requirements.
 - 4.951 Internship education and training authorized by the System will be conducted primarily for the benefit of the System.
 - 4.952 Internship training and education must be approved by the chief administrative officer or someone delegated by him on recommendation of the head of the employing department or unit.
- 4.96 Administration: Obligations.
 - 4.961 Type I - No obligatory arrangement is required.
 - 4.962 Type II - The following standards should be observed:
 - 4.9621 The need for these programs will vary according to skills required and the availability of pre-employment training within the State of Texas and/or the System.
 - 4.9622 The employee has an obligation to successfully complete the training program and should recognize that the State of Texas and the System will use this type of training as a continuation of the selection process.
 - 4.9623 Employees receiving internship training authorized by the System will be obligated to fulfill such terms and conditions as the System Personnel Director may prescribe, compatible with the nature and extent of the training or education.

Sec. 5 Other Regulations Concerning Personnel are Reported in the Rules and Regulations of the Board, Part One, as follows:

Physical Examination - Chapter III, Sec. 1.7

Employment of Aliens - Chapter III, Sec. 3

Indebtedness to the System or the State - Chapter III, Sec. 28

Appointment of Relative (Nepotism Rule) - Chapter III, Sec. 5

Holidays - Chapter III, Sec. 14

Vacation - Chapter III, Sec. 15

Sick Leave - Chapter III, Sec. 19

Leave for Jury Duty - Chapter III, Sec. 20

Absence from Usual and Regular Duties - Chapter III, Sec. 21

Leaves of Absence Without Pay - Chapter III, Sec. 16

Office Hours - Chapter III, Sec. 12

Outside Employment - Chapter III, Sec. 13

Acceptance of Money from Students - Chapter III, Sec. 26

Textbooks and Other Materials Prescribed for the Use of Students - Chapter III, Sec. 24

Institutional Employees as Students - Chapter III, Sec. 30

Power to Authorize Expenditures out of the System Funds - Chapter III, Sec. 27

Division of Salaries for Staff Engaged in Teaching and Non-teaching Activities - Chapter III, Sec. 18

Compensation for Correspondence and Extension Teaching of Full-time Staff Members - Chapter III, Sec. 23

Classified Personnel Systems - Chapter III, Sec. 2

Code of Ethics - Chapter III, Sec. 4

Tenure, Promotion, and Termination of Employment - Chapter III, Sec. 6

Retirement and Modified Service - Chapter III, Sec. 31

Faculty Development Leaves - Chapter III, Sec. 17

CHAPTER VI
STAFF BENEFITS

(Staff benefits may be subject to change by State and Federal Laws.
Application in specific instances should be verified.)

Sec. 1. Teacher Retirement System.

- 1.1 Effective September 1, 1977, there is only one class of membership in the Teacher Retirement System. The single class of membership includes those previously defined as "teacher" and "auxiliary" members.
- 1.2 Effective September 1, 1974, any employee of the System employed at least one-half time, whether paid on a monthly or hourly basis, and provided his employment will continue for a period of four and one-half (4-1/2) months cumulative within one (1) fiscal year, is eligible for and required by law to participate in the Teacher Retirement System, which became effective for teacher members September 1, 1937, and for auxiliary members September 1, 1949, except:
 - 1.21 persons eligible at those times who executed waivers within the period allowed by law and have not revoked such waiver if later permitted;
 - 1.22 members of the Employees Retirement System, about which information is given later; and
 - 1.23 participants under the Optional Retirement Program, about which information is given later.
 - 1.24 a person who may be for the first time employed at 60 years of age or older.
 - 1.25 a person who is solely employed by a public institution of higher education which requires as a condition of employment that the person be enrolled as a student in that institution.
- 1.3 An employee may purchase withdrawn service credit for any year in which he was employed for four and one-half (4-1/2) cumulative months by rendering service for two (2) subsequent consecutive creditable years or a period of continuous service equal to the length of absence and depositing an amount equal to the deposits and dues he would have

paid for each year of prior service credit, plus a reinstatement fee of five percent (5%) per annum up to redeposit or reinstatement, or both.

- 1.4 Annual membership dues in the Teacher Retirement System are \$5, which amount is deducted from the first salary payment in a fiscal year. Members contribute 6.65 percent of their salary up to and including \$25,000 per year, with the maximum contribution of \$1,662.50 per year which amount is deducted from the monthly salary payment. The contributions are sent monthly by the business offices to the Teacher Retirement System. Each year members receive a statement from the Teacher Retirement System, through the business offices, of their total contributions, plus accumulated interest through August 31 of the preceding year. The State contributes 7.5 percent of each member's salary, up to and including \$25,000 per year, with the maximum contribution of \$1,875 per year.
- 1.5 The annuity payable at retirement is based on the salary earned by the member. Annuity payments are based upon the average salary earned in the five highest years of creditable service, not to exceed \$25,000 of salary for any one year beginning September 1, 1969. Years of service for the period September 1, 1957, through August 31, 1969, have a maximum limit of \$8,400.
- 1.6 When a member leaves the employment that requires membership in the Teacher Retirement System, he or she may withdraw the amount of their contribution, plus accumulated interest, upon application, or he or she may leave the funds at interest for not more than five out of six consecutive years during which period he or she pays the annual membership dues. The performance of a period of active military duty by a member shall not be construed as absence from service; nor shall absence from service terminate membership if the member does not withdraw their accumulated contributions and has ten (10) or more years of creditable service, regardless of age, at or before the time he or she ceases employment that requires membership in the Teacher Retirement System.
- 1.7 If a member dies before retirement, his or her beneficiary, depending upon the relationship to the member, will be entitled to death benefit payments or survivor benefit payments, whichever renders the greater advantage to the beneficiary. If there is no beneficiary with an insurable interest, payment will be limited to the accumulated contributions plus interest standing to the account of the member with the Teacher Retirement System.

- 1.8 Eligibility for retirement benefits is as follows:
- 1.81 With ten years creditable service upon reaching age 65, member is entitled to retire with full benefits based on service rendered and salary earned. Members are entitled to minimum benefits of \$75 per month.
 - 1.82 With ten years creditable service upon reaching age 55, member is entitled to retire at reduced actuarial equivalent of benefit payable at age 65.
 - 1.83 With twenty years creditable service upon reaching age 60, member is entitled to retire with full benefits based on service rendered and salary earned. Members are entitled to minimum benefits of \$130 per month.
 - 1.84 With twenty years creditable service upon reaching age 55 or with thirty years creditable service at any age, member is entitled to retire with a percentage of the standard annuity designated by Teacher Retirement System tables.
- 1.9 Creditable service consists of prior service, former membership service, and current membership service. "Prior service" means service by such person as a teacher or auxiliary employee prior to (A) September 1, 1937, as relates to any person who became a member or who at any time on or before August 31, 1949, was eligible for membership in the Teacher Retirement System, or (B) September 1, 1949, as relates to any person who for the first time became eligible for membership in the Teacher Retirement System on or after September 1, 1949.
- 1.(10) Information pertaining to options under which retirement benefits may be drawn and to reciprocal service between the Teacher and Employees Retirement Systems, as well as other information, may be secured from the component institution business or personnel office, the System Personnel Office, or the Teacher Retirement System in Austin.
- 1.(11) Few employees of The University of Texas System are members of the Employees Retirement System because they are no longer eligible for initial membership in this system. Only those who were eligible between September 1, 1947, and August 31, 1949, and who did not waive membership as of September 1, 1947, are now members. Beginning September 1, 1949, new employees who would previously have been eligible for this plan became eligible for membership in the Teacher Retirement System. Contributions, membership fees, and benefits shall be in accordance with Article 6228a, V.T.C.S.

Sec. 2. Optional Retirement Program.

- 2.1** Pursuant to Chapter 729, Acts of the 60th Legislature, Regular Session, 1967 (Article 2922-li, Vernon's Texas Civil Statutes), as amended, the Board of the System has authorized:
- 2.11** The establishment of an Optional Retirement Program in lieu of active membership in Teacher Retirement System of Texas to become effective September 1, 1968.
- 2.12** Any insurance or annuity company qualified and admitted to do business in this State to offer an Optional Retirement Plan to eligible employees of the System.
- 2.13** The ceiling on both the employee's contribution and the State's matching contribution to the Optional Retirement Plan to be the same as is in effect for contributions to the Teacher Retirement System.
- 2.14** Compliance with the terms and provisions of the Act, and further compliance with prescribed rules and regulations of the State Board of Insurance and the System.
- 2.2** Eligibility - The following types of employees are eligible to participate in the Optional Retirement Program:
- 2.21** All full-time faculty members appointed at least 4-1/2 months.
- 2.22** All full-time administrative, research or professional personnel appointed for at least 4-1/2 months, excluding any person employed in a position which is in the classified personnel pay plan of a component institution of the University.
- 2.23** A full-time person who enters the program and later reduces to part-time status will remain eligible for the Program.
- 2.24** Any employee who becomes ineligible for the Optional Retirement Program, but is nevertheless eligible for Teacher Retirement, must rejoin Teacher Retirement [A.G.Op. No. M-647 (1970)].
- 2.3** Effective Date of Participation
- 2.31** Eligible employees in the System employed as of September 1, 1968, shall elect to participate in the Optional Retirement Program no later than the first day of August 1969. An eligible employee not exercising the option to participate in the Optional Retirement Program by August 1, 1969, is deemed to have chosen to continue membership in the Teacher Retirement System.
- 2.32** Eligible employees of the System employed September 2, 1968, or later, shall within ninety days following date of employment, elect to participate or not to participate in the Optional

Retirement Plan. A person is automatically considered a member of the Teacher Retirement System Program unless he elects to participate in the Optional Retirement Program during the first ninety days of employment.

- 2.4 Contributions to Retirement Plan shall be as follows:
- 2.41 The Optional Retirement Act authorizes a salary ceiling for contributions equivalent to the Teacher Retirement System. This ceiling, effective September 1, 1977, is 6.65 percent of the salary ceiling of \$25,000 per year for employee contributions. This ceiling, effective September 1, 1977, is 7.5 percent of the salary ceiling of \$25,000 for employer contributions.
- 2.5 The Office of the Vice Chancellor for Business Affairs will approve the companies authorized to offer to eligible employees an Optional Retirement Program in accordance with the Conditions and Procedures To Be Met By Insurance Carrier To Be Authorized To Write Annuity Contracts Under The Optional Retirement Program For The University of Texas System. The Conditions and Procedures will be issued by the Director, System Personnel Office, with the concurrence of the Office of General Counsel in accordance with Sections 51.351 through 51.358, Texas Education Code, Attorney General's Opinions, Internal Revenue Service Rulings, and other applicable federal and State laws and agency regulations.
- 2.6 The eligible member electing to participate in the Optional Retirement Plan shall elect the company he chooses if that company has been approved by the System.
- 2.7 There can only be one change in Optional Retirement Program carriers per year, and such change may be made on the first day of any month.
- 2.8 Application blanks of authorized insurance carriers will not be furnished by the component institutions because of the possible large number of insurance carriers that may be authorized under the program. It is the responsibility of each individual interested in participating in the Optional Retirement Program to contact the authorized insurance carrier of his choice for an application blank.
- 2.9 Optional Retirement programs provide for vesting of benefit rights after one year of participation in the program by the employee. Vesting is to be effective on the first day of employment after one year's participation in the program under the System. Participation may be with more than one approved carrier [A. G. Op. M-420 (1980)].

Sec. 3 Tax Deferred Annuities.

