

MATERIAL SUPPORTING THE AGENDA

Volume XVIIb

January 1970 - April 1970

This volume contains the Material Supporting the Agenda furnished to each member of the Board of Regents prior to the meetings held on January 24, March 6, and April 17, 1970.

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

- (1) white paper - for the documentation of all items that were presented before the deadline date
- (2) blue paper - all items submitted to the Executive Session of the Committee of the Whole and distributed only to the Regents, Chancellor, and Chancellor Emeritus
- (3) yellow paper - emergency items distributed at the meeting

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

CALENDAR
BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

April 17, 1970

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

Meeting Room: Main Building, Suite 212

Friday, April 17, 1970

9:00 a. m.

The Committees will meet in the order set out below, followed by the Meeting of the Board:

Meeting of the Board
To Consider Sale
of Series 1970
U. T. El Paso Com-
bined Fee Revenue
Bonds (\$5, 500, 000)

Executive Committee

Academic and Developmental
Affairs Committee

Buildings and Grounds Committee

Medical Affairs Committee

Land and Investment Committee

Committee of the Whole

Meeting of the Board

Lunch will be served at noon in Main Building 101.

Telephone Numbers:

Office of the Secretary	471-1265
Chancellor's Office	471-1741
Deputy Chancellor's Office	471-1434
Hotels:	
Sheraton Crest Inn	478-9611
Villa Capri	476-6171
Airlines:	
Braniff	476-4631
Texas International	478-9585
Taxi	472-1111

Executive Committee

EXECUTIVE COMMITTEE

Date: April 17, 1970

Time: Following meeting of the Board to consider sale of bonds

Place: Main Building 212
U. T. Austin

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3. U. T. Austin: Minutes of Meetings of the Board of Directors of the Texas Union (22-M-69, 27-M-69,* and 28-M-69*)	
4. U. T. Austin: Minutes of the Meeting of the Board of Directors of Texas Student Publications, Inc. (26-M-69*)	3
5. San Antonio Medical School: Amendment to Affiliation Agreement between the Board of Managers of the Bexar County Hospital District and the Board of Regents; Appointment of Associate Dean for Hospital Affairs (24-M-69)	3
6. U. T. Austin, U. T. El Paso, Dallas Medical School, Galveston Medical Branch: Amendments to the 1969-70 Budgets (7-B-69)	6

*This item was submitted to the Executive Committee on April 1, 1970, and the ballots are to be returned by April 7, 1970. If the ballots reflect an exception, the Secretary will so report at the meeting.

REPORT OF INTERIM ACTIONS OF EXECUTIVE COMMITTEE

Below is a report of the interim actions that have been considered and approved by the Executive Committee either by mail or telephone ballot since its last meeting on March 6, 1970:

1. U. T. Austin: Minutes of the Athletics Council (21-M-69 and 25-M-69*). --The minutes of the meetings of the Athletics Council of The University of Texas at Austin held on January 31 and February 28, 1970, were reviewed.

With respect to the meeting on January 31, 1970, and upon recommendation of the Administration, the minutes were approved with specific approval given to the recommendation that the following ticket prices obtain for the 1970 home football games and the Oklahoma game:

September	19	California	All Reserved	\$6.00
			Boxes & Bleachers	4.00
October	3	U.C.L.A.	All Reserved	6.00
			Boxes & Bleachers	4.00
October	10	Oklahoma	All Reserved	7.00
December	5	Arkansas	All Seats	6.00
October	31	S.M.U.	All Reserved	6.00
			Boxes & Bleachers	4.00
November	26	A & M	All Seats	6.00
			Knothole Section and Servicemen's Section when space is available	1.00

With respect to the minutes of February 28, 1970, and upon recommendation of the Administration, the minutes were approved with the exception of the budget for 1970-71 and the creation of the position of Athletics Equipment and Maintenance Supervisor which will be processed through established procedure for such approvals.

2. U. T. Austin: Minutes of the Meeting of the Board of Directors of Texas Student Publications, Inc. (23-M-69). --The minutes of the meeting of the Board of Directors of Texas Student Publications, Inc., at The University of Texas at Austin held on February 23, 1970, were referred to the Committee of the Whole. (See Page C of W 9.)

3. U. T. Austin: Minutes of Meetings of the Board of Directors of the Texas Union (22-M-69, 27-M-69,* and 28-M-69*). --The minutes of the meetings of the Board of Directors of the Texas Union at the University of Texas at Austin held on February 2, 9, 16, 23, and 28, 1970, were reviewed.

Upon recommendation of the Administration, the minutes for these meetings were approved with the exception of the proposed 1970-71 budget for the Texas Union and the 1970-71 tentative budget (as set out on Pages 1 through 4 of the minutes of the meeting of February 16, 1970). These budgetary items will be processed through established procedure for such approvals.

4. U. T. Austin: Minutes of the Meeting of the Board of Directors of Texas Student Publications, Inc. (26-M-69*). --The minutes of the meeting of the Board of Directors of Texas Student Publications, Inc., at The University of Texas at Austin held on February 26, 1970, were reviewed. Upon recommendation of the Administration, the minutes were approved with the modification that the proposed change in section K.3., Chapter 1 of the TSP Handbook read as follows:

Funds of the Texas Student Publications, Inc., shall not be spent for alcoholic beverages for minors. State law regarding minors will be enforced at any TSP function at which alcoholic beverages are served, and the Regents' Rules and Regulations, Part One, Chapter VI, Section 3.4 regarding use of intoxicating beverages on University premises will be followed. No state appropriated funds shall be allocated toward buying alcoholic beverages. The TSP Board shall be responsible for the observance of this rule.

5. San Antonio Medical School: Amendment to Affiliation Agreement between the Board of Managers of the Bexar County Hospital District and the Board of Regents; Appointment of Warren Harding Associate Dean for Hospital Affairs (24-M-69). --Approval was given by telephone ballot on Thursday, March 26, 1970, to amend the affiliation agreement between the Board of Managers of the Bexar County Hospital District and the Board of Regents of The University of Texas System, dated August 12, 1968, by the adoption of the agreement set out on Pages 4 and 5.

Approval was also given to name Mr. Warren Harding, presently Vice-President for Health Services at The University of Texas Medical Branch at Galveston, Associate Dean for Hospital Affairs of The University of Texas Medical School at San Antonio at an annual salary rate of \$10,000.00. Mr. Warren Harding, under the agreement set out above, was appointed as Administrator of the Bexar County Hospital.

It is recommended that this action be ratified and that the Chairman of the Board be authorized to execute this agreement (amendment to the affiliation agreement of August 12, 1968) when it has been approved as to content by Deputy Chancellor LeMaistre and Executive Vice-Chancellor Walker and as to form by a University attorney.

AGREEMENT

THE STATE OF TEXAS }
 {
COUNTY OF BEXAR }

This AGREEMENT made and entered into this the _____ day of _____, 1970, by and between the BOARD OF MANAGERS OF THE BEXAR COUNTY HOSPITAL DISTRICT, a political subdivision, hereinafter sometimes called "Hospital Board," and the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM for and on behalf of The University of Texas Medical School at San Antonio, hereinafter sometimes called "Medical School," WITNESSETH:

WHEREAS, on the 12th day of August, 1968, Hospital Board and Medical School entered into an affiliation agreement whereby the facilities operated by the Hospital Board are designated as teaching facilities for the Medical School in order to obtain the common objectives for medical services and professional care of patients; and

WHEREAS, it is the desire of the parties to amend paragraph 8 of the contract so as to provide authorization for the Medical School to furnish management services for a consideration to be agreed upon by the parties:

NOW, THEREFORE, for and in consideration of the mutual benefits and other good and valuable consideration, the agreement dated August 12, 1968, by and between the parties is hereby amended so as to add a new section designated 8a to read as follows:

"8a. It is agreed and understood that Medical School will furnish management services to Hospital Board for a consideration to be agreed upon by the parties, but nothing herein shall in anywise diminish, modify, or limit the authority of the said Hospital Board to manage and control such hospital in the manner prescribed by law by reason of the Medical School furnishing management services.

"All personnel provided by the Medical School in connection with management services shall be subject to the approval of the Hospital Board, and it shall continue to be the responsibility of the Hospital Board to designate and appoint the administrator of the said hospital pursuant to paragraph 9 of this agreement."

Except as herein amended, the agreement dated August 12, 1968, shall remain in full force and effect.

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

ATTEST:

BOARD OF MANAGERS OF THE
BEXAR COUNTY HOSPITAL
DISTRICT

Secretary

By _____
Chairman

ATTEST:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

Secretary

By _____
Chairman

Approved as to Form:

Approved as to Content:

Hospital Attorney

Deputy Chancellor

University Attorney

Executive Vice-Chancellor
for Fiscal Affairs

6. U. T. Austin, U. T. El Paso, Dallas Medical School, Galveston Medical Branch: Amendments to the 1969-70 Budgets (7-B-69). --
The following amendments to the 1969-70 budgets of The University of Texas at Austin, The University of Texas at El Paso, The University of Texas (Southwestern) Medical School at Dallas, and The University of Texas Medical Branch at Galveston were approved (Pages 6 and 7).

Source of Funds - Departmental Appropriations
(Unless Otherwise Specified)

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

The University of Texas at Austin

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
96.	Special Services Transfer of Funds	From: Available University Fund Unappropriated Balance	To: Special Services - Salaries (Frank I. Cornwall, Assistant to the Executive Vice Chancellor for Fiscal Affairs - Rate \$17,000)	3/1/70
	Amount of Transfer	\$ 8,500	\$ 8,500	
97.	Plant Funds - Intercollegiate Athletics Transfer of Funds	From: Intercollegiate Athletics Unappropriated Balance	To: Plant Funds - All-Weather Football Field and Track	---
	Amount of Transfer	\$16,444.92	\$16,444.92	

The University of Texas at El Paso

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
273.	Leonard S. Levitt Chemistry	Professor	Professor	
	Academic Rate	\$11,700	\$14,200	3/1/70
	Source of Funds: Unallocated Salaries			
274.	Frank B. Cotton Trust - Official Entertainment Transfer of Funds	From: Cotton Trust Unappropriated Balance	To: Frank B. Cotton Trust - Official Entertainment	
	Amount of Transfer	\$ 3,000	\$ 3,000	---

The University of Texas (Southwestern) Medical School at Dallas

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
26.	Robert L. Johnson Internal Medicine	Assistant Professor	Assistant Professor	
	Salary Rate	\$14,000	\$16,000	3/1/70
	Source of Funds: USPHS Contract			
27.	Frank Hereford Obstetrics and Gynecology	Research Associate	Research Associate	
	Salary Rate	\$ 8,880	\$10,440	3/1/70
	Source of Funds: USPHS Contract			

The University of Texas Medical Branch at Galveston

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
14.	Richard F. Timmer Office of the Vice President for Academic Affairs and Dean of Medicine	Associate Dean of Medicine and Coordinator for Curricular Affairs	Associate Dean of Medicine and Coordinator for Curricular Affairs	
	Salary Rate	\$30,000	\$31,000	3/1/70
15.	Orville J. Stone, Jr. Dermatology	Associate Professor	Associate Professor	
	Salary Rate	\$26,100	\$27,600	3/1/70
	Source of Funds: Dow Chemical Company Grant			
16.	Pete J. Martorell, Jr. Security Division	Traffic/Security Patrolman	Traffic/Security Patrolman	
	Salary Rate	\$ 5,268	\$ 6,780	3/6/70
17.	Allyn E. Roberts Security Division	Traffic/Security Patrolman	Traffic/Security Patrolman	
	Salary Rate	\$ 5,520	\$ 6,780	3/6/70

**Academic and Developmental Affairs
Committee**

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE

Date: April 17, 1970
Time: Following the meeting of the Executive Committee
Place: Main Building 212
U. T. Austin

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1. U. T. System: Chancellor's Docket No. 39. --Chancellor's Docket No. 39 was mailed by the Secretary to each member of the Board of Regents on March 30, 1970. The ballots are to be returned by the close of business on April 14, 1970. If any items in the docket are excepted, the Secretary will report such at the meeting of the Academic and Developmental Affairs Committee; otherwise, according to the present procedure, the docket will be considered approved.

2. U. T. System, San Antonio Medical School, and Galveston Medical Branch: Dual Positions Pursuant to Article 6252-9a, Vernon's Texas Civil Statutes. --With respect to the individuals listed below at The University of Texas System Administration, The University of Texas Medical School at San Antonio, and The University of Texas Medical Branch at Galveston, it is recommended that the following resolution be adopted in connection with the service of each individual on each of the state or federal boards opposite his name. This resolution is pursuant to Article 6252-9a, Vernon's Texas Civil Statutes:

WHEREAS, (the name of the individual) has an opportunity to serve as (the capacity in which he is serving on a state or federal board or commission):

NOW, THEREFORE, BE IT RESOLVED by the Board of Regents of The University of Texas System, acting pursuant to delegated legislative authority:

a. That the said (the name of the individual) be and he is hereby authorized by the Board of Regents to serve as (the capacity in which he is serving on a state or federal board or commission) until he no longer has an opportunity to do so or until this direction and requirement is amended or revoked by the Board of Regents;

b. That the said (the name of the individual) be and he is hereby authorized by the Board of Regents to serve as (the capacity in which he is serving on a state or federal board or commission) in addition to all other duties that have been or may hereafter be assigned or required of him by the Board of Regents;

c. That the Board of Regents finds that (the name of the individual)'s service as (the capacity in which he is serving on a state or federal board or commission) is not in conflict with his employment by The University of Texas System;

d. That the Board of Regents finds that (the name of the individual)'s service as (the capacity in which he is serving on a state or federal board or commission) is and will continue to be of benefit and advantage to The University of Texas System and the State of Texas.

The University of Texas System Administration

<u>Name</u>	<u>Classification</u>	<u>Board or Commission and Compensation</u>
Raymond W. Vowell	Vice-Chancellor for Public Affairs	Member - Texas House of Representatives Interim Committee to Study the Feasibility of Creating a Maximum Security Facility for the Criminally Insane Compensation - actual expenses

The University of Texas Medical School at San Antonio

<u>Name</u>	<u>Classification</u>	<u>Board or Commission and Compensation</u>
F. C. Pannill, M.D.	Dean and Professor of Medicine	Member - Review Committee, Construction of Schools of Medicine, National Institutes of Health Compensation - \$50 per day consultant fee, plus actual expenses

The University of Texas Medical Branch at Galveston

William C. Levin, M.D.	Professor of Internal Medicine	Chairman - Cancer Clinical Investigation Review Committee, National Cancer Institute Compensation - \$50 per day consultant fee, plus actual expenses
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3. U. T. Austin: Exception to Regents' Rules and Regulations to Permit Continued Full-Time Administrative Work of the Librarian of the Latin American Collection. -- Below is a Xerox copy of the Administration's recommendation.

Deputy Chancellor LeMaistre and Executive Vice-Chancellor McKetta concur in President Hackerman's recommendation that an exception be made to the Regents' Rules and Regulations as provided for under Section 31.(17), Part One, Chapter III to permit the continued full-time employment of Dr. Nettie Lee Benson as Librarian of the Latin American Collection at U.T. Austin.

Dr. Benson reached the age of 65 on January 15, 1970, and under the Rules and Regulations will be required to go on modified service in her administrative position or teach full-time until age 70 unless this exception is made by the Regents. Her continued services are essential to the institution in connection with the transfer of the Latin American Collection to the Sid Richardson Hall this calendar year. The continuity and contribution she can provide in this major move and reorientation of the Latin American Collection cannot be provided by another person in view of her close involvement since 1942 in the building of the Collection and the national eminence she has gained in her work with it.

4. U. T. Austin: Appointment of Mr. Joe King to Advisory Council for the McDonald Observatory. --

Chancellor Ransom, Deputy Chancellor LeMaistre, and Executive Vice-Chancellor McKetta recommend approval of President Hackerman's request that Mr. Joe King, long-time supporter of The University of Texas and presently Chairman of the Chancellor's Council, be appointed to the Advisory Council for the McDonald Observatory.

5. U. T. Austin: Law School Admissions Standards, Effective Academic Year 1970-71. --

Deputy Chancellor LeMaistre and Executive Vice-Chancellor McKetta concur in President Hackerman's recommendation that the grade point averages and Law School Admission Test scores shown below be established as the 1970-71 eligibility requirements for all Texas residents who graduate from The University of Texas at Austin and comparable universities throughout the country and all non-residents graduating from comparable universities. For comparative purposes, the requirements for the 1969-70 year are also shown.

TABLE FOR USE BY REGISTRAR IN MAKING ADMISSIONS DECISIONS
ACTUAL 1969-70 AND PROPOSED 1970-71
(FROM SCHOOLS COMPARABLE TO U.T. AUSTIN)
(R = RESIDENT; NR = NON-RESIDENT)

<u>GRADE POINT AVG.</u>	<u>1969-70</u>		<u>1970-71</u>	
	<u>R/LSAT</u>	<u>NR/LSAT</u>	<u>R/LSAT</u>	<u>NR/LSAT</u>
Below 2.20	Refer to Law School			
2.20 - 2.29	600	650	635	700
2.30 - 2.39	575	625	620	685
2.40 - 2.49	550	600	605	670
2.50 - 2.59	525	575	590	650
2.60 - 2.69	505	555	570	630
2.70 - 2.79	480	530	555	610
2.80 - 2.89	460	510	540	590
2.90 - 2.99	450	485	X	575
2.90 and up	X	X	525	X
3.00 - 4.00	450	460	X	X
3.0	X	X	505	555
3.1 and up	X	X	490	550
3.2			475	530

It is further recommended by Deputy Chancellor Le Maistre and Executive Vice-Chancellor McKetta that the establishment of these eligibility requirements be predicated on the following conditions:

- (1) That freshman enrollment in the Law School is maintained at the highest number admitted in the past five years, and
- (2) That the number of non-resident students in the entering class does not exceed 10%.

3.3
3.4
3.5

460 550
445 550
430 550

6. U. T. Arlington: Approval of Ph. D. Program in Psychology. --

Deputy Chancellor LeMaistre and Executive Vice-Chancellor McKetta recommend approval of President Harrison's request for a Ph.D. degree program in ~~Experimental~~ Psychology at U.T. Arlington. The proposed degree program was reviewed by a panel of four psychologists from out of state appointed by the U.T. System Administration. The review panel carefully evaluated the proposed program and recommended that it be approved. The Chancellor's Academic Planning Cabinet has also approved the establishment of this new program. Upon approval by the Board of Regents, the degree proposal will be submitted to the Coordinating Board for its consideration. This program will be reviewed each six years.

*Bill told me
after the
meeting*

7. U. T. Dallas: Adoption of 1970-71 Academic Calendar. --

Deputy Chancellor LeMaistre and Executive Vice-Chancellor McKetta concur in President Francis Johnson's recommendation that the calendar set out below be adopted for U.T. Dallas for the 1970-71 academic year. This calendar conforms to the calendars adopted by the Board of Regents for U.T. Austin and U.T. Arlington.

Following approval by the Board, permission is also requested to forward this approved calendar to the Coordinating Board, Texas College and University System.

1970-71 ACADEMIC CALENDAR

Fall Semester

August 28	Friday. Registration for the fall semester.
August 31	Monday. Classes begin.
September 7	Monday. Labor Day (Holiday).
September 8	Tuesday. Last day students may register.
October 1	Thursday. Last day for dropping courses without possible penalty.
October 27	Tuesday. Intrasemester reports due.
November 26-29	Thursday-Sunday, inclusive. Thanksgiving holidays.
December 14-16	Monday-Wednesday, inclusive. No classes.
December 17-23	Thursday-Wednesday, inclusive. Fall semester final examinations.
December 23	Wednesday. End of semester.

Spring Semester

January 15	Friday. Registration for the spring semester.
January 18	Monday. Classes begin.
January 19	Tuesday. Last day students may register.
February 11	Thursday. Last day for dropping courses without possible penalty.
February 26	Friday. Last day for making application for a graduate degree.
March 12	Friday. Intrasemester reports due.
April 1-11	Thursday-Sunday, inclusive. No classes.
May 3-5	Monday-Wednesday, inclusive. No classes.
May 6-12	Thursday-Wednesday, inclusive. Final examinations.
May 15	Saturday. End of semester.

Summer Sessions

May 31	Monday. Registration for first summer session.
June 1	Tuesday. Classes begin.
July 5-6	Monday, Tuesday. Final examinations.
July 12	Monday. Registration for second summer session.
August 16-17	Monday, Tuesday. Final examinations.
August 19	Thursday. End of summer sessions.

8. Dallas Medical School: Reinstatement of Division of Biophysics to Departmental Status. --

Deputy Chancellor LeMaistre concurs in the request of Dean Sprague that the present Division of Biophysics be reinstated to departmental status. Because of the cooperative nature of planned programs in biophysics with The University of Texas at Arlington and The University of Texas at Dallas, this request is endorsed by Executive Vice-Chancellor McKetta, President Harrison, and President Johnson. If approved, permission is also requested to process this through the Coordinating Board.

BACKGROUND:

Prior to 1960, there existed in the Dallas Medical School a Department of Biophysics, which at the request of the institution, was relegated to a division status by the Board of Regents on March 11, 1960.

Since 1960, it has become more evident in the medical field that the principles of Biophysics are becoming increasingly essential in the curriculum for preparing students for the M.D. degree. Therefore, the major reason for requesting the elevation of the Biophysics Division to the departmental level is to strengthen the training and education of M.D.'s. The medical program will be strengthened by placing additional emphasis on the Biophysics program, but enhancement of the Biophysics program will also strengthen the Biophysics graduate program as well as those in Biochemistry, Pharmacology, and Physiology.

Since the Dallas Medical School is not on the campus of a general academic institution, the need for upgrading the Biophysics program at this institution is even more apparent. It should be pointed out that a strong Biophysics Department will also strengthen the academic programs of the other UT institutions in the North Texas area in that the physical facility and graduate teaching program will serve as a resource to the other institutions and will allow increased institutional cooperation among the three University of Texas institutions in the Dallas area.

It is expected that the course offerings and degree requirements at the several institutions can be mutually supporting in Physics, Biophysics, Physical Chemistry, Photobiology, and other related fields.

Where it is determined that the contribution of a faculty member can be maximized by his working on two or three campuses, arrangements will be made for joint or adjunct appointments.