- 3.1 Under a plan approved by the Board, employees of the System may purchase 403 (b) Tax Sheltered Annuities from Texas-licensed insurance companies.
- 3.2 An employee desiring to participate in this program may enter into an agreement with his component institution and designate a portion of his monthly gross compensation to be used by the component institution to purchase an annuity for the employee from the company selected by the employee. There can be only one change of Tax Sheltered Annuity Program carriers per year, and such change may be made on the first day of any month.
- 3.3 The chief business officer, or his delegate, of each component institution in the System is authorized to sign applications for annuities with the company requested by the employee. The payroll reduction method will be employed for the annuity payments and the amounts contracted for by the employees will be forwarded to each insurance company after the payroll reductions therefor.
- 3.4 **The Office of the Vice Chancellor for Business Affairs will approve the companies authorized to offer to eligible employees a Tax Sheltered Annuity Program in accordance with the Conditions and Procedures to be Met by Insurance Carrier to be Authorized to Write Tax Sheltered Annuities for The University of Texas System. The Conditions and Procedures will be issued by the Office of the Vice Chancellor for Business Affairs with the concurrence of the Office of General Counsel in accordance with Article 6228a-5, Vernon's Texas Civil Statutes, Attorney General's Opinions, Internal Revenue Service Rulings, other applicable federal and State laws and agency regulations.**

Sec. 4 Group Hospitalization and Medical Benefit Plan.

- 4.1 A System-wide contract is in effect to provide group hospitalization and medical insurance coverage on an optional basis for employees of all component institutions of the System subject to approval of the Chancellor and the Board.
- 4.2 Any employee employed at least one-half time or more is eligible for coverage. An insured employee's spouse and unmarried children **between** the ages of 19 and 25 may also be covered.
- 4.3 Employees may enroll within 60 days after they become eligible for coverage. Employees who do not enroll within 60 days may then do so only during the annual enrollment period.

- 4.4 The anniversary date of the contract is September 1 of each year. The annual enrollment period will fall during the month of September.
- 4.5 The contract offers three benefit schedules that provide each employee with options to determine the most suitable plan consistent with his income. The premium rates for coverage depend on the plan selected by the employee and the number of persons in the family to be covered.
- 4.6 Under the In-Patient and Out-of-Hospital portions of the contract, specified percentages of costs are provided for under the three plans.
- 4.7 An insurance continuation provision is available for employees who leave the employment of the System or who retire.

Sec. 5 Group Term Life Insurance.

- 5.1 The System carries a master group term life insurance policy, applicable to all component institutions, with the Aetna Life Insurance Company for a "One Year Term Plan." Premiums are payable monthly by payroll deduction and increase with each year of age. The program is optional and is available to any employee employed at least one-half time or more; new employees are notified of their eligibility by the personnel office at the time of employment.
- 5.2 The amount of insurance available is based on a schedule that may not exceed two times annual earnings with a maximum of \$100,000 or 200% of annual compensation, whichever is the lesser amount. The amount of insurance for any employee who does not elect to change to the new schedule will continue to conform to the Insurance Table in effect prior to September 1, 1975. Annual earnings for academic personnel shall be the nine-month or twelve-month academic rate as applicable. Annual earnings for nonteaching personnel shall be the twelve-month rate. When an employee classification changes, due to increase or decrease in earnings, including Modified Service, the amount of insurance will be adjusted on the annual renewal date (January 1) following the date of the change provided the employee is available for work.
- 5.3 No medical examination is required if application is made for insurance within 60 days from date of employment. After the 60-day period, an "Evidence of Insurability" form, prepared by the company and available through the personnel office, is required. No medical examination is required if this form is accepted by the company after review, but, if it is not accepted, the applicant must have a medical examination at his expense.

- 5.4 Beneficiaries are designated by the policyholders on the application forms and may be changed during the life of the policy upon application to the business office or personnel offices. Each policyholder receives a certificate issued by the company and transmitted through the business office or personnel office.
- 5.5 A policyholder who is less than 60 years of age and who becomes permanently and totally disabled may receive benefits not to exceed 50% of the maximum amount in the two times earnings schedule of benefits. Insurance coverage in excess of the aforementioned amount may be retained for estate purposes with automatic premium waiver. There are no disability benefits after age 60.
- 5.6 Benefits at death are payable according to one of several options. Upon notification of the death of a policyholder, the personnel office assists in the preparation of the required records to be sent to the company.
- 5.7 Participation in the Group Life Insurance Program automatically terminates when employment terminates unless (1) the policyholder retires under the provisions of the Teacher Retirement System, the Optional Retirement Program, or the Employees Retirement System with at least 10 years of coverage under the insurance; (2) the policyholder has attained 62 years of age with at least 10 years of coverage under the insurance; or (3) the policyholder converts the group policy into one for regular individual life insurance. When an employee retires, the amount of insurance will be reduced to \$5,000 or the amount in force immediately prior to retirement, whichever is less, provided the employee has been insured continuously during the 10 years prior to retirement.
- 5.8 The life insurance will cease at the end of the last policy month for which a contribution was made except that if death should occur within thirty-one days thereafter, the death benefits will be payable. Within this thirty-one day period, by making application and paying the first premium to the Aetna Life Insurance Company, one may convert his Group Life Insurance to an individual life insurance policy on any regular Whole Life or Endowment Plan. This individual policy will be issued without medical examination at the Insurance Company's regular rates.

Sec. 6 Supplemental Cash Value Paid-Up at Age 65 Life Insurance Plan.

- 6.1 Supplemental Group Cash Value Paid-Up at Age 65 Life Insurance was made available to employees of the System by a rider to the group term life insurance master policy with the Aetna Life Insurance Company.

Premiums remain level and are based on the age of the insured at the time he enrolls or, if he increases coverage, his age at the time he changes the amount of insurance. The program is optional and is available to any employee insured under the maximum (two times annual earnings) group term life insurance who has not attained age 65. In order to be eligible for group term life insurance, an individual must be employed at least one-half time or more. New employees are notified of their eligibility at the time of employment. The plan became effective initially April 1, 1972.

- 6.2 The amount of insurance available is based on a schedule of annual earnings and is in units of \$5,000, \$10,000, or \$15,000. Annual earnings for academic personnel shall be the nine month or twelve month rate, as applicable. Annual earnings for nonacademic personnel shall be the twelve month rate. For personnel paid on an hourly basis, the annual earnings shall be the hourly rate times 2,080 hours. When an employee becomes eligible for a greater amount of insurance, a new request form must be completed, and coverage will become effective on the annual renewal date, April 1, of this plan.
- 6.3 No medical examination is required if application is made for insurance within sixty (60) days from date of employment. After sixty (60) days the insurance company will require that the employee furnish evidence of insurability at his own expense before he can obtain the insurance.
- 6.4 If an employee elects a lesser amount of insurance than annual earnings permit, or does not take an insurance increase that he is eligible for, he will be unable to elect an additional amount of insurance, regardless of the circumstances, without evidence of insurability. No medical examination is required if evidence of insurability is accepted by the company after review, but if it is not accepted, the applicant must have a medical examination at his own expense.
- 6.5 Beneficiaries are designated by the insured on the application forms and may be changed during the life of the policy upon application to the business or personnel offices. Each insured receives a certificate issued by the company and transmitted through the business office or personnel office.
- 6.6 The Plan provides employees with the option, upon retirement at age 65, to elect either the cash value of the policy or life insurance protection after age 65 that is paid-up, and requires no further premium payments. If an employee leaves the System prior to retirement, he has the option of electing the cash value of the policy or taking his paid-up insurance with him.

- 6.7 A waiver of premium is provided for an insured who becomes totally and permanently disabled before age sixty (60). Provided disability has lasted nine months and proofs of disability are accepted, contributions will cease and no further contributions will be required as long as the employee remains disabled.
- 6.8 Benefits at death are payable to the beneficiary in lump sums or in regular installments. Upon notification of death of an insured, the personnel officer assists in the preparation of the required records to be sent to the insurance company.
- 6.9 Participation in this plan terminates when the employee terminates unless the insured retires under bona-fide retirement provisions of the Teacher Retirement System, the Employee's Retirement System, or the Optional Retirement Program. A person may continue to keep the coverage, however, during a period of temporary lay-off or official leave of absence by paying a sufficient amount in advance through the business office of the appropriate component institution to cover contributions that will become due during the period of leave.
- 6.(10) The life insurance under this plan will cease at the end of the last policy month for which a contribution was made, except, that if death should occur within 31 days thereafter, the death benefits will be payable. Within this 31-day period, by making application and paying the first premium to the Aetna Life Insurance Company, one may convert a part of his cash value insurance to an individual life insurance policy or any regular whole life or endowment plan. The part that is convertible is the difference between the amount of insurance in force and the amount of paid-up insurance available in accordance with the non-forfeiture provision of the plan. The premiums will be based on the age of the insured at the time of conversion.
- 6.(11) When an employee terminates and he does not wish to convert to another insurance plan, he may elect to withdraw the cash value or keep the amount of paid-up insurance he is entitled to without making another premium payment. Cash value is available only upon termination of employment.
- 6.(12) The insured employee may not borrow against the cash value of his policy.

Sec. 7 Group Long Term Disability Income Insurance.

- 7.1 The System carries a master group long term disability income insurance policy, covering all component institutions, with the Aetna Life

Insurance Company. Premiums are payable monthly by payroll deduction, and the rate applies to the monthly rate of basic earnings of each covered employee regardless of age. The program is optional and is available to any employee employed at least one-half time or more. New employees are notified of their eligibility by the personnel office at the time of employment. The plan became effective initially on October 1, 1965.

- 7.2 Monthly rate of basic earnings is the rate in effect on the March 1 before the start of an individual's disability. Furthermore, monthly rate of basic earnings is defined as 1/9 of the base rate for academic personnel paid on a nine-month basis and 1/12 of the base annual rate for non-teaching employees or any other person paid on a twelve-month basis. In no case shall monthly rate of basic earnings exceed \$4,166.66 per month. All premiums and benefits are payable 12 months per year.
- 7.3 The plan guarantees benefits of 65% of the monthly rate of pay up to maximum monthly benefits of \$2,708.33 per month, and any extra compensation is excluded. The plan will pay all of the 65% guarantee if the insured is not eligible for "other income benefits." If he is eligible for "other income benefits," the plan will add to the total of "other income benefits" to make up this 65% guarantee. In general, the plan counts as "other income benefits" any wages, salary, or other remuneration a person might receive from his component institution, or from any other employer, while he is eligible for income benefits from the plan. Also counted are any disability benefits payable under any law or under any plan sponsored by the System.
- 7.4 Covered employees will be eligible for the first income payment from the plan after having been "totally disabled" throughout a qualifying period of 90 days. Payments will be made as of the end of each calendar month. Benefits continue to be paid as long as a person is "totally disabled"; however, all income payments will stop when a person recovers, dies, or reaches age 65, whichever happens first.
- 7.5 No medical examination is required if application is made for insurance within 60 days from date of employment. After the 60-day period, an "Evidence of Insurability" form prepared by the company and available through the personnel office is required. No medical examination is required if this form is accepted by the company after review, but, if it is not so accepted, the applicant must have a medical examination at his expense.

- 7.6 Each policyholder receives a certificate issued by the company which is prepared and transmitted through the business office or personnel office.
- 7.7 The insurance of any employee under this policy shall terminate at the earliest time specified below:
- 7.71 Upon discontinuance of the policy.
 - 7.72 At the end of a policy month during which the employee's employment with the System in the classes eligible for the insurance terminates.
 - 7.73 On the date the employee attains the age of 65 years.
- 7.8 A person may continue to keep the coverage during periods of official Leave of Absence upon the direct payment of premiums through the business office of the appropriate component institution.

Sec. 8 Group Accident Insurance.