9. U. T. System: Amendment to Regents' Rules and Regulations re Fund Development. --

Memorandum

To: Board of Regents

From: Secretary to the Board

The following document is a proposal for the revision of the Rules and Regulations of the Board of Regents, Part One, Chapter VII, which provides for the reorganization of Private-Fund Development and Foundations in The University of Texas System.

Regent Williams advises me that these rules and regulations have been developed with the cooperation and assistance of representatives of the Board of Regents, System Administration and the Development Board.

Regent Williams asks that you review the proposed draft and inform him prior to the meeting if you have substantive changes you wish to be considered. Chancellor Ransom and Executive Director Blunk have been requested to prepare for presentation at the meeting the estimated additional cost for implementation of this plan.

As Chairman of the Special Committee to review Fund Development in The University of Texas System, Regent Williams will recommend that this proposal be adopted, at least, in principle, at the meeting on April 17, 1970.

D R A F T

CHAPTER VII

THE UNIVERSITY OF TEXAS SYSTEM

PRIVATE-FUND DEVELOPMENT AND FOUNDATIONS

Sec. 1. The University of Texas System Development Board

1.1 Responsibilities of the Board of Regents and administrative officials of The University of Texas System in private-fund development.--

1.11 Among the most important responsibilities of the Board of Regents are those of establishing policies and procedures by which the developmental needs of The University of Texas 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 of Regents for the discharge of development responsibilities.

1.2 Responsibilities and duties of The University of Texas System Development Board:

1.21 The University of Texas System Development Board is the agency responsible to the Chancellor, and through him to the Board of Regents, for all private-fund development for The University of Texas System.

1.22 The University of Texas System Development Board shall recommend through the Chancellor to the Board of Regents for approval of the policies which shall govern activities and responsibilities in cultivating and securing private funds for The University of Texas System and its component institutions.

1.23 In the absence of unusual circumstances, no major private-fund development effort or decision, not covered by previously adopted regulations of the Board of Regents, shall be recommended by the Chancellor to the Board of Regents without prior advice thereon from The University of Texas System Development Board and the Institutional Development Board, which advice shall be transmitted to the Board of Regents.

1.24 All private-fund development of the component institutions of The University of Texas System shall be under the jurisdiction of The University of Texas System Development Board, and shall operate under policies adopted by it and approved by the Chancellor and the Board of Regents.

1.25 The University of Texas System Development Board shall have particular responsibility:

- 1.251 For developing with the cooperation and assistance of the Development Board of each component institution, the total private-fund needs of each component institution of The University of Texas System.
- 1.252 For coordinating and formulating plans with the Development Board of each component institution and actively promoting support for both current and long-term programs to meet developmental needs of the System and its component institutions.
- 1.253 For developing continuous gift possibilities not related to predetermined projects.
- 1.254 For periodic reports of progress to the Chancellor and the Board of Regents on the development plans and programs of the System. It is expected that the continuing program of The University of Texas System Development Board will include vigorous cultivation and dissemination of information regarding gifts and endowments.
- 1.255 The Chancellor shall lay before The University of Texas System Development Board, at periodic intervals, descriptions of current and future needs as determined by the Board of Regents, the University System Administration, and the Development Boards of the component institutions.
- 1.256 The Chancellor shall define for the Board of Regents, 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 University of Texas System Development Board and each Development Board have recommended.

1.3 Composition and operation of The University of Texas System Development Board

1.31 The University of Texas System ^{Advisory Com.} ~~Development Board~~ membership shall consist of:

A. The Chancellor of The University of Texas System ~~Chairman~~

* B. Two members of the Board of Regents to be appointed by the Chairman of the Board of Regents with consent of the Board of Regents.

* C. A member to be elected by the Development Board of each component institution to serve on The University of Texas System Development Board for a three-year term.

+ ~~Institution~~ * D. Three members at large to be appointed for three-year terms by the Board of Regents, with one member's term expiring each year.

* E. Initially, former chairmen of the presently existing University of Texas System Development Board who are now serving on that Board.

F. The Chairman to be elected from the membership of the Board.

1.32 The University of Texas System Development Board shall provide for such other officers and staff as it deems necessary. It shall adopt bylaws governing its operations and shall file them, and subsequent amendments thereto, with the Secretary to the Board of Regents. It shall cause accurate minutes of its proceedings to be kept, and shall file copies with the Secretary to the Board of Regents. It shall prepare an annual evaluation report on its activities, incorporating such recommendations as it cares to make, and transmit this report through the Chancellor to the Board of Regents.

1.33 The University of Texas System Development Board shall conduct its operations in accord with the policies and regulations of the Board of Regents, and shall make recommendations concerning modifications and additions of those policies through

the Chancellor to the Board of Regents.

1.4 General policies of The University of Texas System Development Board

1.41 The University of Texas System Development Board shall seek to enlist the aid of numerous friends of The University of Texas System and its component institutions in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its program.

1.42 The University of Texas System Development Board shall serve to coordinate and assist in the plans and programs of the Development Boards of all component institutions of The University of Texas System.

1.43 The University of Texas System Development Board will work with all institutional Development Boards and System internal foundations.

1.44 No internal foundations shall be established or continued in existence except with the approval of the Chancellor and the Board of Regents. The Chancellor of The University of Texas System shall be responsible for stimulating, guiding, and assisting the Development Boards and internal foundations of the component institutions and may require suitable annual reports from each. All such activities shall be coordinated through the office of the respective institutional heads and executive directors.

1.45 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, or the institutional head with the Chancellor's concurrence, or The University of Texas System Development Board. No such campaign shall be authorized or undertaken, however, until The University of Texas System Development Board has recommended concerning it and the campaign has been approved by the Board of Regents.

1.46 The University of Texas System Development Board shall recommend, and upon authorization of the Board of Regents, effectuate appropriate recognition of donors by The University of Texas System Development Board.

1.5 Executive Office of The University of Texas System Development Board:

1.51 Within the Office of the Chancellor there shall be appointed by the Chancellor an executive officer responsible to the Chancellor and to The University of Texas System Development Board. He is to be charged solely with fund-development activity, and is subject to supervision, evaluation, and termination of employment by the Chancellor. The Chancellor, however, shall secure periodic evaluations of this officer's services from The University of Texas System Development Board and take these into full account in continuing employment and in according recognition for accomplishment. He shall have such other title and rank as established by the Board of Regents upon recommendation of the Chancellor and The University of Texas System Development Board.

1.52 The University of Texas System Development Board executive officer shall have such staff and operating funds as shall be determined from time to time by budgets recommended by him and said Board, approved by the Chancellor, and adopted by the Board of Regents. Duties of staff members shall be established by the executive officer.

1.6 Finances.--Financial support of The University of Texas System Development Board and the executive office shall be provided exclusively by appropriation of the Board of Regents. Such appropriation will be made through established budgetary procedures. The Board of Regents may accept gifts designated for use by The University of Texas System Development Board and may make such funds available for expenditure by said Board.

Sec. 2. The Development Board of a Component Institution

2.1 With the approval of 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. The development board for each component institution shall determine the development needs of each institution and shall direct the formulation of plans and the promotion of support for these programs.

2.2 Responsibilities and duties of the Development Board of the component institution:

2.21 The Development Board at each component institution is the agency responsible to the institutional head of each institution for all private-fund development for that institution.

2.22 The Development Board at each component institution shall recommend through the institutional head, the Chancellor, and the System Development Board to the Board of Regents for 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 Development Board of the component institution shall have responsibility:

2.231 For 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 continuous gift possibilities not related to predetermined projects.

2.234 For periodic reports of progress to the institutional head and The University of Texas System Development Board on the plans and programs of the Development Board of the component institution. It is expected

that a continuing program of the Development Board will include vigorous cultivation 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 Development Board at the component institution:

2.31 The Development Board of the component institution shall consist of not more than 25 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. All appointees shall serve for staggered three-year terms, starting September 1. The institutional head and the Chancellor shall be ex-officio members with voting privileges.

2.32 The Development Board of the component institution shall elect a representative from its membership to The University of Texas System Development Board for a three-year term.

2.4 General policies of the institutional Development Boards:

2.41 A 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 Development Board shall serve the individual component institution of The University of Texas 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 University of Texas System.
- 2.43 A 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 Development Board and internal foundations of the component institutions and may require suitable annual reports from each. All such activities shall be coordinated through the office of each institutional head and executive director.
- 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 University of Texas System Development Board, the Chancellor, the institutional head with the concurrence of the Chancellor, or the local Development Board. No such campaign shall be authorized or undertaken, however, until The University of Texas System Development Board has recommended concerning it and the campaign has been approved by the Board of Regents.

2.45 Notwithstanding the provisions hereof conferring authority upon and placing responsibility in The University of Texas System Development Board for fund development and fund raising, it is understood that an ex-students' association of The University of Texas 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 such ex-students' associations will not sponsor or participate in any other organized fund-raising effort without first consulting and advising with the institutional head and the Chancellor, and must have the approval of the Board of Regents.

2.46 The Development Board shall make recommendations to The University of Texas System Development Board regarding the appropriate recognition of donors.

2.5 Executive office of a Development Board:

2.51 Within the office of the institutional head there shall be appointed by the institutional head, with the approval of the Chancellor, an Executive Director of the 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. The institutional head, however, shall secure periodic evaluations of this officer's services from the Development Board and take these into full account in continuing employment and in according recognition for accomplishment.

2.52 The Executive Director of the Development Board shall have such staff and such operating funds as shall be determined from time to time by budgets recommended by him and said Development Board, 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 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 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 University of Texas System. This is not in any sense to be construed as excluding nonteaching and nonresearch divisions from seeking support from private sources through The University of Texas System Development Board or the Development Boards of the component institutions 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, such as exists in the case of the Geology Foundation of The University of Texas at Austin, and 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 University of Texas System Development Board and the Development Boards of the component institutions; and each such foundation, through its directing head and the institutional head, shall cooperate closely with the Development Board

and The University of Texas System Development Board and shall keep those offices informed of its activities. It is the duty of The University of Texas System Development Board and the Development Boards of the component institutions 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 Development Boards of the component institutions. 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.

- 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 the Development Board of the institution 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 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
Teacher Education Foundation	1956
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
<u>University Cancer Foundation</u>	1951
<u>The University of Texas at Arlington Foundation</u>	1967

<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 System Foundation, Inc. (Chartered)	1967
The University of Texas Nursing School (System-wide) Foundation	1968

3.2 External Foundations

- 3.21 The establishment of additional external foundations over which the Board of Regents and the Chancellor have no control shall be prohibited.
- 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 bring them into line with the general policies of the Board of Regents.
- 3.23 The only presently authorized External Foundation is:

Foundation

Law School Foundation

Buildings and Grounds Committee

The following will attend the meeting at request of Mr. Palmer:

Atwell Lagow (Mechanical Engr. in OFPC)
Bill Wilcox, U. T. Austin Physical Plant

Project Architects

Fred McKee, Phase II School of Public Health
John Joiner, Phase I School of Public Health
Merle Simpson - U. T. Nursing School (System-wide)

BUILDINGS AND GROUNDS COMMITTEE

Date: April 17, 1970

Time: Following meeting of Academic and Developmental Affairs Committee

Place: Main Building, Suite 212

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U. T. EL PASO

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U. T. DALLAS

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AUSTIN NURSING SCHOOL

23. Approval of Preliminary Plans and Specifications for Austin Nursing School Building and Additional Appropriation for Architect's Fees 11

BUILDINGS AND GROUNDS COMMITTEE

✓ 1. U. T. AUSTIN - APPROPRIATION FOR FEASIBILITY STUDY FOR RECREATIONAL FACILITIES, OLYMPIC SIZE SWIMMING POOL, AND BEAUTIFICATION OF WALLER CREEK.--It is recommended by President Hackerman and System Administration that an appropriation of \$10,000.00 be made from Permanent University Fund Bond proceeds to the Office of Facilities Planning and Construction for the purpose of making a feasibility study for the location of a student recreational park, construction of an Olympic size swimming pool, and beautification of Waller Creek in the area between 16th and 19th Streets and between Trinity Street and the East bank of Waller Creek, this authorization to include engaging of engineers, landscape architects, etc., on an hourly basis to whatever extent needed in making the study. After completion of the study, recommendations will be made to the Board for further consideration of the various aspects of this project.