- 8.1 Group Accident Insurance was made available to employees of the System by a rider to the Long Term Disability Insurance Master Policy with the Aetna Life Insurance Company. The Group Accident Plan became effective February 1, 1968, and is available to any employee under age 70 employed at least one-half time or more. Eligible employees can join the plan either during the first 60 days of their employment or during an annual enrollment period in December of each year for coverage effective February 1.
- 8.2 Coverage under the Group Accident Plan is provided to insure against accidental death (in such areas as travel by automobile and travel on an aircraft being used solely for the transportation of passengers, and the coverage is extended to travel outside of the United States). The death benefit is also provided if an individual becomes totally disabled while insured before age 60 as a result of an accident of the type covered by the plan. Scheduled dismemberment benefits are also provided for specified losses.
- 8.3 The amount of coverage that may be selected ranges in multiples of \$10,000 from the minimum of \$20,000 to the maximum of \$200,000; however, no eligible employee may select an amount of coverage that exceeds 10 times his annual salary (for academic personnel the 12-month equivalent of their 9-month contract salary is used in computing the maximum amount of coverage allowable). Employees who select coverage for themselves may also take coverage for their

spouses in an amount between \$10,000 up to a maximum of 50 percent of the amount actually taken for themselves. Unmarried children under age 19 are automatically covered for \$1,000 from the spouse's coverage, unless waived by the employee. Also, unmarried children 19 years of age and over who are regularly attending school and depend solely upon the employee for support are eligible as dependents until their 23rd birthday.

Sec. 9 Workers' Compensation Insurance.

- 9.1 The Workers' Compensation Insurance Program is on a System-wide, self-insuring basis, financed by setting aside not more than 2 percent of the annual payroll of covered employees, and provides certain benefits for injuries sustained on the job. These benefits include payments for reasonable medical aid, hospitalization, etc.; total or partial incapacity; specific losses; and death.
- 9.2 The System Personnel Director, with the cooperation and assistance of other appropriate officials of the System or its component institutions, investigates accidents and injuries, and endeavors to develop, publish, and enforce safety rules and regulations. His office keeps a complete record of all injuries on the job and is responsible for reporting them to the Industrial Accident Board. His office is responsible for the System-wide coordination of occupational safety and health activities, and for administration and enforcement of state and national laws and standards applicable to occupational safety and health.
- 9.3 All employees whose names appear on the payrolls are eligible.
- 9.4 Eligible employees who do not wish coverage may waive all rights to the benefits at the time of appointment. However, the waiver may be revoked at any time during continuous employment.
- 9.5 The institution shall give notice to all workers that such insurance has been provided.
- 9.6 The percentage of annual payroll, within the 2 percent mentioned in Subsection 9.1 above, is approved by the Board, and the amount is set aside from available appropriation other than itemized salary appropriations. Institutional chief business officers shall prepare and send to the System Personnel Director a monthly report of covered employees showing the source of their salaries and a check and/or state warrant for the amount due. These checks will be deposited in a depository bank and the State Comptroller will be requested to transfer the amounts due on payrolls paid from State funds to the Workers' Compensation Insurance Fund.

- 9.7 The System shall furnish such medical aid, hospital services, and medicines as may reasonably be required at the time of the injury, and at any time thereafter to cure and relieve the injured employee from the effects naturally resulting from the injury.
- 9.71 Each employee shall have the right to select or choose the persons or facilities to furnish medical aid, chiropractic, osteopathic, podiatric, hospital and nursing services.
- 9.72 Excessive charges or unreasonable expenses for services can be appealed to the Industrial Accident Board by the System.
- 9.73 Although the employee has the right to select or choose the person or facilities to furnish reasonable treatment, each component institution may provide guidance in that choice, if the employee desires, by referring the injured employee to reputable specialists or general practitioners, depending on the nature of the injury.
- 9.8 The supervisor of a covered employee who is injured during the course of employment must file a complete report with the supervisor of the Workers' Compensation Insurance Office whether or not time is lost from work. If time is lost, a supplemental report is filed when the employee returns to work. When the time lost is over 60 days, this report is filed at the end of each 60-day period. The same form is used if the employee is disabled later due to the original injury. In the event of death of the injured employee, the form is filed immediately.
- 9.9 The employees' supervisors are also responsible for keeping in close touch with injured employees and their attending physicians and investigating medical attention to see that unnecessary aid and visits are avoided. They approve the statement from the physician as to services rendered although not actual charges for treatment.
- 9.(10) A covered employee disabled from work due to an on-the-job injury may remain on the payroll until his earned vacation and sick leave are exhausted or may request use of any reasonable portion thereof, during which time full medical benefits will remain available. Should an employee continue to remain disabled from work after earned vacation and sick leave are exhausted, provided such accrued leave totals seven days or more, there will be no waiting period before weekly compensation benefits accrue. Employees who have no sick leave or vacation accrued will be subject to a 7-day waiting period, for which they will be compensated in the event disability lasts 28 days or more. Vacation and sick leave used due to an on-the-job injury, are not charged against holidays, weekends, or other authorized days off.

9. (11) The weekly compensation benefit for a covered employee injured in the course of his work is equal to 66 2/3 percent of the average weekly earnings for the 12 months immediately preceding injury, though not more nor less than the amount set forth in Article 8306, Section 29, Vernon's Texas Civil Statutes. Compensation to an employee on less than a full work day basis is not more than 66 2/3 percent of his average weekly earnings, with the same maximum as the amount set forth in Article 8306, Section 29, Vernon's Texas Civil Statutes. Benefits may be paid for no longer than 401 weeks from date of removal from payroll for total incapacity and no longer than 300 weeks for partial incapacity for work. For specific injuries, the supervisor has information available on request concerning benefits for specific injuries such as the loss of a hand or eye. In case of death, benefits shall be the same as those provided in Article 8306, Section 8, Vernon's Texas Civil Statutes.
9. (12) Payment for medical aid, hospitalization and compensation is through the System Personnel Office.
9. (13) The System Personnel Office shall issue an annual report through proper channels to the Chancellor and to the Secretary to the Board for the information of the members of the Board which shall include at least the following information for each component institution: the total claims and number of days lost, total compensation and medical benefits paid, receipts, and total expenditures including allocation of overhead. The report shall also include the balance in the fund at the beginning of the fiscal year, total receipts including interest, total disbursements, and balance in the fund at the end of the fiscal year.

Sec: 10 Unemployment Compensation Program.

10. 1 The System Unemployment Compensation Program, effective January 1, 1972, and thereafter, is administered on a System-wide basis. Under the program, certain weekly benefits are payable to former employees who were separated from employment with the System under conditions specified in the Texas Unemployment Compensation Act and are unable to find suitable employment. Two methods of funding the cost of approved claims for such former employees will be in effect, as follows:
10. 11 For former employees whose salaries were paid from State General Revenue Funds, the cost of approved claims chargebacks are paid by the State Comptroller as provided in the current State General Appropriation Act. Initially, the Texas

Employment Commission (TEC) pays approved claims and, quarterly, notifies the State Comptroller's Office and the appropriate System component institution of the claims amounts paid by individual. TEC bills the State Comptroller's Office, which makes payments to TEC from State General Revenue Funds appropriated for this purpose. Administration of claims, periodic reporting of salaries paid, and other aspects of administering the program for employees whose salaries are paid out of State General Revenue are the same as for those whose salaries are not paid out of State General Revenue, except that the assessments provided in Subsection 10.4 are not applied to salaries paid from State General Revenue Funds, or such other exceptions as are deemed by the System Personnel Director to be necessary for effective administration.

10.12 For former employees whose salaries were paid from funds other than State General Revenue, the cost of approved claims chargebacks is paid initially by the State Comptroller as specified under 10.11 above. Quarterly, or periodically as otherwise required by the State Comptroller, the System, by check made payable to the State Comptroller, reimburses the State General Revenue Fund from the System Unemployment Compensation Insurance Fund, a self-insurance fund described in Subsection 10.4.

10.2 The System Personnel Director, working in close cooperation with the System Comptroller and other appropriate officials of the System and its component institutions, is responsible for:

- 10.21 Administering the Unemployment Compensation Program for all employees of the System, with the assistance of appropriate institutional officials.
- 10.22 Determining the System's official position regarding claims protests in questionable cases, and assisting component officials in protest hearings.
- 10.23 Representing the institutions in all cases where claims are appealed to Appeals Tribunal or Commission Review and assisting the State Attorney General as required in representing the System with institutional participation in all cases in court actions provided for in the law.
- 10.24 Establishing and maintaining such additional policies and procedures as are necessary for the effective administration of the program as provided under existing statutes and these Rules and Regulations, including requirements for employee separation and claims administration, informing affected personnel about the Unemployment Compensation Program, and analyzing statistical data as needed.

- 10.25 Administering the Unemployment Compensation Insurance Fund and all policies and procedures necessary to bring about effective fund management and loss control for the Unemployment Compensation Program.
- 10.26 **Maintaining records of all claims filed and paid, all chargebacks, and other records necessary to separate approved claims information applicable to student employment and extending such record-keeping to any additional group(s) of employees for which such analysis may be deemed by the System Personnel Director to be necessary for effective administration, including records necessary to determine individual "benefit ratios" consistent with provisions in the Texas Unemployment Compensation Act under Subsection 10.6 for each of the following categories of fund sources:**
- 10.261 State General Revenue
- 10.262 Other than State General Revenue
- 10.27 **Assuring that upon adequate notice, sufficient fiscal information will be available to determine a benefit ratio for each of the following categories of funding sources:**
- (a) Organized Research (including contract research and services)
 - (b) Educational Service Agreements (including training grants)
 - (c) Organized Activities Related to Educational Departments (including hospitals and clinics)
 - (d) Auxiliary Enterprises
 - (e) All Other
- 10.3 All services performed in the employ of the System are deemed to constitute employment and are provided for under the Unemployment Compensation Program. However, benefits based on service in an instructional, research, or principal administrative capacity are not payable between two contractual periods of service, as specified in the Texas Unemployment Compensation Act.
- 10.4 The System-wide Unemployment Compensation Insurance Fund is established January 1, 1972, to accumulate necessary funds to pay reimbursements to the State Comptroller for claims of former employees whose salaries were not paid out of State General Revenue Funds. Sources of all salaries other than State General Revenue are charged an assessment beginning on the effective date and each month or payroll period thereafter. Checks covering these charges will be forwarded monthly to the System Personnel Director for deposit in the Unemployment Compensation Insurance Fund. Following the close of each calendar quarter, or such other reporting period as may be

deemed by the System Personnel Director to be necessary for effective administration, institutional chief business officers will prepare and send to the System Personnel Office reports itemizing by employees the salaries reported to the TEC and the amounts of such salaries subject to assessment. The reported assessable salaries will be reconciled to the checks submitted monthly in payment of the assessments. The reports will also contain such other information as may be required for effective reporting. In instances in which amounts may be due the Unemployment Compensation Insurance Fund from the State Comptroller for adjustments on claims paid, assessments, or as otherwise deemed necessary by the institutional chief business officers for effective and commensurate allocation of assessments or approved claims chargebacks, the State Comptroller is requested to issue a State warrant for the amount due.

- 10.5** **Separate and apart from all other System monies or funds, an Unemployment Compensation Fund, administered under the same custodianship as other monies administered by the System, is established and maintained in one or more regular depositories of the System, secured by collateral in accordance with state statutory requirements. The fund consists of all assessments collected, all interest earned on deposits of any monies in the fund, and all other monies received for the fund from any other source. Investments or time deposits of such funds will be in accordance with regular System policies. This fund is designated as a "revolving fund" under the "University of Texas Central Services Account" provision of the current General Appropriation Act. Expenditures from the Unemployment Compensation Insurance Fund are restricted to direct costs: payments and chargebacks of approved Unemployment Compensation claims, and System administrative costs not to exceed five percent per year of the balance in the fund at the beginning of each preceding year. The administrative costs will be identified and charged as direct cost to the Unemployment Compensation Program consistent with procedures for other similar benefits programs operated by The University of Texas System. Such direct cost charges will be supported by a payroll distribution system in accordance with Federal Management Circular 73-8, Section J. 7. A financial report will be prepared and submitted annually to the Board of Regents summarizing the transactions and balances of the Unemployment Compensation Insurance Fund for the fiscal year.**

- 10.6** The System Unemployment Compensation Insurance Fund operates under principles agreed upon between The University of Texas System and the Department of Health, Education and Welfare, and includes the following procedures:
- 10.61** Assessment rates determined in accordance with 10.621 below will be applied to salaries and wages up to the maximum salary base which conforms to provisions of Federal and State Unemployment Insurance legislation.
- 10.62** The University will review all available data on loss experience and levels of funds within six months after the end of the year. Based upon such review and projections of anticipated future activities and costs, a calculation of the rate to be charged in the following fiscal year will be submitted to the Department of Health, Education and Welfare.
- 10.621** Rates will be calculated to fulfill the following objectives:
- (a) To maintain the fund balances within a range of \$1,215,000 to \$1,755,000,
 - (b) To provide minimal fluctuations in Fund balances from year to year, and
 - (c) To provide maximum rate stability consistent with the first two objectives.
- 10.622** The above objectives are expected to permit considerable flexibility in rate determination by the University. However, formal rate negotiations may be required upon determination by DHEW that a prospective rate is inconsistent with such objectives.
- 10.63** A single assessment rate is charged to all affected fund sources on a nondiscriminatory basis throughout the System.
- 10.7** In the event that the amount in the Unemployment Compensation Insurance Fund is fully depleted and further reimbursement payments create a deficit in the fund, at the end of any month, such deficit will be recovered by additional emergency assessments which the component institutions will fund by distribution of the costs to all accounts based upon the covered wages which had been charged to the accounts during the month and paid from funds other than State General Revenue.
- 10.8** The System Personnel Office will issue an annual report to include separate reporting of income and disbursements by institution, fund categories, and such other information as may be deemed necessary for effective administration.

Sec. 11 Social Security (Old Age and Survivors Insurance).

11.1 As an employer, the System complies with the relevant provisions of the Social Security Act. All employees are required to participate in the Federal Social Security Program as a condition of employment.

Sec. 12 Deferred Compensation Plan.

12.1 As an employer, the System complies with the relevant provisions of Senate Bill 872, 63rd Legislature, Regular Session, which authorized the Deferred Compensation Plan for public employees (Article 6252-3b, Vernon's Texas Civil Statutes).

12.2 The State Comptroller is the administrator of the program. The System Administration has been authorized by the Board to develop administrative and fiscal procedures for operation of the program.

Sec. 13 Premium Sharing.

13.1 The System provides each full-time employee with the full amount of Premium Sharing specified in the current Appropriations Bill, for payment of certain group insurance premiums. Employees appointed half-time or more, but less than full-time, are provided an amount of Premium Sharing which is proportionate to the percentage of time employed.

13.2 Each employee employed half-time or more will automatically be covered under a basic plan of insurance effective September 1, 1977, or on the first date of employment following that date. Each such employee may elect optional coverages within 60 days of the automatic coverage date, or waive at any time subsequent to the automatic coverage date. Only those employees who do not elect optional coverages shall be provided automatic coverages. The total premium for the basic coverages provided under the automatic coverage plan shall not exceed the amount of the employer contributions to which the employee is entitled.

Sec. 14 U.S. Savings Bonds.

14.1 The System provides each employee with the opportunity to participate in the purchase of U.S. Savings Bonds by payroll deduction.

CHAPTER VII

PHYSICAL PROPERTIES

- Sec. 1 Except as otherwise specifically authorized, property of the System shall be used only for official business. Only library books and other items of similar nature of well-established use may be used for the personal benefit or pleasure of employees. The chief administrative officer of each component institution shall designate a property manager.
- Sec. 2 Inventories.
- 2.1 An actual physical inventory of property of the System shall be made each fiscal year in accordance with the State Property Act, as amended (Article 6252-6, Vernon's Texas Civil Statutes), and in compliance with appropriate regulations issued thereunder. The chief business officer of each component institution shall issue the necessary implementing instructions.
- 2.2 Department heads are responsible for all System property in their care and for the taking of the inventory on the prescribed record forms.
- 2.3 Inventories as of August 31 include all equipment on hand as defined by the State Board of Control under the State Property Act. Items that are worn out or discarded shall be deleted in accordance with the regulations of the State Board of Control.
- Sec. 3 Motor Vehicles.
- 3.1 Any motor vehicles permitted under State law to be owned and operated by the System shall be used only on official business. Each vehicle shall carry an inscription on both sides as prescribed by law.
- 3.2 As required by statutes, a daily report shall be prepared by the person using the vehicle on the forms approved by the State Auditor and shall be filed within ten days in a central location designated by the chief business officer.

- 3.3 The operators of System-owned vehicles must hold, at their expense, an appropriate operator's license for the type of vehicle operated.
- 3.4 System-owned vehicles are subject to the compulsory inspection required by law.
- 3.5 It shall be the obligation of the chief business officer of each of the component institutions to see that all employees who are required to drive System-owned vehicles are fully informed of their personal responsibility and liability for their negligent operation.
- 3.6 Each component institution shall be cognizant of and render reports on operation of motor vehicles as required by the current appropriations bill.

Sec. 4 Insurance on Property of the System.

- 4.1 The following types of insurance coverage shall be maintained on a System-wide basis:
 - Fire and Extended Coverage Insurance
 - Boiler and Machinery Insurance
 - Blanket Position (Fidelity) ~~Bond~~] may be one policy
 - Money and Securities Insurance
 - Motor Vehicle Liability Insurance on State Owned Vehicles
- 4.2 The terms of the policies covering the risks indicated above are negotiated by the Vice Chancellor for Business Affairs in accordance with procedures approved by the Chancellor and the Board.
- 4.3 When it is necessary or advisable to insure risks on a basis other than System-wide, insurance policies covering such risks shall be approved by the Vice Chancellor for Business Affairs on an individual basis upon recommendation by the chief business officer of the component institution affected.
- 4.4 At the time a loss occurs applicable to either System-wide or individual insurance policies, the Vice Chancellor for Business Affairs shall be notified by the chief business officer, and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board.

Sec. 5 Safe and Vault Combinations. --The combinations to all vaults and safes used by component institutions shall be filed under seal with the chief business officer.

Sec. 6 Police and Security Officers.

- 6.1 Police and other security officers are employed at the component institutions to protect and safeguard the property of the institution.
- 6.2 Employees shall cooperate in the security program by exercising caution to safeguard the equipment and supplies in their offices.

Sec. 7 Telephones. --The director of physical plant, or the chief business officer, shall be responsible for the installation of telephones and the administration of all telephone facilities. Personal toll calls shall not be charged to institutional telephones. Charges for telephones and toll calls shall be under the supervision of the persons named above.

Sec. 8 Disposal of Property of the System.

- 8.1 Whenever any item of equipment becomes obsolete or useless for the needs and purposes of the department concerned, a written report of such fact shall be made to the chief business officer. Upon receipt of such report, it shall be the responsibility of the chief business officer to determine whether or not such item of equipment is needed by any other department and, if so, to transfer and assign the equipment to such department.
- 8.2 If the chief business officer shall determine that the equipment is not needed for any department and that it is not practicable to store the equipment for possible future use, he shall proceed to sell the item concerned.
- 8.3 For items of little value or limited use where sale on competitive bids is not practicable, the chief business officer shall have the authority to dispose of the property on the basis of negotiated bids in amounts under \$2,000.
- 8.4 Sale of property estimated to bring \$2,000 or more shall be made on a basis of competitive bids.
- 8.5 Sales in amount of \$10,000 or more shall be approved in advance by the Chancellor and ratified by the Board through the institutional docket.
- 8.6 **Sales to U. T. Employees.** --Sealed bid sales of surplus equipment or abandoned property may be made to employees of the System or of any of its component institutions only after authorization by the chief administrative officer and approval of the Chancellor. Such sales shall be reported in the institutional docket.
 - 8.61 The authorization and reporting requirements in Section 8.6 are not required for public auction sales of surplus equipment or abandoned property to employees of the System.

Sec. 9 Transfer of Property. --Property may be transferred from one State agency to another when it becomes surplus. Such transfers from one component institution to another, or from a component institution to another State agency shall have the advance approval of the chief business officer concerned and shall be reported to the chief administrative officer. The chief business officer or his delegate shall advise departments and administrative offices as to the procedure to be followed in disposing of or acquiring property by this means.

Sec. 10 Disposition of Abandoned and Unclaimed Personal Property. --Abandoned and unclaimed personal property of every kind, except vehicles and drugs, which is not being held as evidence to be used in a pending criminal case which shall remain in the custody of any component institution property manager for a period of sixty (60) days will be disposed of in the following manner:

- 10.1 The designated Property Manager shall mail a notice to the last known address of the owner of such property with certificate of mailing, if the owner is known, if the owner is unknown, then the Property Manager shall cause to be published once in the student newspaper, and in a paper of general circulation in the county in which the institution is located, such notice shall contain the description of the property held, the name of the owner if known, the name and address of the officer holding the property within sixty (60) days from the date of publication, such property will be sold, and the date and place of such sale.
- 10.2 All personal property which remains unclaimed at the expiration of sixty (60) days from the date of publication of the notice required by letter with Certificate of Mailing, if the owner was known, shall be deemed to be abandoned and may be sold.
- 10.3 The designated Property Manager shall sell the property which has been abandoned to the highest bidder at public sale; the Property Manager may decline the highest bid and reoffer such property for sale, if he considers such bid insufficient; he need not offer any property for sale, if, in his opinion, the probable cost of sale is in excess of the value of the property; the designated Property Manager shall deposit all proceeds of the sale into a fund which shall be designated for this purpose.
- 10.4 Any person claiming an interest in any property delivered to the designated Property Manager, which has been presumed abandoned and sold under the provisions of this section, shall be allowed to file a claim to

such property with the designated Property Manager on forms and through procedures prescribed by the Property Manager; upon approval of such claim by the designated Property Manager, the owner may recover the proceeds of such sale after deducting the reasonable expense of keeping such property and the cost of the sale.

- 10.5 Proceeds of the sale, which remain unclaimed, may be used by the institution for student scholarships.
- 10.6 Vehicles, which are abandoned and unclaimed, will be disposed of in accordance with Article 6687-9 of Vernon's Texas Civil Statutes as hereafter amended.
- 10.7 Drugs in the possession of any component institutional police department will be disposed of in the manner prescribed by Article 4476-14, Section 8, of the Texas Dangerous Drugs Act and by Article 4476-15, Section 5.08, of the Texas Controlled Substances Act, or as hereafter amended.

CHAPTER VIII

PHYSICAL PLANT IMPROVEMENTS

Sec. 1 New Building Construction Exceeding the Amount of \$50,000 per Project.

- 1.1 After the Board approves the construction of new buildings, the procedures shall be as follows:
 - 1.11 The Institutional Building Advisory Committee shall hold necessary hearings and make proper investigations to translate the approved academic program into priorities for new construction, with suggestions as to total project area and function, and make such recommendations to the chief administrative officer.
 - 1.12 The Institutional Building Advisory Committee shall be relieved of further direct responsibility whenever a building contract is awarded, but shall be available for consultation as the building progresses, as requested by the chief administrative officer, the Chancellor, or his delegate, and the project architect.
 - 1.13 New projects shall be submitted to the Board for approval, including proposed funding, upon recommendation of the chief administrative officer, the Chancellor, or his delegate.
- 1.2 Project Development.
 - 1.21 The Board will employ a project architect for each new major building project at all component institutions.
 - 1.22 The chief administrative officer may appoint according to the Institutional Handbook of Operating Procedure an Ad Hoc Project Building Committee composed of but not limited to representatives of the departments or divisions that will occupy the building. The committee shall work with the Office of Facilities Planning and Construction to prepare a detailed program of the needs for each project.