✓ 2. U. T. AUSTIN - APPROVAL OF LOCATION FOR NEW COLLEGE OF EDUCATION.--It is recommended by President Hackerman and System Administration that the area west of Speedway between Nineteenth and Twenty-first Streets be designated as the location of the new College of Education at The University of Texas at Austin. At the Regents' Meeting held March 6, 1970, this location was also approved for the Graduate School of Business Administration, and it is contemplated that a recommendation will be made later as to the particular sites to be occupied by these two projects.

✓ 3. U. T. AUSTIN - AUTHORIZATION FOR REMODELING OF UNIVERSITY JUNIOR HIGH SCHOOL BUILDING AND APPROPRIATION THEREFOR.--In order to prepare the University Junior High School Building at The University of Texas at Austin for interim use primarily by the College of Education, it is recommended that an appropriation of \$75,000.00 be made from Permanent University Fund Bond proceeds to cover cost of painting and installation of fluorescent lights, venetian blinds, and window air conditioners to be taken from V Hall, with the work involved to be performed by U. T. Austin Physical Plant staff. It is contemplated that whenever the College of Education may be moved into permanent buildings, this remodeled space can be used for classrooms, temporary offices, storage, dry laboratories, etc. to relieve pressures in other departments due to overcrowding.

✓ 4. U. T. AUSTIN - APPROVAL OF ADDITION TO CONTRACT FOR PHYSICS-MATHEMATICS-ASTRONOMY BUILDING AND APPROPRIATION THEREFOR.--With the rapid growth of the various departments to be housed in the new Physics-Mathematics-Astronomy Building at The University of Texas at Austin since the building was planned, provision needs to be made for additional space for classrooms, etc., for these departments. At the last Regents' meeting an appropriation was made to cover a change to lightweight concrete in the structure above the sixth floor of the Mathematics wing to allow for an additional floor to be added at a later time. It is now recommended by President Hackerman and System Administration that an appropriation of \$115,000.00 be made from Permanent University Fund Bond proceeds to cover the addition of the exterior shell of a tenth floor on the Mathematics Wing, since this floor can be added while the building is under construction at considerably less expense than would be possible after the completion of the building.

5. U. T. AUSTIN - AWARD OF CONTRACT TO JOHNSON SERVICE COMPANY FOR A DATA ACQUISITION SYSTEM AND APPROPRIATION THEREFOR.--The following item was presented for consideration at the Regents' Meeting held March 6, 1970.

"In accordance with authorization given by the Board at the meeting held December 12, 1969, bids were called for and were received, opened, and tabulated on February 2, 1970, for a Data Acquisition System for The University of Texas at Austin, as shown below:

	Honeywell, Inc. San Antonio, Texas	Johnson Service Company, San Antonio, Texas
Base Bid	\$197,129.00	\$238,705.00
Add Alternates:		
No. 1	11,246.00	20,050.00
No. 2	22,207.00	28,380.00
No. 3	35,691.00	45,698.00
No. 4	22,244.00	29,480.00
No. 5	17,299.00	19,110.00
No. 6	17,992.00	21,282.00
No. 7	13,178.00	18,965.00
No. 8	9,002.00	13,447.00
Bidder's Bond	5%	75,000.00

"The bid from Honeywell, Inc., carried a statement that certain equipment would be furnished under this bid which does not meet the specifications as set out in the call for bids.

"The following recommendations, therefore, are made in connection with this project by President Hackerman and System Administration:

- "1. That a contract award in the amount of \$238,705.00 be made to Johnson Service Company, San Antonio, Texas, the only bidder meeting specifications.
- "2. That the sum of \$96,000.00, which has been appropriated over the last two bienniums from Available University Fund for replacement of obsolete data gathering systems, be added to this project for the purpose of making the above recommended contract award.
- "3. That authorization be given to accept over the next four months' period any or all of the additive alternates as shown in the tabulation as more accurate information is available on the amount of money which can be expended on this project."

Action on these recommendations was deferred until additional information could be obtained on the justification for awarding the contract to Johnson Service Company. This information has now been obtained, and President Hackerman and System Administration wish to make the same recommendations made at the last meeting, with an appropriation of \$260,000.00 to be made to cover the recommended contract award, Engineer's Fees thereon, and miscellaneous expenses, with \$164,000.00 to come from proceeds of U. T. Austin Utility Plant Fee Bond System revenue series and \$96,000.00 to come from the source as set out in Recommendation No. 2. It is further recommended that should any alternates be accepted as authorized in Recommendation No. 3 that the funds needed to cover these alternates, Engineer's Fees thereon, and miscellaneous expenses come from the proceeds of U. T. Austin Utility Plant Fee Bond System revenue series.

6. U. T. AUSTIN - APPOINTMENT OF COMMITTEE TO AWARD CONTRACT FOR REPLACEMENT OF SEATS IN MEMORIAL STADIUM.--At the Regents' Meeting held November 5, 1966, an appropriation of \$125,000.00 was made for replacement of seats in Memorial Stadium at The University of Texas at Austin. At this time it was contemplated that the replacement seats would be white concrete planks with orange numbers. After investigation of the various types of seating available, it has been determined that the aluminum plank seating as used for the replacement of seats in the Sun Bowl Stadium at U. T. El Paso is the most desirable. Specifications have been prepared, therefore, for the replacement of seats in Memorial Stadium at U. T. Austin with aluminum plank seating, and bids have been called for to be received April 21, 1970. In order that there will be no delay in the furnishing of this seating, it is recommended by Mr. J. Neils Thompson, President Hackerman, and System Administration that a Committee, consisting of Mr. J. Neils Thompson, President Hackerman, Mr. Lester E. Palmer, Executive Vice-Chancellor McKetta, Executive Vice-Chancellor Walker, Regent Peace, and Chairman Erwin, be appointed to award a contract after receipt of bids.

7. U. T. AUSTIN - APPROVAL OF PLANS AND SPECIFICATIONS FOR STRUCTURAL TESTING AREA AT BALCONES RESEARCH CENTER.--At the Regents' Meeting held March 14, 1969, authorization was given for the Project Architects, Barnes, Landes, Goodman, and Youngblood, to prepare plans and specifications for a Structural Testing Area at the Balcones Research Center, The University of Texas at Austin. These plans and specifications have been completed and have been approved by President Hackerman and System Administration, and it is recommended that they be approved by the Board, with authorization to the Executive Director of the Office of Facilities Planning and Construction to advertise for bids to be presented to the Board or the Executive Committee for consideration at a later meeting.

8. U. T. EL PASO - RATIFICATION OF APPROVAL OF PLANS AND SPECIFICATIONS AND AWARD OF CONTRACT TO GULDEMANN CONSTRUCTION AND ENGINEERING, INC., FOR REMODELING OF ENGINEERING BUILDING AND ADDITIONAL APPROPRIATION THEREFOR.--In accordance with authorization given by the Board at the meeting held January 24, 1970, the Committee appointed, consisting of President Smiley, Mr. Lester E. Palmer, Executive Vice-Chancellor Walker, Regent Peace, and Chairman Erwin, approved the plans and specifications for Remodeling of the Engineering Building at The University of Texas at El Paso, and bids were called for, received, opened, and tabulated on March 24, 1970, as shown below:

Bidder	Base Bid	Add Alternates		
		No. 1	No. 2	No. 3
Croom Construction Company El Paso, Texas	\$363,450	\$8,400	\$6,100	\$6,500
C. A. Goetting Company, Inc., El Paso, Texas	378,000	9,200	8,500	7,600
Guldemann Construction and Engineering, Inc., El Paso, Texas	352,890	8,250	7,350	5,600
Jordan and Nobles Construc- tion Company, El Paso, Texas	368,000	8,000	7,800	6,200
John R. Lavis General Con- tractor, Inc., El Paso, Texas	369,400	8,500	7,200	5,700

Matyear Construction Company, Inc., El Paso, Texas	\$352,989	\$8,407	\$7,432	\$6,071
Ponsford Brothers, El Paso, Texas	355,600	9,100	6,400	5,800
Prati and Prati General Con- tractors, Inc., El Paso, Texas	362,480	8,600	6,500	5,900
Ray Ward and Son, El Paso, Texas	387,878	8,177	6,998	7,850

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

It is recommended by President Smiley and System Administration that the action taken by the Committee in approving the plans and specifications be ratified by the Board, and that a contract in the amount of \$352,890.00 be awarded to the low bidder, Guldemann Construction and Engineering, Inc., El Paso, Texas. The Legislative appropriation for this project as reported at the Board meeting held October 31, 1969, is \$352,000.00. In order to cover this recommended contract award, Engineer's Fees thereon, and miscellaneous expenses, it is recommended that an additional appropriation of \$30,000.00 be made to the project from Unappropriated Proceeds of U. T. El Paso Building Revenue Bonds.

9. U. T. DALLAS - AUTHORIZATION FOR ANNEX TO EXISTING U. T. DALLAS MAIN BUILDING, ADDITION OF NEW BUILDING, AND APPROPRIATION FOR ARCHITECT'S FEES THEREFOR.--In view of the initial enrollment of graduate students at The University of Texas at Dallas in the Fall of 1970, the need for recruiting additional administrative staff and faculty members, the need for library space, and the commitment of space in the existing building to ongoing research contracts and continuing instructional programs, results in a need for additional space; therefore, it is essential that planning proceed as soon as possible for the construction of additional facilities. In order to provide such facilities while insuring that the construction thereof will not interfere with a comprehensive campus master plan to be developed for the site, the following recommendations are made by President Johnson and System Administration:

1. That from the fiscal year 1970-71 appropriation for U. T. Dallas, a total of \$50,000.00 be approved to develop preliminary plans for an annex to the existing U. T. Dallas main building of approximately 22,000 square feet at an estimated cost of \$600,000.00 and the addition of a building to consist of approximately 135,000 gross square feet at an estimated cost of \$3,500,000.00 and such expansion of the utility plant as may be required to service these additional facilities. The annex will be used for additional space for the Department of Mathematics and Chemistry, including expansion of laboratory and faculty office space. The new building will be used for housing a library, classroom and student laboratories, computer space, faculty offices, and area for student activities until such time as a student union building is constructed.