- 1.23 The chairman of the Institutional Building Advisory Committee, or his delegate, shall be an ex officio member of each Ad Hoc Project Building Committee.
 - 1.24 The project architect shall be given the detailed program and will work in conjunction with the Office of Facilities Planning and Construction to prepare preliminary plans, exterior design, outline specifications, cost estimates, etc., which shall be submitted to the Board for approval upon the recommendation of the institutional head, the Chancellor, or his delegate.
 - 1.25 After approval of the preliminary plans, the Board shall authorize the preparation of the working drawings and specifications. In the preparation of the final plans and specifications, the project architect shall work with the Ad Hoc Project Building Committee and the Office of Facilities Planning and Construction.
 - 1.26 The final working drawings and specifications shall be submitted to the Board for approval upon the recommendation of the institutional head, the Chancellor, or his delegate.
- 1.3 Bidding and Construction Phase of Project.
- 1.31 After the Board approves the final plans and specifications, the Board shall authorize the Office of Facilities Planning and Construction to advertise for bids. Advertisements for bids for buildings shall be in accordance with State law and shall be published for four consecutive weeks unless the urgency, limited scope of work, or economy, as determined by the Chancellor, shall justify a lesser period of time.
 - 1.32 The Chancellor, or his delegate, shall receive and open bids, with the project architect and others, tabulate and study such bids, and make recommendations to the Board.
 - 1.33 The Board will award the contracts for all work in excess of the amounts of \$50,000 for new construction and \$80,000 for major remodeling/repair projects. The contract will be signed by the contractor(s) involved and the Chairman of the Board and approved by the Board in accordance with law.
 - 1.331 In the event the lowest bidder is found to be not responsible, or other facts and circumstances necessitate award of contract to other than the lowest bidder, the bidder(s) submitting proposal(s) lower than the bidder to whom award is proposed shall be notified of the Board's proposed decision for award.

- 1. 332 If the lowest bidder fails to timely state his protest of such award and requests to present evidence, the Board's proposed award will be final.
- 1. 333 If the lowest bidder timely files notice of protest, the Board will hear the protest or will delegate to the Chancellor the authority to appoint a Hearing Officer who shall promptly convene and conduct a hearing and subsequently prepare and submit a report of his findings through the Chancellor to the Board. The Board shall make a final decision based upon the records of the hearing before the Hearing Officer.
- 1. 334 The contract documents will be prepared by the Project Architect and approved by the Chancellor, or his delegate, and the General Counsel for the System, or his delegate, before submission to the Chairman of the Board.
- 1. 335 At the time contracts are awarded, additional appropriations will be made if required.
- 1. 34 The Chancellor, or his delegate, shall approve contractor's estimates, sign change orders, and provide general supervision of all new construction. He shall advise the Board if developments during construction require additional funds or other decisions of the Board.
- 1. 35 The Chancellor, or his delegate, shall inspect the completed building and recommend final acceptance and final payment.

Sec. 2 New Building Construction Involving Less than \$50,000 per Project.--New construction that involves a total expenditure of \$50,000 or less per project may be handled at the component institution. Necessary funds must have been approved through the proper procedure. In each case, the project must have been approved by the Director of physical plant, the chief business officer, and the chief administrative officer of the institution involved and the Vice Chancellor for Business Affairs.

Sec. 3 Minor Repairs and Remodeling and Improvements other than Buildings.--Minor repairs and remodeling of the physical plant and construction of improvements other than buildings involving proposed expenditures of less than \$80,000 per project shall be made under the supervision of the director of physical plant and the chief business officer at the component institutions, with the prior approval of the chief administrative officer and the Vice Chancellor for Business Affairs provided that necessary funds have been approved through proper procedure.

Sec. 4 Major Repairs and Remodeling and Improvements other than Buildings.

- 4.1 Any repair or remodeling project of the Physical Plant and construction of improvements other than buildings involving an estimated expenditure of \$80,000 or more shall be deemed a construction project.
- 4.2 Unless otherwise approved by the Board, the procedures and regulations pertaining to new building construction shall apply to major repairs and remodeling projects.

Sec. 5 Professional Services.--Each component institution is authorized to make use of architects, engineers, and other professional services up to a maximum cost of \$7,500 with the approval of the Chancellor on recommendation of the chief business officer.

Sec. 6 Constitutional and Legislative Restrictions.

- 6.1 Section 18, Article VII, of the Texas Constitution requires approval by the Legislature, or an agency designated by the Legislature, prior to the construction of physical improvements financed by bonds authorized under this section at the component institutions other than The University of Texas at Austin and at El Paso.
- 6.2 Under the provisions of the current Appropriation Bill, prior to the allocation, expenditure or encumbrance of any funds provided under the authority of Article VII, Sections 17 and 18, of the Texas Constitution, for individual building construction projects costing in excess of Twenty-five Thousand Dollars (\$25,000), other than classroom, library and laboratory building projects, Notice of intent shall be filed with the Legislative Budget Board and the Governor's Budget Office.
- 6.3 New construction projects not otherwise authorized by law, in excess of \$100,000 and all major repair and rehabilitation projects in excess of \$100,000, must be approved by the Coordinating Board, Texas College and University System, as to purpose and gross dimensions. Format for submission will be as prescribed by the Coordinating Board. Submission will be prepared by the component institution, in consultation with and assisted by the Office of Facilities Planning and Construction, if necessary, and forwarded to System Administration for review, approval and handling of submission. It is the objective to submit the necessary documents to the Coordinating Board when the project scope and estimated cost are sufficiently defined to meet the Coordinating Board's requirements for approval. Normally, submission will be made when the Board approves preliminary plans and specifications and the related cost estimate.

Sec. 7 Modification of Bids.

- 7.1 No bid shall be changed, amended, or modified by telegram or otherwise after it has been submitted or filed in response to an advertisement for bids in connection with the construction or erection of permanent improvements at any of the component institutions of the System under Article 2593, Revised Civil Statutes of Texas, 1925.
- 7.2 The substance of this requirement shall be stated in the advertisement for such bids; provided, however, that this requirement shall not be construed to prohibit the submission of filing of more than one separate and independent bid by any bidder.

Sec. 8 Institutional Building Advisory Committees.

- 8.1 At each of the component institutions there shall be an institutional building advisory committee.
- 8.2 The committee shall be appointed by the chief administrative officer in the same manner as other institution-wide committees are appointed.
- 8.3 The composition of the institutional building advisory committee shall be set forth in the Institutional Handbook of Operating Procedure of each component institution.
- 8.4 The Vice Chancellor for Business Affairs, or his delegate, and the chief business officer of the institution shall be ex officio members of such committees.

CHAPTER IX

MATTERS RELATING TO INVESTMENTS, TRUSTS AND LANDS

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

- 1.1 **Authority to Purchase, Exchange, and Sell Securities for and on Behalf of the Permanent University Fund of The University of Texas (hereinafter sometimes referred to as "PUF") and the Board. -- The Chancellor, the Vice Chancellor for Business Affairs, and the Executive Director for Investments and Trusts are each authorized to purchase, exchange and sell any and all securities for and on behalf of the PUF or the Board, and to execute any and all documents necessary to the consummation of any purchases or exchanges.**
- 1.2 **Authority to Assign and Transfer Securities Held by the PUF and the Board. -- The Chancellor, the Vice Chancellor for Business Affairs, and the Executive Director for Investments and Trusts may each assign and transfer any and all securities of any description whatever, and execute any and all documents necessary to the consummation of any sale, assignment or transfer of any securities registered in the name of the PUF or the Board, or in any other form of registration of such securities held for the account of the PUF or the Board in whatever manner, including all fiduciary capacities, and including those registered in the names of trusts or foundations managed and controlled by said Board.**
- 1.3 **Authority to Execute Instruments Relating to Land and Mineral Interests. -- The Chairman of the Board, the Vice-Chairman, the Chancellor, the Vice Chancellor for Business Affairs, and the Vice Chancellor for Lands Management are each authorized to execute conveyances, deeds, surface and/or mineral leases, easements, rights of way, oil and gas division orders, and transfer orders, geophysical and material source permits water contracts, pooling and unitization agreements and any other instruments as may be necessary or appropriate from time to time,**

relating to the handling, management, control, and disposition of any real estate or mineral interests held or controlled by the Board as a part of the PUF or as a part of any trust or special fund.

- 1.4 **Authority to Receive and Collect Money and/or Property.** --The Chancellor, the Vice Chancellor for Business Affairs, and the Executive Director for Investments and Trusts are each authorized and empowered to ask, demand, collect, recover, and receive any and all sums of money, debts, dues, rights, property, effects, or demands, whatever, due, payable, or belonging, or that may become due, payable, or belonging to any of the above funds, from any person or persons, whatever, and to execute any and all necessary or proper receipts, releases, and discharges therefor.
- 1.5 **Authority to Execute Proxies.** --The Chancellor, the Vice Chancellor for Business Affairs, and the Executive Director for Investments and Trusts are each authorized to execute proxies within the approved **investment policies**

Sec. 2 Investment Policy for PUF.

- 2.1 **Investments Authorized for Purchase.**
 - 2.11 Bonds of the United States, the State of Texas or counties of said State, or in school bonds of municipalities, or in bonds of any city of said State, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments, thereto.
 - 2.12 Bonds or other obligations issued, insured, or guaranteed in any manner by the United States Government or any of its agencies.
 - 2.13 Bonds, debentures, or obligations, and preferred and common stocks issued by corporations, associations, or other institutions.
 - 2.14 Convertible securities, of all kinds, issued by corporations on the approved list.
- 2.2 **Standards as to Quality.**
 - 2.21 **Corporate Stocks:**
 - 2.211 Stocks eligible for purchase shall be restricted to stocks of companies incorporated within the United States which have paid dividends for five (5) consecutive years or longer immediately prior to the date of purchase.

- 2.212 Except for bank and insurance shares, stock must be listed upon an exchange registered with the Securities and Exchange Commission or its successors.
- 2.213 Common stocks and convertible securities are eligible for purchase if they are issued by corporations which have been approved by the Board.
- 2.22 Corporate Obligations and Preferred Stocks: Corporate Bonds and Preferred Stocks must be rated "A" or better by Moody's Investors Service, Inc., or by Standard and Poor's Corporation. Bonds or preferred stocks offered by private placement and not rated may be purchased if in the opinion of the University's Investment Counsel they are of "A" quality or better. Commercial Paper must be rated in the two highest quality classes by Moody's Investors Service, Inc., or Standard and Poor's Corporation to be eligible for purchase.
- 2.23 FHA Mortgage Loans:
 - 2.231 Loan Standards:
 - 2.2311 The security for the loans shall be single family, owner occupied residences (including Row or Town Houses) of good design and construction, in good condition, and comparable in value to other homes in the neighborhood.
 - 2.2312 Borrower must have a good credit rating and have adequate income to support the loan.
 - 2.2313 Loans shall be for \$10,000 or more and shall be fully insured by the FHA to the maximum extent permitted under the law.
 - 2.2314 Title and hazard insurance policies, written by companies acceptable to the Board, shall be furnished with respect to each loan purchased. Hazard insurance policies must be written by companies having a Best's rating of A-BBB or better.
 - 2.2315 No loan shall be purchased from any Seller-servicer until a formal contract has been entered into with such Seller-servicer on a form approved by the Board.
 - 2.232 Minimum standards for Seller-servicers from which FHA loans are purchased:
 - 2.2321 The Seller-servicer must be an approved FHA Mortgagee, and must have satisfactory credit rating, and an unimpaired capital and surplus of at least \$250,000.