2. That an architectural firm be appointed from a list to be presented to the Board at the meeting, with authorization to proceed with the preparation of preliminary plans and outline specifications for these additional facilities, to be presented to the Board for approval at a later meeting.

3. That the Office of Facilities Planning and Construction be authorized to develop a land use plan and basic campus facilities plan for U. T. Dallas.

10. DALLAS MEDICAL SCHOOL - APPOINTMENT OF GAYNOR AND SIRMEN, INC., AS ENGINEERING COORDINATOR FOR PHASE I OF BUILDING PROGRAM AND APPROPRIATION THEREFOR.--In connection with the preparation of working drawings and specifications for Phase I of the building program for The University of Texas (Southwestern) Medical School at Dallas, the services of an engineering firm are needed to coordinate the various engineering activities for the projects involved in order that there will be no duplication of utility connections, utility services, etc. Because of the firm's knowledge of the Dallas Medical School Campus and the problems involved in this building program, it is recommended by Dean Sprague and System Administration that the firm of Gaynor and Sirmen, Inc., be appointed as Engineering Coordinator for Phase I of the Building Program for the Dallas Medical School at a fee not to exceed \$8,500.00 and that an appropriation in this amount to cover these services be made from Permanent University Fund Bond proceeds allocated to the Dallas Medical School.

11. DALLAS MEDICAL SCHOOL - EXTENSION OF APPOINTMENT OF E. TODD WHEELER AND PERKINS AND WILL AS PLANNING CONSULTANT TO THE OFFICE OF FACILITIES PLANNING AND CONSTRUCTION.--At the Regents' Meeting held June 20, 1969, authorization was given to engage the firm of E. Todd Wheeler and the Perkins and Will Partnership of Chicago, Illinois, as Consultants to the Office of Facilities Planning and Construction in connection with the Campus Development Plan and the design of authorized buildings at The University of Texas (Southwestern) Medical School at Dallas, with a fee for this work including consultant's travel expenses, not to exceed the amount of \$15,000.00. Because of the fact that it has now been determined by the Office of Facilities Planning and Construction that the services of this firm should be retained through the working drawing phase of the buildings involved, it is recommended by Dean Sprague and System Administration that this consultation be continued with the upper limit of the fee to be raised to \$25,000.00.

12. DALLAS MEDICAL SCHOOL - AUTHORIZATION TO CONSTRUCT BUILDING FOR DEPARTMENT OF OPHTHALMOLOGY.--At the Regents' Meeting held December 12, 1969, authorization was given for a one-story ground floor addition of approximately 6,000 square feet to the west end of the existing Cary Building at The University of Texas (Southwestern) Medical School at Dallas to provide needed space for Clinical Science Departments, mainly the Department of Ophthalmology. Further investigation of providing for this facility as an addition to the Cary Building has shown it to be impractical because of excessive costs, interference with utility lines, etc. In order that this department may be satisfactorily housed pending completion of the Phase I Expansion program for the campus, it is recommended by Dean Sprague and System Administration that a building of approximately 7,000 square feet be located east of the Physical Plant buildings to house the Department of Ophthalmology. After this department has moved to quarters in one of the new buildings to be constructed, it is contemplated that this building could be used for expansion of the Physical Plant or for other departments needing temporary space. Architects were appointed for this project, and an appropriation of \$200,000.00 was made at the meeting held December 12, 1969.

13. DALLAS MEDICAL SCHOOL - APPOINTMENT OF PERKINS AND WILL PARTNERSHIP AS LANDSCAPE CONSULTANT.--In connection with the development of the Campus at The University of Texas (Southwestern) Medical School at Dallas, a consultant for landscaping is needed. A proposal has been received from Perkins and Will Partnership, Chicago, Illinois, for the development of a master landscaping plan, preparation of necessary contract documents in connection therewith, and some field supervision, for a fee not to exceed \$20,000.00. It is recommended by Dean Sprague and System Administration that the proposal of Perkins and Will Partnership for services as landscape consultant for the Dallas Medical School Campus be accepted and that an appropriation of \$20,000.00 be made from Permanent University Fund Bond proceeds allocated to the Dallas Medical School.

14. DALLAS MEDICAL SCHOOL - APPOINTMENT OF FISHER AND SPILLMAN AS ARCHITECTURAL COORDINATOR FOR PHASE I OF BUILDING PROGRAM AND APPROPRIATION THEREFOR.--During the time of preparation of preliminary plans and outline specifications for the various buildings in Phase I of The University of Texas (Southwestern) Medical School at Dallas, the architectural firm of Fisher and Spillman, Project Architects for the Basic Sciences Teaching Unit and Lecture Rooms, was asked to serve as architectural coordinator for the various projects in order that all activities of all the architects involved would be coordinated to avoid duplication of work and travel to Washington in connection with applications for Federal grants and to Regents' Meetings. This function the firm has performed without any extra compensation, other than reimbursement of travel expenses for out-of-state trips. Now that authorization has been given to proceed with the preparation of working drawings and specifications for Phase I, the services of an architectural coordinator are even more needed and the work involved will be intensified to such an extent that extra compensation is necessary before any firm could accept the work.

In view of the excellent performance in this capacity by Fisher and Spillman in the preliminary plan phase, it is recommended by Dean Sprague and System Administration that the firm of Fisher and Spillman be authorized to act as architectural coordinator for the working drawing phase of Phase I of the building program for the Dallas Medical School, with compensation therefor not to exceed \$20,000.00. It is further recommended that an appropriation in this amount to cover these expenses be made from Permanent University Fund Bond proceeds allocated to the Dallas Medical School.

15. SAN ANTONIO MEDICAL SCHOOL - AWARD OF CONTRACT TO L. M. HARTHCOCK FOR ANIMAL CARE BUILDING ON KERRVILLE PROPERTY.--In accordance with authorization given by the Board at the meeting held January 24, 1970, plans and specifications were prepared by the Physical Plant staff of The University of Texas Medical School at San Antonio for an Animal Care Building on property in Kerrville, Texas. Further in accordance with authorization given by the Board, these plans and specifications were approved by the Executive Director of the Office of Facilities Planning and Construction and bids called for, received, opened, and tabulated on March 24, 1970, as shown below:

Bidder	Base Bid	Cashier's Check or Bidder's Bond	Time of Completion
Blanchard Associates, Inc., Fredericksburg, Texas	\$14,900.00	5% B. B.	--
L. M. Harthcock, Kerrville, Texas	11,713.00	5% B. B.	75 cal. days
McGee Construction Company, Inc., San Antonio, Texas	20,732.00	5% B. B.	90 cal. days
T. J. Moore Lumber Yard, Inc., Ingram, Texas	12,384.00	5% B. B.	150 days
Robert W. Rosson, San Antonio, Texas	14,746.00	\$737.00 C. C.	June 2, 1970
Whelan and Van Construc- tion Company, Kerrville, Texas	12,787.00	5% B. B.	90 cal. days

It is recommended by Dean Pannill and System Administration that a contract award in the amount of \$11,713.00 be made to the low bidder, L. M. Harthcock, Kerrville, Texas, this amount being within the \$15,000.00 appropriated for the project.

✓ 16. GALVESTON MEDICAL BRANCH - AUTHORIZATION TO REMOVE OR DEMOLISH IMPROVEMENTS ON PROPERTY RECENTLY ACQUIRED.--In connection with the 46 parcels of property recently purchased by The Sealy and Smith Foundation for The University of Texas Medical Branch at Galveston, it is desirable to remove or demolish the improvements on these pieces of property as soon as possible. It is, therefore, recommended by Vice-President Thompson, President Blocker, and System Administration that Vice-President Thompson be authorized to advertise for bids and issue purchase orders to the low bidders for the removal or demolition of the improvements on the property as these improvements are vacated by the sellers.

✓ 17. GALVESTON MEDICAL BRANCH - APPROPRIATIONS FOR ARCHITECTS' FEES FOR ADDITION TO JOHN SEALY HOSPITAL AND STAFF QUARTERS, CHILDREN'S HOSPITAL, AND ADMINISTRATION BUILDING.--At the Regents' Meeting held December 12, 1969, Project Architects were appointed for the Addition to John Sealy Hospital and Staff Quarters, Children's Hospital, and the Administration Building at The University of Texas Medical Branch at Galveston, but no appropriations were made at that time for Architects' Fees. In order that work can be started on the plans for these buildings, it is recommended by President Blocker and System Administration that authorization be given for the preparation of preliminary plans and outline specifications for these buildings and that appropriations be made from grants from The Sealy and Smith Foundation accepted by the Board at the meeting held October 31, 1969, for miscellaneous expenses and Architects' Fees through the preliminary plan stage as shown below:

Addition to John Sealy Hospital and Staff Quarters - \$150,000.00
Children's Hospital - \$105,000.00
Administration Building - \$35,000.00

✓ 18. GALVESTON MEDICAL BRANCH - APPROVAL OF INSCRIPTION ON PLAQUE FOR LIBBIE MOODY THOMPSON BASIC SCIENCE BUILDING.--It is recommended that the inscription as set out below be approved for the plaque to be placed on the Libbie Moody Thompson Basic Science Building at The University of Texas Medical Branch at Galveston. This inscription follows the standard pattern approved by the Board at the meeting held October 1, 1966.

LIBBIE MOODY THOMPSON
BASIC SCIENCE BUILDING

1967

BOARD OF REGENTS

Frank C. Erwin, Jr., Chairman
Jack S. Josey, Vice-Chairman
W. H. Bauer
Walter P. Brenan
Frank Ikard
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Joe M. Kilgore
Rabbi Levi A. Olan
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Harry H. Ransom, Chancellor,
The University of Texas System
Truman G. Blocker, Jr., M. D.,
President, The University of Texas
Medical Branch at Galveston

Charles W. Daeschner, Jr., M. D.,
Chairman, Building Committee,
The University of Texas Medical
Branch at Galveston

Brooks, Barr, Graeber, and White,
Consulting Architects
Wilson, Morris, Crain, and Anderson,
Associate Architects
Baxter Construction Company, Inc.,
Contractor

19. M. D. ANDERSON - APPROVAL OF PRELIMINARY PLANS AND OUTLINE SPECIFICATIONS FOR REMODELING OF SOUTHERN PACIFIC HOSPITAL BUILDING AND ADDITIONAL APPROPRIATION FOR ARCHITECT'S FEES. -- In accordance with authorization given by the Board at the meeting held March 6, 1970, preliminary plans and outline specifications for Remodeling of Southern Pacific Hospital Building at the University of Texas M. D. Anderson Hospital and Tumor Institute at Houston have been prepared by Cameron Fairchild and Associates, Architects on the project. These preliminary plans and specifications have been approved by President Clark and System Administration, and it is recommended that they be approved by the Board, with authorization to the Project Architects to proceed with the preparation of working drawings and specifications to be presented to the Board for approval at a later meeting. It is further recommended that an additional appropriation to cover miscellaneous expenses and the remainder of the Architect's Fees in the amount of \$56,500.00 be made from the Appropriation for Repair and Rehabilitation of Southern Pacific Hospital made by the Sixty-First Legislature - Second Called Session.