- 2.2322 It must have been actively engaged for at least five years in the mortgage loan business, and except for commercial banks, the mortgage loan business must be its principal business, and must have a capable and experienced organization, together with the necessary equipment to furnish timely accountings on a block basis.
- 2.2323 It must be servicing at least \$25,000,000 of loans, and its clients (other than Federal National Mortgage Association) must include at least three institutional investors, and must have a capability of producing not less than \$1,000,000 per year in FHA loans.
- 2.2324 It must carry a Mortgage Bankers Blanket Bond in an amount not less than \$250,000.

2.233

Implementation of FHA Mortgage Loan Purchase program: The Chancellor, the Vice Chancellor for Business Affairs, and the Executive Director for Investments and Trusts are each authorized:

- 2.2331 To recommend the Seller-servicers with which Purchase and Servicing Agreements should be made, and after approval by the Board, to execute the Purchase and Servicing Agreements on the approved forms.
- 2.2332 To perform such acts and execute such documents as may be necessary from time to time in carrying out the provisions of any such Purchase and Servicing Agreement, including authority to accept or reject loans tendered under such agreements, to execute releases of the liens securing any loan or loans when paid in full, and to execute assignments of any notes and liens when appropriate to do so.
- 2.2333 To take any and all steps as may be considered necessary or advisable to protect the interest of the PUF in event of default occurring with respect to any FHA Insured First Mortgage note held by such Fund. Not by way of limitation, but by way of illustration only, such authority shall

include power to acquire title on behalf of the Board to the property securing any such note, by Trustees sale, foreclosure, or otherwise; to execute on behalf of the Board the necessary deed conveying the properties so acquired to the Federal Housing Administration; to handle any properties so acquired pending conveyance to the Federal Housing Administration; and to incur and pay such reasonable expenses as may be necessary in the acquisition and care of any such properties.

2.3 Diversification.

2.31 Not more than 5% of the voting stock of any one (1) corporation shall be owned at any given time by the PUF.

2.32 Not more than 1% of the book value of the PUF shall be invested at any given time in securities issued by any one (1) corporation.

2.4 Standard of Care.

2.41 Prudent Man Rule: In making or retaining each and all investments for the PUF, and in management, purchase, and sale of such investments from time to time, there shall be exercised the judgment and care under the circumstances then prevailing that men of ordinary prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income therefrom as well as the probable safety of their capital.

2.5 Policies with Respect to Stock Rights, Fractional Shares, and Proxies.

2.51 As a general rule, stock rights received are to be exercised. In each instance, exercise or sale of the rights is to be made at the discretion of the Chancellor, the Vice Chancellor for Business Affairs or the Executive Director for Investments and Trusts.

2.52 As a general rule, fractional shares received from stock dividends, etc., are to be sold. In each instance, the decision to round out fractional shares or to sell will be made by the Chancellor, the Vice Chancellor for Business Affairs or the Executive Director for Investments and Trusts.

2.53 As a general rule voting stocks held are to be voted by returning proxies to present management. When the Executive Director for Investments and Trusts determines that

a vote with management would not be in the shareholder's best financial interest, or when a proposal under consideration is of a social nature, the matter will be referred to the Chancellor or, in his absence, to the Chairman of the Land and Investment Committee.

2.6 **Implementation of Policies.**

- 2.61 **Approved List.** A list of companies whose stocks are considered suitable for purchase or retention shall, after consultation with the Staff Investment Committee, the Investment Counsel, and the Investment Advisory Committee, be submitted by the Chancellor, the Vice Chancellor for Business Affairs, or the Executive Director for Investments and Trusts for approval by the Board through the Regents' Land and Investment Committee. This list will be reviewed annually.
- 2.62 **Authority regarding purchase and sale of securities.** Within the limitations of these Rules and Regulations, the Chancellor, the Vice Chancellor for Business Affairs, or the Executive Director for Investments and Trusts is authorized to buy, sell or exchange, from time to time, securities issued by the companies within the approved list, provided that sales in any one calendar month of stocks owned shall not exceed 2 1/2% of the book value of the PUF. With the approval of the Chairman of the Land and Investment Committee, or the Chairman of the Board, the Chancellor, the Vice Chancellor for Business Affairs, or the Executive Director for Investments and Trusts may sell stocks in excess of 2 1/2%, but not in excess of 5%, of the value of the PUF. Sales of stocks in any one month in excess of 5% of the value of the PUF require prior approval of the Board.
- 2.63 **Exchange of Bonds.** The Chancellor, the Vice Chancellor for Business Affairs, or the Executive Director for Investments and Trusts is authorized to exchange bonds owned from time to time, on a par for par basis (with such cash adjustments as may be required) for other eligible bonds or obligations. In any such exchange the cost of the bonds exchanged out (plus or minus the cash adjustment involved) shall be carried forward as the cost of the bonds or obligations acquired, even though the sale and purchase may be effected through different brokers.
- 2.64 **Advice of Investment Advisory Committee.** -- The Chancellor, the Vice Chancellor for Business Affairs, or the Executive Director for Investments and Trusts shall seek the advice and counsel of the Investment Advisory Committee at its regular quarterly meetings on all of the major matters involving the PUF.

2. 65 Reports of purchases, sales, and exchanges of Investments.-- All purchases, sales, and exchanges of investments shall be reported for ratification by the Board through the Regents' Land and Investment Committee at each meeting of the Board.

Sec. 3 Investment Policy for Trust and Special Funds.

3. 1 Investments authorized for purchase:
3. 11 Unless otherwise limited by the terms of the instrument by which the fund was created, trust and special funds under the control of the Board shall be invested and reinvested in such securities and investments as are permitted by the Texas Trust Act as legal investments for funds held by trustees.
3. 12 Except as broadened by the foregoing Section 3. 11, the general statement of policies outlined in Section 2 with respect to the PUF shall likewise apply to the investment and management of any trust or special funds under the control of the Board.
3. 2 Implementation of Policies.--The provisions of Section 2. 6 with respect to the implementation of policies for the investment and management of the PUF shall likewise apply to trust and special funds, provided that approval of the Board shall be required before any stock is purchased which is not on the approved list.

Sec. 4 Investment Policy for Common Trust Fund.--The policies for the investment and management of funds for the System Common Trust Fund shall be the same as those outlined in Section 3 with respect to trust and special funds.

Sec. 5 Staff Investment Committee.

5. 1 Membership.--The Staff Investment Committee shall consist of the Chancellor, the Vice Chancellor for Business Affairs, the Executive Director for Investments and Trusts, the investment officer, and such other members as may be designated from time to time by the Chancellor or the Vice Chancellor for Business Affairs.
5. 2 Duties.--The Staff Investment Committee shall cooperate and advise with the Chancellor, the Vice Chancellor for Business Affairs or the Executive Director for Investments and Trusts on matters relating to the management of investments for which he is responsible.

Sec. 6 Investment Advisory Committee.--The Investment Advisory Committee is and has been established in order to assist and advise the Chancellor, the Vice Chancellor for Business Affairs and the Executive Director for Investments and Trusts with respect to

matters relating to the management of investments for which said Executive Director is responsible. The following rules shall apply to such Committee:

- 6.1 **Membership.** -- Five members of the Committee shall be selected because of their particular qualifications and experience in the field of investments, including experience in bond and corporate stock investments.
- 6.2 **Selection Procedure.** -- Appointments to such Committee shall be made by the Board after recommendation by the Chancellor.
- 6.3 **Term of Office.** -- Each member shall serve a five year term on a rotating basis, with the term of one member expiring each August 31.
- 6.4 **Meetings.** -- Meetings shall be held quarterly and at such other dates as may be considered advisable by the Chancellor.

Sec. 7 **Investment Transactions:** Sales, purchases and exchanges shall be effected through investment dealers or brokers in accordance with normal investment practices, if, in the judgment of the Chancellor, the Vice Chancellor for Business Affairs or the Executive Director for Investments and Trusts, these services will produce the maximum benefit to the System.

CHAPTER X

AUXILIARY ENTERPRISES

- Sec. 1 Auxiliary Enterprises are those operated primarily for service to students and staff. Such enterprises are expected to be self-supporting. Examples of such enterprises are residence halls, dining halls, student hospitals, student unions, bookstores, and any activities supported from fees collected as Student Activities Fees, whether such fees are optional or mandatory.
- Sec. 2 Annual budgets for these activities shall be prepared and submitted through regular administrative channels, and expenditures shall be within budgets approved by administrative officials and the Board. Income of Auxiliary Enterprises is not deposited with the State Treasurer, however, and any balances or deficits at the end of a fiscal year may be reappropriated for the succeeding year.
- Sec. 3 With the exception of intercollegiate athletic departments, to which the general and special provisions of the Appropriation Bill do not apply, the same regulations and applicable laws shall govern as apply to the budgeting and expenditure of general funds unless otherwise specifically authorized. The Board, upon recommendation of appropriate administrative officials, approves the regulations for the management and operation of athletic departments.
- Sec. 4 Rentals and related policies and rates for dormitories and housing facilities shall be approved in advance by the chief administrative officer, the Chancellor, and the Board.
- Sec. 5 Rules and regulations for the administration of dormitories, other housing facilities, dining halls, and other eating facilities, shall be promulgated by administrative officials and the chief administrative officer at the institution concerned.
- Sec. 6 The money values of meals, lodging, and other services the employees are authorized to receive in lieu of additional wages or salary, are recommended to the chief administrative officer by the chief business officer and approved by the Chancellor and the Board.

Sec. 7 Statutory Provisions Currently in Effect. --Auxiliary Budgets shall comply with statutory provisions and rider provisions of current Appropriation Bill.

Sec. 8 Student Publications (The University of Texas at Austin).

- 8.1 All assets of the former Texas Student Publications, Inc., now vested in the Board of the System shall be delivered to, and recorded in the accounting records of, The University of Texas at Austin, to be used for the maintenance and support of student publications as an auxiliary enterprise of The University of Texas at Austin. The recording, budgeting and expenditure of these assets will be in accordance with the Rules and Regulations for the management of this type of funds and account.
- 8.2 The day-to-day operations of student publications on the campus of The University of Texas at Austin are under the control and jurisdiction of a Publishing Board, constituted as hereinafter set out. The Publishing Board shall transact all business connected with student publications on the campus of The University of Texas at Austin, pursuant to these Rules and Regulations.
- 8.3 The Publishing Board is responsible for the issuance, publication, and distribution of the student publications on the campus of The University of Texas at Austin. Such publications presently consist of The Daily Texan, The Summer Texan, The Texas Ranger Magazine, Cactus, Peregrinus, Texas Engineering and Science Magazine, and Riata. The Publishing Board may authorize other publications.
- 8.4 The Publishing Board shall consist of eleven voting members, composed as follows:
- (1) Four undergraduate students out of the Journalism Department of The University of Texas at Austin elected (two to be elected in even-numbered years and two to be elected in odd-numbered years after the initial election; at the initial election under these rules all four shall be elected with provision for staggered terms as hereinafter set out) by those students certified by the chairman of such department as being journalism majors. Said election is to be held at least three weeks before the spring government election each year pursuant to the rules established by the Publishing Board. No student shall be eligible to be a candidate for a position on the Publishing Board unless he has completed or will have completed by the end of the spring semester in which the election is held twelve hours of journalism courses; is in good standing (not on

scholastic probation); and has completed at least one semester in residence in the long term at The University of Texas at Austin. The eligibility of a candidate must be certified to by the Chairman of the Department of Journalism prior to the time of said election.