20. M. D. ANDERSON - APPROVAL OF REMODELING OF CERTAIN AREAS IN THE ANDERSON HOSPITAL BUILDING FOR IMPROVEMENT OF OUTPATIENT SERVICES. -- The administration of The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston has requested that certain moderate remodeling be undertaken on the Seventh Floor of the West Wing of the Hospital Building and on the First Floor of the Gimbel Building in order to improve the Outpatient Services at the Hospital. The area on the seventh floor is to be remodeled to provide office space for the Department of Medicine that will be moved from the first floor in order that this area can be remodeled to provide office space for the Associate Director (Clinic) and his staff, a separate clinic for all new patients, and a separate clinic for pediatric patients. Approximately 6,400 square feet of space is involved in the two areas to be remodeled, and it is estimated that the total cost will be approximately \$175,000.00.

The following recommendations in regard to this remodeling are made by President Clark and System Administration:

1. That authorization be given to the Office of Facilities Planning and Construction to prepare plans and specifications for this project.

2. That a Committee be appointed, consisting of Vice-President Boyd, President Clark, Mr. Lester E. Palmer, Executive Vice-Chancellor Walker, Regent Peace, and Chairman Erwin, to approve these plans and specifications and to award a contract to the low bidder after advertisement for bids by the Executive Director of the Office of Facilities Planning and Construction.

3. That an appropriation of \$175,000.00 be made to the project, from the following sources:

Unappropriated Balance of Anderson Hospital	\$120,000.00
Remodeling of Physical Plant Area and Some Animal Areas for Other Uses - Contract - Manhattan Construction Company of Texas	21,101.09
Roof Repair and Other Outside Building Renovations	33,898.91

✓ 21. PUBLIC HEALTH SCHOOL - APPROVAL OF FINAL PLANS AND SPECIFICATIONS FOR PHASE I BUILDING.--In accordance with authorization given by the Board at the meeting held October 31, 1969, working drawings and specifications have been prepared by the Project Architects, Joiner, Coburn, and King, for Phase I of the building program for The University of Texas School of Public Health at Houston. These final plans and specifications have been approved by Dean Stallones and System Administration, and it is recommended that they be approved by the Board, with authorization to the Executive Director of Office of Facilities Planning and Construction to advertise for bids to be presented to the Board or the Executive Committee for consideration at a later date.

✓ 22. PUBLIC HEALTH SCHOOL - APPROVAL OF FINAL PLANS AND SPECIFICATIONS FOR PHASE II BUILDING.--In accordance with authorization given by the Board at the meeting held September 12, 1969, working drawings and specifications have been prepared by the Project Architects, MacKie and Kamrath, for Phase II of the building program for The University of Texas School of Public Health at Houston. These final plans and specifications have been approved by Dean Stallones and System Administration, and it is recommended that they be approved by the Board, with authorization to the Executive Director of the Office of Facilities Planning and Construction to advertise for bids pending completion of funding for the project, these bids to be presented to the Board or the Executive Committee for consideration at a later date.

✓ 23. AUSTIN NURSING SCHOOL - APPROVAL OF PRELIMINARY PLANS AND SPECIFICATIONS FOR AUSTIN NURSING SCHOOL BUILDING AND ADDITIONAL APPROPRIATION FOR ARCHITECT'S FEES.--In accordance with authorization given by the Board at the meeting held June 20, 1969, preliminary plans and outline specifications for a building to house The University of Texas Nursing School (System-Wide) at Austin have been prepared by the Project Architect, Merle A. Simpson, Austin, Texas. These preliminary plans and specifications have been approved by Dean Willman and System Administration, and it is recommended that they be approved by the Board, with authorization to the Project Architect to proceed with the preparation of working drawings and specifications to be presented to the Board for approval at a later date. It is further recommended that an additional appropriation of \$80,000.00 be made from Permanent University Fund Bond proceeds to cover Architect's Fees through the working drawing stage.

B.C.

EMERGENCY ITEM
BUILDINGS AND GROUNDS COMMITTEE

Date: April 17, 1970

Time: Following Meeting of Academic and Developmental Affairs
Committee

Place: Main Building, Suite 212

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B & G

U. T. ARLINGTON

24. Ratification of Approval of Plans and Specifications and Award of Contract to Charles H. Berry, General Contractor, Inc., for Finishing of Basement Area in the Business-Life Science Building and Appropriation Therefor

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BUILDINGS AND GROUNDS COMMITTEE

24. U. T. ARLINGTON - RATIFICATION OF APPROVAL OF PLANS AND SPECIFICATIONS AND AWARD OF CONTRACT TO CHARLES H. BERRY, GENERAL CONTRACTOR, INC., FOR FINISHING OF BASEMENT AREA IN THE BUSINESS-LIFE SCIENCE BUILDING AND APPROPRIATION THEREFOR.--In accordance with authorization given by the Board at the meeting held January 24, 1970, the Special Committee appointed at that meeting, consisting of President Harrison, Mr. Lester E. Palmer, Executive Vice-Chancellor McKetta, Executive Vice-Chancellor Walker, Regent Garrett, Regent Peace, and Chairman Erwin, approved the plans and specifications for Finishing of the Basement Area in the Business-Life Science Building at The University of Texas at Arlington, as prepared by Harwood K. Smith and Partners, Project Architect, and bids were called for, received, opened, and tabulated on April 9, 1970, as shown below:

Bidder	Base Bid	Alternate No. 1	Bidder's Bond
Charles H. Berry, General Contractor, Inc., Arlington, Texas	\$257,257.00	\$2,552.00	5%
Cecil Carr Construction Company, Dallas, Texas	267,300.00	5,000.00	5%
Cope and Smith, Inc., Fort Worth, Texas	284,000.00	3,800.00	5%
Harry Fortune Mechanical Contractor, Fort Worth, Texas	304,000.00	4,165.00	5%
Hardin Brothers Construction, Dallas, Texas	332,500.00	3,000.00	5%
Kugler-Morris, General Contractors, Inc., Dallas, Texas	276,927.00	6,990.00	5%
John H. Pelt-Turner Enterprises, Inc. (Joint Venture), Duncanville, Texas	294,404.00	2,860.00	5%
Gene Sanders and Associates Construction, Fort Worth, Texas	274,890.00	3,000.00	5%
George G. Steele, General Contractor, Dallas, Texas	266,341.00	4,550.00	5%
Ed A. Wilson, Inc., Fort Worth, Texas	261,533.00	3,250.00	5%

It is recommended by President Harrison and System Administration that the action taken by the Committee in approving the plans and specifications be ratified by the Board, and that a contract be awarded to the low bidder, Charles H. Berry, General Contractor, Inc., Arlington, Texas, as follows:

Base Bid	\$257,257.00
Add Alternate No. 1 (Add Vinyl Wall Covering)	<u>2,552.00</u>
Total Recommended Contract Award	<u>\$259,809.00</u>

It is further recommended that in order to cover this recommended contract award, Architect's Fees thereon, movable furniture and furnishings, and miscellaneous expenses, an appropriation of \$282,000.00 be made from Account No. 85-9799-9911 - U. T. Arlington - Unallocated Proceeds - Series 1968 - State of Texas Constitutional Tax Bonds in addition to the \$18,000.00 appropriated at the meeting held September 12, 1969, making a total appropriation of \$300,000.00, the amount estimated for this project.

Medical Affairs Committee

MEDICAL AFFAIRS COMMITTEE

Date: April 17, 1960

Time: Following the meeting of the Buildings and Grounds Committee

Place: Main Building 212
U. T. Austin

	<u>Page</u> <u>MED</u>
1. San Antonio Medical School: Authorization to Request Permission From Coordinating Board for M. A. and Ph. D. Programs in (a) Anatomy, (b) Biophysics, (c) Microbiology, and (d) Pharmacology	1
2. Galveston Medical Branch: Appointment to Advisory Council of the Galveston Medical Branch Foundation	2
3. M. D. Anderson: Authorization to Sign Documents in Connection with Tax-Free Alcohol Permits	2
4. System Nursing School: Affiliation Agreement between Brackenridge Hospital and the Board of Regents of The University of Texas System	2
5. Houston Medical School, Houston Dental Branch, M. D. Anderson, G. S. B. S., Public Health School: Report on Status of Negotiations with Houston Academy of Medicine and Texas Medical Center, Inc., Regarding Library Service	6

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1. San Antonio Medical School: Authorization to Request Permission From Coordinating Board for M. A. and Ph. D. Programs in (a) Anatomy, (b) Biophysics, (c) Microbiology, and (d) Pharmacology. --

At the meeting on March 6, 1970, approval was given to request permission from the Coordinating Board, Texas College and University System, to establish at The University of Texas Medical School at San Antonio programs leading to the following degrees conditioned upon the approval of the Health Affairs Council and the Chancellor's Academic Planning Cabinet:

- (a) M. A. and Ph. D. in Anatomy
- (b) M. A. and Ph. D. in Biophysics
- (c) M. A. and Ph. D. in Microbiology
- (d) M. A. and Ph. D. in Pharmacology

Both the Health Affairs Council and the Chancellor's Academic Planning Cabinet have approved these programs. It is recommended that the action taken at the meeting on March 6, 1970, be ratified.

1. Galveston Medical Branch: Appointment of Doctor C. M. Phillips to the Advisory Council of the Galveston Medical Branch Foundation. --Chancellor Ransom and Deputy Chancellor LeMaistre concur in the request of President Blocker that Dr. C. M. Phillips of Levelland, Texas, be appointed as a member of the Advisory Council of The University of Texas Medical Branch at Galveston Foundation. The Secretary submits for incorporation in the record the members of the Advisory Council of the Galveston Medical Branch Foundation.

Dr. Robert W. Kimbro
Cleburne, Texas

Mr. W. L. Moody IV
Galveston, Texas

Mr. Carl R. Byard
Galveston, Texas

Dr. Harvey Renger
Hallettsville, Texas

Dr. H. F. Connally, Jr.
Waco, Texas

Dr. William Seybold
Houston, Texas

Dr. McIver Furman
Corpus Christi, Texas

Mr. Preston Shirley
Galveston, Texas

Dr. Van Doren Goodall
Clifton, Texas

Dr. Courtney M. Townsend
Paris, Texas

Dr. Walter F. Hasskarl, Jr.
Brenham, Texas

Mr. John M. Winterbotham
Houston, Texas

Mr. Harris Kempner
Galveston, Texas

Mr. Sam P. Woodson, Jr.
Fort Worth, Texas

2. M. D. Anderson: Authorization of Mr. E. R. Gilley to Sign All Documents in Connection with Tax-Free Alcohol Permits. --

Deputy Chancellor LeMaistre concurs in the recommendation of President R. Lee Clark that the Board of Regents authorize Mr. E. R. Gilley, Business Manager of The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston, to sign all documents required in connection with tax-free alcohol permits.

3. System Nursing School: Affiliation Agreement between Brackenridge Hospital and the Board of Regents of The University of Texas System. --

Deputy Chancellor LeMaistre concurs in the request of Dean Willman that the affiliation agreement with Brackenridge Hospital be approved. This agreement has been approved as to content and form by the appropriate University officials.

This affiliation agreement is essential to the nursing program on the Austin campus as the primary source of an acceptable clinical teaching experience in the field of pediatrics.