- (2) Two undergraduate students elected at large from the student body of The University of Texas at Austin (one to be elected in even-numbered years and one to be elected in odd-numbered years after the initial election; at the first election under these rules both shall be elected with provision for staggered terms as hereinafter set out) at the same time as the editor of The Daily Texan pursuant to Subsection 8.(10) of this section. If the President of the Students' Association is not one of the students elected at the election, then the President of the Students' Association shall serve as an ex officio member of the Publishing Board without vote.
- (3) Two members of the faculty out of the voting faculty of the Department of Journalism and one member of the faculty out of the voting faculty of the College of Business Administration, all three to be appointed directly by the chief administrative officer of The University of Texas at Austin.
- (4) Two professional newspapermen appointed by the chief administrative officer of The University of Texas at Austin.

8.5 Voting members of the Publishing Board shall serve a term of two years beginning June 1 of each calendar year. However, in order to provide staggered terms, the following procedure shall be used concerning the first Publishing Board selected under this section, to take office June 1, 1972.

- (1) The four journalism students elected from the Department of Journalism shall draw lots in the presence of a quorum of the Publishing Board to determine which two shall serve initial terms of one year and which two shall serve initial terms of two years.
- (2) The two undergraduate students elected at large from the student body of The University of Texas at Austin shall draw lots in the presence of a quorum of the Publishing Board to determine which one shall serve an initial term of one year and which one shall serve on initial term of two years.
- (3) The chief administrative officer of The University of Texas at Austin shall appoint one of the faculty out of the Department of Journalism for an initial term of one year, and he shall appoint the other journalism faculty member for an initial term of two years. The chief administrative officer of The University of Texas at Austin shall appoint the remaining faculty member for an initial term of two years.

- (4) The chief administrative officer of The University of Texas at Austin shall appoint one of the professional newspapermen for an initial term of one year, and shall appoint the other professional newspaperman for an initial term of two years.
- 8.6 Should any voting member or members of the Publishing Board resign, become ineligible, or for any other reason fail to serve, the chief administrative officer of The University of Texas at Austin shall, after consultation with the Publishing Board, select a successor or successors to fill the unexpired term.
- 8.7 In addition to the aforementioned voting members of the Publishing Board, the following persons shall serve as ex officio, nonvoting members: the Dean of Students or his representative; the Editorial Manager of The Daily Texan; the General Manager of the publications; the Editor and Managing Editor of The Daily Texan; and the student editors of all other publications published by the Publishing Board.
- 8.8 The number and method of selection of the Publishing Board may be changed only by amendment to these rules.
- 8.9 The officers of the Publishing Board shall be a President, a Vice President, and a Secretary and such other officers as the Publishing Board may from time to time find necessary to carry on the business of the publications. Officers shall be elected from among the voting members of the Publishing Board at the first meeting after June 1 of each year. Officers' terms shall be for one year, but a person is eligible to serve one additional one-year term.
- 8.(10) At least three weeks prior to the spring student government elections there shall be a student publications election on the campus of The University of Texas at Austin. At such election there shall be elected the Editor of The Daily Texan by the students of The University of Texas at Austin, but voting members of the Board shall appoint the Editor of The Daily Texan in the case of a vacancy. The eligibility of a candidate for Editor of The Daily Texan must be certified to by the Publishing Board on standards set out in their Handbook prior to the time of said election. The Publishing Board shall set out in its Handbook the conditions under which said elections may be held, including length of the campaign. The Editor of The Daily Texan shall serve for a term of one year beginning June 1. There shall also be elected at this election the two student members of the Publishing Board (one student to be elected each year after the first spring election) as provided in Subsection 8.4(2).

8. (11) In the performance of all of its duties and in the exercise of all of its powers the Publishing Board shall be subject to the direction of the Regents' Rules and Regulations. The Publishing Board shall conduct its meetings in strict adherence to Roberts' Rules of Order.
8. (12) There shall be an Executive Committee of the Publishing Board to be composed of three faculty members and two journalism students to be elected by the Publishing Board from its membership.
8. (13) The Executive Committee shall appoint a General Manager who shall be selected annually during the month of May for the fiscal year beginning September 1. The Executive Committee shall determine the compensation of the General Manager. The duties of the General Manager shall be prescribed by the Executive Committee, subject to basic policies set forth by the Publishing Board. The Editorial Manager(s) will be appointed by the Executive Committee, subject to basic policies set forth by the Publishing Board. The Executive Committee shall determine compensation of the Editorial Manager(s). The Editorial Manager of The Daily Texan shall be authorized to coordinate the activities between The Daily Texan and the Department of Journalism so as to secure the most effective use of the journalism laboratories and classes in the preparation of material for The Daily Texan. The Executive Committee shall fix the compensation of all editorial workers on student publications, subject to the final approval of the Publishing Board. The Executive Committee shall appoint and fill all vacancies for Editor and Managing Editor of every publication, except The Daily Texan, and shall fix their compensation subject to final approval of the Publishing Board at its next regular meeting.
8. (14) The Executive Committee is authorized to implement, and is responsible for implementation of, the policies of the Publishing Board between meetings of the Publishing Board.
8. (15) A definitive relationship between the Department of Journalism of The University of Texas at Austin and The Daily Texan published by the Publishing Board must exist. Accordingly, the chief administrative officer of The University of Texas at Austin shall promulgate an operating procedure to establish this relationship. The operating procedure may be amended from time to time by mutual agreement between the Department of Journalism, through its chairman, and the Publishing Board, with the concurrence of the Chief administrative officer of The University of Texas at Austin. In the event the Chairman of the Department and the Board of Directors are unable to agree on amendments, the chief administrative officer of The University of Texas at Austin shall make the final decision.

8. (16) There shall be established within the Publishing Board a Review Committee which shall be composed of one member of the journalism faculty, one journalism student, and one professional newspaperman. Such members are to be elected by the Publishing Board out of its membership. All appeals on material withheld from publication by the Editorial Manager, or respective publications supervisors, shall be considered by the Review Committee within 24 hours of the action. A decision of the Review Committee may be appealed to the Publishing Board, but seven affirmative votes of the Publishing Board are required to overrule said ~~decision~~ of the Review Committee. In all such matters, the actions of the Publishing Board shall be final and complete without review outside the Publishing Board.
8. (17) It shall be the duty of the Publishing Board to furnish on request to the chief administrative officer of The University of Texas at Austin, the Chancellor, and the Board of Regents, within two weeks of such request, any special reports requested by such officials.
8. (18) At least eighteen copies of the minutes of all meetings of the Publishing Board shall be delivered promptly to the chief administrative officer of The University of Texas at Austin for distribution to the Chancellor, the Vice Chancellor for Academic Affairs, the members of the Board, the Secretary to the Board, and such members of The University of Texas at Austin administration as the chief administrative officer of The University of Texas at Austin may direct. No action of the Publishing Board shall have any force or effect unless included in the minutes and until it has been approved by the chief administrative officer of The University of Texas at Austin, except actions of the Publishing Board pertaining to decisions of the Review Committee, and except as to actions of the Publishing Board with respect to the appointment, discipline, or removal of editors, which actions need only be reported in the minutes for information, but are not reviewable outside the Publishing Board.
8. (19) No budget or budget amendment adopted by the Publishing Board shall have any force or effect until such budget or budget amendment has been approved by the Board.
8. (20) No expenditure shall be made by the Publishing Board unless it is made in accordance with and pursuant to a budget item that has been previously adopted by the Publishing Board and approved by the Board.
8. (21) Within 90 days following the close of each fiscal year, the chief administrative officer of The University of Texas at Austin shall be furnished for distribution to the Chancellor and to the members of

the Board, the Secretary to the Board, and to such members of The University of Texas at Austin administration as the chief administrative officer of The University of Texas at Austin may direct, at least fifteen copies of a complete audit of the fiscal year.

8. (22) All employees, editors, editorial workers, and staff members employed to work on student publications under the control and jurisdiction of the Publishing Board, including all employees of the former corporation known as Texas Student Publications, Inc., holding office or employed as of the effective date of this section of these rules and regulations shall continue in office or employment (unless disciplined or removed from office in accordance with this section) at the same wage rates and under the same terms of their current office or employment (unless changed by the Publishing Board in accordance with this section).
8. (23) Subject to Subsection 8.22 of this section, the Publishing Board shall have the authority: (1) to appoint the Managing Editor of The Daily Texan, from among qualified students; (2) to take disciplinary action against the employees, editors, editorial workers, and staff members of student publications, including the removal from office after due notice, for a violation of the policies of the ~~Publishing~~ Board or for nonperformance of duties; such removal shall require a majority vote (action of the Publishing Board in the matter of the appointment discipline, and removal of editors shall be final and complete); provided, however, that no action taken by the Publishing Board with respect to the employment, dismissal, salary, or duties and responsibilities of either the ~~General Manager~~ or the ~~Editorial Manager(s)~~ shall have any force or effect until it has been approved by the Board; and (3) to determine the character and policies of all student publications.
8. (24) Since all funds utilized in the operations of student publications are under the direct control of an agency of the university. The Publishing Board, the Vice ~~President~~ for ~~Business Affairs~~ of The University of Texas at Austin, and the director of The University of Texas at Austin Personnel Office shall immediately make arrangements for assuring that all appropriate personnel are placed under the budgetary and personnel regulations applicable to other University of Texas at Austin employees.
8. (25) The Publishing Board shall promulgate and implement a handbook which shall contain the operating policies of the Publishing Board.

8. (26) As an interim measure, to assure the uninterrupted operation of student publications on the campus of The University of Texas at Austin, the chief administrative officer of The University of Texas at Austin shall appoint two journalism faculty members, one college of business administration faculty member, two professional newspapermen, and six students, who shall serve only until June 1, 1972, when a Publishing Board selected under procedures set out in this section will take office. This interim board will arrange for the election of the Editor of The Daily Texan and Publishing Board members as required under Subsections 8.4 and 8. (10) for the new year of offices beginning June 1, 1972.

Sec. 9 The Texas Union (The University of Texas at Austin).

- 9.1 Subject to all relevant provisions of the Rules and Regulations of the Board of Regents and the rules and regulations of The University of Texas at Austin, the Board of Directors of the Texas Union shall recommend to the chief administrative officer of The University of Texas at Austin rules, regulations, and procedures regarding the operation and use of the Texas Union, shall review the Texas Union Budget, shall advise the chief administrative officer in the appointment of the Union Director and shall be involved in the future development of the Texas Union. The Texas Union is designed to provide facilities, services and programs for the students, faculty and staff of The University of Texas at Austin, including the coordination of beneficial co-curricular activities of students and faculty members, programs for intellectual, social, cultural and recreational development, for the promotion of genuine democracy, for the cultivation of a more intelligent interest in and deeper affection for The University of Texas at Austin.
- 9.2 The Board of Directors of the Texas Union shall consist of nine voting members: Six students and three faculty members. The Dean of Students, or his/her delegate, the Secretary of the Board of Directors, and the Union Director shall be ex officio members without vote.
- 9.21 The faculty members shall be appointed by the chief administrative officer for three-year overlapping terms, one to be appointed each year. New faculty member appointments shall become effective on May first of each year.
- 9.22 The six student members of the Board shall be as follows: the ~~President~~ President of the Students' Association, the Coordinator of the Texas Union Program Council, and four other students to be appointed for two-year overlapping terms. The four non-ex officio student members shall be registered for at

least six semester hours during each long session semester of service and shall be selected as follows: A public announcement of Union Board vacancies shall be published in The Daily Texan and an interview process shall be conducted by the Executive Officers of the Students' Association, or by the appropriate committee of the Students' Association. Appointments shall be ratified by a 2/3 vote of the Student Senate. New student appointments shall become effective on May first of each year.

- 9.3 The officers of the Board of Directors of the Texas Union shall be as follows: Chairman; Vice-Chairman; Secretary; and Union Director. The Chairman shall be elected each year from the student membership of the Board of Directors by the voting members of the Board. In order to qualify for election as Chairman, a student shall have at least one year's experience on either the Texas Union Program Council or the Board of Directors. The Vice-Chairman shall be the President of the Students' Association, and the Secretary and the Union Director shall be elected by the voting members of the Board of Directors. The officers of the Board of Directors shall perform the usual duties of their respective offices.
- 9.31 The Chairman shall be elected each year to serve a term to extend from the first official Board meeting of the Fall Semester until May 15th.
- 9.32 An Interim Chairman shall be elected each year to serve a term from May 15th until the first official Board meeting of the following Fall Semester. The Interim Chairman shall have the same qualifications as the Chairman.
- 9.4 The Board of Directors may, at its discretion, authorize any three voting members of the Board to serve as an executive committee acting for the Board of Directors between meetings, but only during the period from May 15th until the first day of registration for the fall semester, or during official UT semester break or holiday periods. All actions taken by the Executive Committee are subject to later ratification by the Board of Directors.
- 9.5 At least two copies of the minutes of all meetings of the Board of Directors and the Executive Committee shall be delivered promptly to the chief administrative officer of The University of Texas at Austin. No budget or budget amendment adopted by the Board of Directors of the Texas Union, or of any committee or subcommittee of such Board, shall have any force or effect until such budget or budget amendment has been approved by the Board of Regents.

- 9.6 No expenditure shall be made by the Board of Directors of the Texas Union, unless it is made in accordance with and pursuant to a budget item which has previously been adopted by the Board of Directors of the Texas Union and approved by the Board of Regents.
- 9.7 Within ninety days following the close of each fiscal year of the Texas Union, there shall be furnished to the chief administrative officer of The University of Texas at Austin for distribution to the Chancellor, to the members of the Board of Regents, to the Secretary to the Board of Regents, and to such other members of the administration as the chief administrative officer of The University of Texas at Austin may direct, at least 15 copies of a complete audit of the fiscal affairs of the Texas Union during the preceding fiscal year.
- 9.8 The Board of Directors of the Texas Union shall meet at least once a month during each Long Session, setting its own date for meetings, formulating its own rules of procedure, setting up and appointing such committees as it may deem necessary and desirable for the proper use of the facilities of the Union Building, and exercising all powers not specifically assigned herein.
- 9.9 The Union Director shall serve as chief executive official in the Union Building. The Board of Directors of the Texas Union shall recommend annually on June 1 through the chief administrative officer of The University of Texas at Austin to the Chancellor and the Board of Regents the appointment of the Union Director. His term of service shall extend from September 1 through the following August 31. The Union Director shall have the responsibility for the day-to-day operation of the Union Building and its programs or activities. He shall be charged with coordinating the various functions of the Building and the interests of the various groups served by the Building. The Union Director shall consult with the Texas Union Board of Directors regarding the appointment of appropriate staff members. He shall employ, supervise, and direct the work of all subordinate employees. The Union Director shall be a member of all committees without vote. On May 1 annually he shall make a complete report to the Board of Directors of the Texas Union covering the activities in the Union Building. The report shall be transmitted through the chief administrative officer of The University of Texas at Austin to the Chancellor, to the Board of Regents, to the Secretary to the Board of Regents, and to such other members of the administration as the chief administrative officer of The University of Texas at Austin may direct. The Union Director shall perform such additional services as may be required by the Board of Directors and approved by the Board of Regents.

- 9.(10) While various parts and facilities of the Union Building are reserved primarily for the general use of students and faculty, provision is made by extending the use of portions of the Building to special groups for their exclusive use when this can be done in such manner as not to interfere with the regular program of the Union, and in such cases a rental price may be charged. However, when persons, groups, or organizations officially designated by the chief administrative officer of The University of Texas at Austin, by the Chancellor, or by the Board of Regents as guests of the University desire to use the facilities of the Union, such privilege shall be granted and shall be granted without cost to the guest group. It is understood, of course, that all requests for the use of the facilities of the Union shall be subject to the principle that prior reservations will be respected, and for that reason requests for the use of the Building or any part of it should be made as early as possible.
- 9.(11) Notwithstanding any other provision of this section, every action of the Board of Directors of the Texas Union, and every action of any committee or subcommittee of such board, shall be reviewed by the chief administrative officer of The University of Texas at Austin and the chief administrative officer of The University of Texas at Austin may approve, reverse, or modify each such action. After reviewing the minutes of the Board of Directors, the chief administrative officer of The University of Texas at Austin shall deliver to the Chancellor two copies of such minutes and a copy of the action, if any, taken by the chief administrative officer with regard to the approval, modification, or reversal of any action of the Board of Directors. Nothing in this section shall be deemed to limit or restrict the authority of the Board of Regents.

Sec. 10 Intercollegiate Athletics Council for Men (The University of Texas at Austin)

- 10.1 The Intercollegiate Athletics Council for Men at The University of Texas at Austin shall be composed of nine voting members as follows: a student of the University, an ex-student of the University, two regental appointees, and five members of the General Faculty of the University.
- 10.11 The student member of the Council shall be appointed by the chief administrative officer of the University to a one-year term which shall begin at the start of the Fall Term.
- 10.12 The ex-student member of the Council shall be appointed by the Ex-Students Association of the University to a one-year term which shall begin at the start of the Fall Term.
- 10.13 The two regental appointees shall be appointed by the Board of Regents to four-year staggered terms which shall begin at the start of the appropriate Fall Terms. One such appointment shall be made in each even-numbered year.

10. 14 The chief administrative officer of the University shall appoint a member of the General Faculty as a member and chairman of the Council for an indefinite term with the appointee to serve both as a member and as the chairman of the Council at the pleasure of the chief administrative officer. The chairman of the Council shall also serve as the University's representative in the Southwest Athletic Conference.
10. 15 The chief administrative officer of the University shall appoint four members of the General Faculty to four-year staggered terms on the Council, with one such faculty member appointed each year. Each four-year term shall begin at the start of the appropriate Fall Term.
10. 16 Each member of the Council shall continue to serve until his or her successor has been appointed, and each member may be reappointed to one or more additional terms.
10. 2 At least two copies of the minutes of all meetings of the Council shall be delivered promptly to the chief administrative officer of the University. No budget or budget amendment adopted by the Council, or of any committee or subcommittee of such Council, shall have any force or effect until such budget or budget amendment has been approved by the Board of Regents.
10. 3 The chief administrative officer of the University shall review the minutes of all meetings of the Council and may subsequently approve, reverse, or modify any action therein. After reviewing the minutes of a meeting of the Council, the chief administrative officer of the University shall deliver to the Chancellor of the System two copies of such minutes and a copy of the action, if any, taken by the chief administrative officer with regard to the approval, modification, or reversal of any action of the Council. Nothing in this section shall be deemed to limit or restrict the authority of the Board of Regents.

Sec. 'T1 Employment of a Students' Attorney.

11. 1 If an attorney is retained in any manner by a component institution or by a Students' Association or other agency of student government at any component institution of the System to serve as a students' attorney, said attorney shall not act as counsel of record nor represent any student, faculty member, or staff member, or any group of combination of students, faculty members, or staff members, or System Administration or any component institution of the System:
11. 11 In any matter that required an administrative decision to be made by any officer, committee, board, or agency of a component institution of the System, the System, or the Board.

- 11.12 At any stage of any criminal proceeding in any federal, state, county, or local court.
- 11.13 At any stage of any civil proceeding in any federal, state, county, or local court where such proceeding is directly or indirectly against or antagonistic to the interest of the System or any component institution thereof, or against or antagonistic to the interests of any person who is sued in his official capacity as an officer of the System or any component institution thereof.

11.2 Any contract or agreement for legal services entered into by a Students' Association or other agency of student government or other agency of a component institution with an attorney whose remuneration will be paid from funds under the control and management of the Board, including funds from student fees whether mandatory or optional, is expressly subject to the applicable provisions of the Regents' Rules and Regulations, including, but not limited to, the foregoing provisions of this Section 11 and the following:

Section 8.7 of Chapter I of Part One;
Section 1.1 of Chapter III of Part One;
Section 1.3 of Chapter III of Part One;
Section 11 of Chapter III of Part One;
Section 5.15 of Chapter VI of Part One; and
Section 5.21 of Chapter VI of Part One.

CHAPTER XI

CONTRACTS AND GRANTS FOR RESEARCH, TRAINING, AND EDUCATIONAL SERVICES, INCLUDING INSTITUTIONAL SUPPORT GRANTS

- Sec. 1 Contracts, grants, and agreements from or with outside agencies for research, training, and educational services, including institutional support grants, (except as provided in Subsection 1. 1 below) shall be approved by the chief administrative officer and ratified by the Board via the institutional dockets.
1. 1 Contracts or agreements with foreign governments, agencies thereof, and with institutions, enterprises or individuals subject to the jurisdiction of foreign governments, shall be submitted to System Administration for prior review sufficiently in advance of effective date for prior approval of the Board, if such prior approval is deemed appropriate by the General Counsel and the Chancellor.
1. 2 The Office of the Chancellor will issue special instructions for those contracts and grants requiring special approvals other than as provided in this section.
1. 3 Funds shall not be encumbered or expended under any contract or grant prior to the approval of the contract or grant as indicated above.
1. 4 Institutional support grants include NSF Institutional Grants for Science, NIH General Research Support Grants, Health Professions Education Improvement and/or Capitation Grant Programs, and other such grants awarded on a formula basis rather than a budgeted project basis.
- Sec. 2 Proposals for such contracts, grants and agreements, whether with government agencies, industry, foundations, or other private granting agencies, shall be initiated by the faculty member (or other appropriate official who will direct the work) and shall be approved by designated administrative officials, including the chief administrative officer. These proposals will receive such System

Administration review and approval as directed by the Chancellor. The chief business officer at each component institution is responsible for the business aspects of the proposals.

- Sec. 3 Copies of contracts, grants, and agreements specified in Section 1 of this chapter shall be filed with the Secretary to the Board, together with a copy of the proposal or application, if any, that resulted in the contract, grant, or agreement.
- Sec. 4 Detailed budgets are generally included in the proposals that result in a contract or grant for a specific research, training, or educational project, and expenditures should conform to such budgets, unless amended by authorized procedures. For those institutional or "formula" type grants identified in Subsection 1.3 of Section 1 of this chapter, a proposed budget must be submitted to the Office of the Chancellor for review, approval, and submission to the Board.
- Sec. 5 Proposals as to overhead rates and specialized rates for fringe benefits, computers, and other facilities chargeable to cost-reimbursement contracts and other government contracts and grants shall be worked out in preliminary form by the chief business officer concerned and shall be reviewed and approved by the System Comptroller before being submitted. Subject to approval of the Vice Chancellor for Business Affairs, the System Comptroller shall negotiate all such rates for the component institutions of the System.
- Sec. 6 Information as to overhead and specialized rates applicable to the type of contract, grant or agreement to be entered into shall be secured from the System Comptroller via the business officers and/or the appropriate research administration officer.
- Sec. 7 To the extent that indirect cost recoveries from the application of overhead rates are derived from use charges for buildings, other improvements, or equipment, the funds so derived shall be designated for renewals and replacements of plant fund assets or for other purposes specified and approved in the budgetary processes as related to the indirect cost recoveries.