The proposed affiliation agreement is on Pages 3-5

AFFILIATION AGREEMENT

THE STATE OF TEXAS

COUNTY OF TRAVIS

This AGREEMENT by and between the City of Austin, operator of Brackenridge Hospital, School of Nursing, herein referred to as HOSPITAL, and the BOARD OF REGENTS of THE UNIVERSITY OF TEXAS SYSTEM for and on behalf of The University of Texas Nursing School (system-wide) referred to as "School", WITNESSETH:

WHEREAS, it is agreed by the parties to be of mutual interest and advantage that the students in School be given the opportunity to utilize the facilities of Hospital as a clinical practice laboratory and for educational purposes;

NOW, THEREFORE, it is hereby understood and agreed by the parties that:

1. Hospital will permit students of School to practice nursing under the direct supervision and responsibility of faculty of the Nursing School of University. The individual faculty members will be responsible to the nurse or liaison person designated by Hospital for the nursing activities of students.
2. The number and distribution of students between the divisions of Hospital will be mutually agreed upon between School and Hospital at the beginning of each semester.
3. The period of assignment shall be during regular University academic sessions, except in the instance of special arrangements such as for workshop participants.
4. School will provide Hospital with the names of the students to use the facilities of Hospital under the terms of this agreement.
5. The representatives of School and Hospital shall meet at least once a year to study this nursing program and terms of the agreement and make such suggestions and changes as are needed.

6. This agreement may be renewed annually at the option of the parties at the beginning of the current school year by School giving written notice of intent at least ninety (90) days in advance.

7. School personnel, faculty and students will be subject to the rules and regulations established by Hospital for the division to which they are assigned.

A. Hospital will charge no fees for nursing practice opportunity afforded students.

B. Students will be responsible for their own meals, laundry, and transportation to and from Hospital.

C. School will be responsible for the students' health needs while in the performance of this agreement.

8. School agrees to reimburse Hospital for breakage or wastage of materials incidental to the use of the facilities of Hospital from student laboratory fees.

9. Hospital shall not be liable on account of injury, sickness, disease or death to any student using the facilities of Hospital under the terms of this agreement. Further, School agrees only insofar as it is authorized by law so to do, to hold Hospital harmless from and against any and all liability for personal injury, including injury resulting in death, and for damage to property which results directly or indirectly from the use by School of Hospital facilities, and agrees to reimburse Hospital for all reasonable expenses, including attorney's fees, incurred by Hospital in defending any such claim or claims.

10. The salaries and expenses of any instructors, supervisors, or other employees of School will be paid by School. School agrees that members of its faculty will serve as consultants and on committees of Hospital when requested by Hospital.

11. Hospital further agrees as follows:

A. To maintain the criteria for accreditation as established by the Joint Commission on Accreditation of Hospital.

- B. Realizing that classroom and conference space is extremely limited, Hospital will attempt to provide this space as required in either the hospital or the nursing school building.
- C. To make available a secure place for the storage of students' personal possessions while they are on duty.
- D. To allow students and faculty of School to utilize Hospital eating facilities at the students' and faculty's sole expense.

12. This agreement shall commence on the date of its execution and shall remain in force and effect for the term provided above unless sooner terminated by either party upon giving six months' written notice to the other party by certified mail.

EXECUTED this _____ day of _____, 19__.

BOARD OF REGENTS OF
THE UNIVERSITY OF TEXAS SYSTEM
for the use and benefit of
The University of Texas at Austin

ATTEST:

BY _____
Frank C. Erwin, Jr. - Chairman

Secretary

CITY OF AUSTIN

BY *L. H. Andrews*
L. H. Andrews, City Manager

ATTEST:

Elsie Hoosley
City Clerk

Approved as to Content:
Charles A. Maistre
Deputy Chancellor

Approved as to Content:
Chas. Walker
Executive Vice-Chancellor for
Fiscal Affairs

Approved as to Form:
Ronald Gibson
University Attorney

THE UNIVERSITY OF TEXAS MEDICAL SCHOOL AT HOUSTON

April 15, 1970

TO: Miss Thedford:
Your advance copy
for this Agenda
item - Ant

MEMORANDUM

TO: The University of Texas Board of Regents

FROM: Charles A. LeMaistre, M.D.
The University of Texas Medical School at Houston
The University of Texas M.D. Anderson Hospital and
Tumor Institute at Houston

RE: Status of Negotiations with the Houston Academy of
Medicine Library

At an April 9, 1970, meeting of representatives from The University of Texas Board of Regents, The University of Texas Medical School at Houston, the Houston Academy of Medicine and the Texas Medical Center, policies governing agreements relating to their libraries were discussed and nine points were agreed upon. The gist of these agreements is as follows:

1. The Board of the Library is to be identified as the policy making body governing the library with representatives from the major units.
2. A Library committee is to be identified as advisory to the Library Director and is to be composed of representatives from the various component units of the major institutions which are using and supporting the library.
3. The Director of the Library is to be its operating executive with his responsibilities clearly delineated in writing.
4. Annual assessments for running the Library will be determined by a mutually agreed to formula.

Memorandum
April 15, 1970
Page 11

5. A committee with representation from the Texas Medical Center, the Baylor College of Medicine, the Houston Academy of Medicine, the M.D. Anderson Hospital & Tumor Institute, and The University of Texas Medical School at Houston was appointed to draft an operating agreement. This agreement will be presented to the Board of Regents for its approval.

6. Contributions from The University of Texas for the support of the library will begin September 1, 1970. [^]

med school in Houston

Attachment: Draft of Agreement dated 4-9-70

PRINCIPLES FOR THE DRAFTING OF THE OPERATIONAL AGREEMENT
BETWEEN THE HOUSTON ACADEMY OF MEDICINE AND THE
INSTITUTIONAL USERS OF THE HOUSTON ACADEMY OF MEDICINE LIBRARY
FOR THE TOTAL MEDICAL CENTER

These principles are the result of a meeting of the following people:

Jack Josey
Dr. James Sammons
Dr. John Armstrong
Dr. Lee Clark
Dr. Robert Moreton
Dr. Philip Montgomery
Dr. Cheves Smythe
• Dr. Richard Eastwood
C. R. Richardson

1. The Library Board of the Houston Academy of Medicine Library for the Texas Medical Center will be willing to participate in grant, contract, and operating funds derived from governmental and philanthropic sources.
2. The position of the Director of the Library will be clearly set forth so as to make it possible for him to have an effective working relationship with the Library users, Library Board and Library Advisory Committee.
3. The operating characteristics of the Library will be described by and subscribed to by signature of the users as represented by their membership on the Library Board.
4. Assessments to defray the annual operating expenses of the Library will be determined by formula. Said formula to take cognizance of the following factors:
 - a. Resource maintenance.
 - b. The size of the academic user population.
 - c. Circulation.
 - d. Special or exceptional uses by participating institutions.

5. The rights and identity of the participating institutions will be recognized in any final agreement.
6. The rate of growth of the Library will be determined on the basis of the needs of the participating institutions.
7. The Board of the Library will determine policy and its representation shall include members of the major institutional users.
8. An advisory committee made up of representatives from all component institutional users shall be convened by the Library Board. It shall advise and consult with the Director of the Library concerning the needs of the users of the participating institutions.
9. The administration of each component institution shall be fully responsible for its students, faculty and employees in their relationships with the Library.

Committee appointed by Dr. John Armstrong for the drafting of the final operating agreement:

Dr. Richard Eastwood	Texas Medical Center
Dr. J. L. Melnick	Baylor University College of Medicine
Dr. Cheves Smythe	University of Texas Medical School at Houston
Dr. James Sammons	Houston Academy of Medicine
Dr. Lee Clark	M. D. Anderson and other University of Texas components

5. Houston Medical School, Houston Dental Branch, M. D. Anderson, G. S. B. S., Public Health School: Report on Status of Negotiations with Houston Academy of Medicine and Texas Medical Center, Inc., Regarding Library Service. --

Deputy Chancellor LeMaistre and Dean Smythe request permission to report to the Board the status of negotiations with the Houston Academy of Medicine and the Texas Medical Center, Inc. regarding library service.

Land and Investment Committee

LAND AND INVESTMENT COMMITTEE

Date: April 17, 1970

Time: Following the meeting of the Medical Affairs Committee

Place: Main Building 212
U. T. Austin

I. PERMANENT UNIVERSITY FUND

A. INVESTMENT MATTERS:

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1. Report on Clearance of Monies to Permanent University Fund and Available Fund for the Current Fiscal Year Through February, 1970

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B. LAND MATTERS:

1. Easements Nos. 3057 through 3077
2. Material Source Permits Nos. 370 and 371
3. Water Contract No. 135
4. Assignment of Easement No. 1842
5. Assignment of Grazing Lease No. 1006
6. Grazing Leases Nos. 1048 through 1064
7. Recommendation for Water Contract No. 89 to Horizon Properties Corporation Covering 4,733.6 Acres in Block L, University Lands, El Paso County, Texas
8. Recommendation for Resurvey of Block L, University Lands, El Paso County, Texas
9. Recommendation Re Amendment of Lease No. 998 - Nell Anderson Harrison, et al - Loving, Ward and Winkler Counties

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C. BOND MATTERS:

1. Permanent University Fund Bonds, New Series 1970 - Recommendation for Sale of Issue, Approval of Bond Counsel, and Establishment of an Account for Miscellaneous Costs

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II. TRUST AND SPECIAL FUNDS

A. REAL ESTATE MATTERS:

1. U. T. Austin - Archer M. Huntington Museum Fund - Recommendation for Purchase of Approximately 102 Acres, S. C. Bundick League, Galveston County 14
2. U. T. El Paso Recommendation for Approval of Assignment of Grazing Lease from J. A. Neal to Home and Business Service Corporation Covering Frank B. Cotton Trust Lands 14

B. GIFT, ESTATE AND BEQUEST MATTERS:

1. U. T. Austin - Recommendation for Acceptance of Bequest Under the Will of Dr. Bertha K. Duncan Brooks for the James Leonard Duncan Memorial Scholarship Fund and Recommendation for Approval of Settlement with Surviving Spouse on Community Property 15

III. OTHER MATTERS

1. Reports of Securities Transactions for Permanent University Fund and for Trust and Special Funds for January 1970 16
2. Investment Matters -- Voting of General Motors Stock 16

PERMANENT UNIVERSITY FUND - INVESTMENT MATTERS.--

REPORT ON CLEARANCE OF MONIES TO PERMANENT UNIVERSITY FUND AND AVAILABLE FUND.--The Auditor, Oil and Gas Production, reports the following with respect to monies cleared by the General Land Office to the Permanent University and Available University Fund for the current fiscal year through February, 1970, as follows:

	February, 1970	Cumulative This Fiscal Year	Cumulative Preceding Fiscal Year (Averaged)
<u>Permanent University Fund</u>			
Royalty - Oil	\$ 986,236.13	\$ 7,351,963.10	\$ 7,562,678.88
Gas - Regular	147,998.79	617,920.06	539,079.30
- F.P.C.	110,785.52	114,245.58	217,269.36
Water	15,210.57	56,629.65	57,451.62
Salt Brine	1,042.23	5,806.66	7,482.00
Rental on Mineral Leases	410.36	97,687.26	148,001.04
Rental on Water Contracts	-0-	1,197.96	2,637.48
Rental on Brine Contracts	-0-	100.00	100.02
Amendments and Extensions of Mineral Leases	-0-	77,303.58	247,682.22
	<u>\$ 1,261,683.60</u>	<u>\$ 8,322,853.85</u>	<u>\$ 8,782,381.92</u>
Bonuses, Mineral Lease Sales (actual)	-0-	1,736,500.00	-0-
Total, Permanent University Fund	<u>\$ 1,261,683.60</u>	<u>\$ 10,059,353.85</u>	<u>\$ 8,782,381.92</u>
<u>Available University Fund</u>			
Rental on Easements	\$ 12,116.21	\$ 106,954.02	\$ 202,128.00
Interest on Easements and Royalty	117.68	3,906.53	18,248.10
Correction Fees-Easements	-0-	-0-	-0-
Transfer and Relinquishment Fees	370.97	2,188.33	15,212.76
Total, Available University Fund	<u>\$ 12,604.86</u>	<u>\$ 113,048.88</u>	<u>\$ 235,588.86</u>
TOTAL - Permanent and Available University Funds	<u>\$ 1,274,288.46</u>	<u>\$ 10,172,402.73</u>	<u>\$ 9,017,970.78</u>
<u>Oil and Gas Development - February 28, 1970</u>			
Acreage Under Lease	645,930		
Number of Producing Acres	320,511		
Number of Producing Leases	1,414		

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

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

EASEMENTS AND SURFACE LEASES

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

No.	Company	Type of Permit	County	Location (Block #)	Distance or Area	Period	Consideration
3057	West Texas Utilities Company	Power Line	Reagan	1 & 2	1,334.99 rds	12/1/69- 11/30/79	\$ 800.99
3058	El Paso Natural Gas Company (renewal of 1487)	Surface Lease (Cathodic Protection Unit)	Hudspeth	J	Less than an acre	7/1/70- 6/30/80	50.00 (Min.)
3059	El Paso Natural Gas Company (renewal of 1486)	Power Line	Hudspeth	J	432.164 rds	7/1/70- 6/30/80	259.29
3060	Atlantic Pipe Line Company (renewal of 1472)	Pipe Line	Andrews	1, 2, 13 & 14	5,515 rds 8 5/8 inch	6/1/70- 5/31/80	7,169.50
3061	Humble Pipe Line Company (renewal of 1507 & 1714)	Pipe Line	Andrews	9	302.01 rds 4 1/2 inch	2/1/70- 1/31/80	196.31
3062	Mobil Oil Corporation	Pipe Line	Ward	16	565.70 rds 6 1/2 inch	3/1/70- 2/29/80	735.41
3063	Andrews Industrial Water, Inc.	Pipe Line	Andrews	9 & 10	962.50 rds 6.14 inch	2/1/70- 1/31/80	1,251.25

Easements and Surface Leases - Continued --

No.	Company	Type of Permit	County	Location (Block #)	Distance or Area	Period	Consideration
3064	Humble Pipe Line Company (renewal of 1525)	Pipe Line	Andrews	9	218.70 rds 4 1/2 inch	4/1/70- 3/31/80	\$ 142.15
3065	Gulf Oil Corporation (renewal of 1497)	Pipe Line	Andrews	13	160.71 rds 1 inch & 160.71 rds 2 1/2 inch	5/1/70- 4/30/80	104.47
3066	J. Hoyt Kniveton (renewal of 1450)	Surface Lease (Business Site)	Pecos	16	3.44 acres	3/1/70- 2/28/71	100.00 *
3067	El Paso Natural Gas Company (renewal of 1502)	Surface Lease (Microwave Tower Site)	Reagan	9	1.52 acres	9/1/70- 8/31/80	1,000.00 (Full)
3068	El Paso Natural Gas Company (renewal of 1503)	Pipe Line	Upton	3 & 58	356.909 rds 4 1/2 inch	9/1/70- 8/31/80	231.99
3069	Phillips Petroleum Company (renewal of 1431)	Pipe Line	Andrews	13	412.10 various sized	2/1/70- 1/31/80	388.05
3070	Mrs. Jack Cruikshank (renewal of 1443)	Surface Lease (Business Site)	Reagan	9	300' x 300'	3/1/70- 2/28/71	100.00 *
3071	Phillips Petroleum Company (renewal of 1445)	Pipe Line	Andrews	1	44.30 rds 4 1/2 inch	3/1/70- 2/29/80	50.00 (Min.)
3072	Phillips Pipe Line Company (renewal of 1464 - part.)	Pipe Line	Andrews	5	19.20 rds 4 1/2 inch	3/1/70- 2/29/80	50.00 (Min.)

* Renewable year to year, but not to exceed a total of ten (10) years. Consideration shown is for first year only.

Easements and Surface Leases - Continued --

No.	Company	Type of Permit	County	Location (Block #)	Distance or Area	Period	Consideration
3073	Phillips Pipe Line Company	Surface Lease (Meter Station Site)	Andrews	13	50' x 50'	1/16/70- 1/15/80	\$ 500.00 (Full)
3074	Mobil Pipe Line Company	Pipe Line	Ward	16	145.88 rds 4 1/2 inch	4/1/70- 3/31/80	94.81
3075	Shell Pipe Line Corporation (renewal of 1496)	Pipe Line	Andrews	9	104.00 rds 4 1/2 inch	7/1/70- 6/30/80	67.60
3076	El Paso Natural Gas Company	Pipe Line	Reagan	11	671.94 rds various sized	3/1/70- 2/29/80	703.07
3077	Phillips Petroleum Company (renewal of 1464 - part.)	Pipe Line	Crane & Upton	35 & 30	197.30 rds 3 1/2 inch	3/1/70- 2/29/80	128.25

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MATERIAL SOURCE PERMITS

No.	Grantee	County	Location	Quantity	Consideration
370	W. A. (Bill) Farmer Construction Co.	Andrews	Block 13	2,196 cubic yards of caliche	\$ 658.80
371	W. A. (Bill) Farmer Construction Co.	Andrews	Block 13	72 cubic yards of caliche	50.00 (Min.)

WATER CONTRACTS

No.	Grantee	County	Location	Period	Consideration
135	Lo-Vaca Gathering Company	Ward	Block 16	9/1/69-8/31/74	10¢ per 1,000 gallons of water produced & minimum royalty per year is \$200

ASSIGNMENT OF EASEMENT

No.	Assignor	Assignee	Type of Permit	County	Location	Area	Period	Consideration
1842	Cabot Corporation	Leonard Latch et al	Surface Lease (Water Injection Plant Site)	Andrews	Block 14	5 acres	2/1/64-1/31/74	\$ 50.00 *

* Assignment Fee

ASSIGNMENT OF GRAZING LEASE

No.	Assignor	Assignee	County	Acreage	Period	Consideration
1006	Harrison W. Pace	S. F. Henderson	Crane & Ector	5,531.62 acres	1/1/68-12/31/72	\$ 50.00 **

** Assignment Fee

GRAZING LEASES

All the following grazing leases are for the five-year period, January 1, 1970, through December 31, 1974, with extension for an additional five-year period, January 1, 1975, through December 31, 1979, at rental shown provided the Lessee carries out the range conservation and/or ranch improvement programs and practices specified in Exhibit B of each lease, which shall be certified by the University Land Agent. All leases are on the University's standard forms with semi-annual payment of rental on January 1 and July 1 of each year in the amounts set out in the lease.

Lease No.		Lessee	Location		Acreage	Previous Rental Per Acre	First Five Years		Second Five Years	
New	Old		County	Block			Acre	Annual Rental	Annual Rental	Acre
1048	917	Hugh Ratliff & Duane Ratliff	Andrews	12	23,055.90	\$0.18	\$0.23	\$ 5,302.86	\$0.28	\$ 6,455.66
1049	919	Floyd R. Henderson & Floyd R. Henderson, Jr.	Crockett	31	8,382.90	0.50	0.67	5,616.54	0.80	6,706.32
1050	925	Mrs. Maggie Nutt et al	Pecos	19	1,282.70	0.35	0.35	448.94	0.41	525.90
1051	924	Lillian St. Clair & Eugene C. St. Clair	Crockett	38 & 39	8,139.30	0.50	0.60	4,883.58	0.72	5,860.30
1052	914	J. A. McMullan	Crockett	33	2,402.60	0.50	0.67	1,609.74	0.80	1,922.08
1053	910	Clifton Brooks et al	Crockett	46 & 51	23,124.50	0.50	0.65	15,030.92	0.75	17,343.69
1054	920	Bluford Thornton & Bluford A. Thornton	Ward	16	18,993.35	0.15	0.18	3,418.80	0.22	4,178.54
1055	923	Blevins McKenzie et al	Pecos	21-25	18,254.20	0.35	0.35	6,388.98	0.41	7,484.22
1056	916-A	Dorothy Henderson Pierce & Joe Sellers Pierce	Crockett	32 & 33	2,740.00	0.50	0.67	1,835.80	0.80	2,192.00
1057	915	Jack & Helen Wilkins	Crockett	33	2,783.70	0.50	0.67	1,865.08	0.80	2,226.96
1058	918	Mrs. Jean Scheuber	Crockett	33	2,941.30	0.50	0.67	1,970.68	0.80	2,353.04

Grazing Leases - Continued --

Lease No.		Lessee	Location		Acreage	Previous Rental Per Acre	First Five Years		Second Five Years	
New	Old		County	Block			Acre	Annual Rental	Acre	Annual Rental
1059	922	John & Helen Henderson	Crockett	33	2,455.80	\$0.50	\$0.67	\$ 1,645.38	\$0.80	\$ 1,964.64
1060	913	George Bunger	Crockett	31	8,843.40	0.50	0.67	5,925.08	0.80	7,074.72
1061	912	Boyd Clayton	Crockett	31 & 32	8,980.00	0.50	0.67	6,016.60	0.80	7,184.00
1062	921	L. B. & Bruce T. McKenzie	Pecos	19	11,920.90	0.35	0.35	4,172.32	0.41	4,887.58
1063	916	J. W. Henderson, III	Crockett	31 & 32	4,300.00	0.50	0.67	2,881.00	0.80	3,440.00
								<u>\$69,012.30</u>		<u>\$81,799.65</u>

Increased rental over previous 5 year period - \$13,344.06
 23.97% \$12,787.35
 18.52%

Increased rental over 5 year period ended 12/31/69 - \$26,131.41
 46.94%

The following grazing lease is for the five-year period, July 1, 1970, through June 30, 1975, with extension for an additional five-year period, July 1, 1975, through June 30, 1980, at rental shown provided the Lessee carries out the range conservation and/or ranch improvement programs and practices specified in Exhibit B of the lease, which shall be certified by the University Land Agent. The lease is on the University's standard form with semi-annual payment of rental on July 1 and January 1 of each year in the amount set out in the lease.

Lease No.		Lessee	Location		Acreage	Previous Rental Per Acre	First Five Years		Second Five Years	
New	Old		County	Block			Acre	Annual Rental	Acre	Annual Rental
1064	946	Louis Woodward	Pecos	18-20	12,483.70	\$0.35	\$0.35	\$ 4,369.30	\$0.41	\$ 5,118.32

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

RECOMMENDATION FOR WATER CONTRACT NO. 89 TO HORIZON PROPERTIES CORPORATION COVERING 4,733.6 ACRES IN BLOCK L, UNIVERSITY LANDS, EL PASO COUNTY, TEXAS.--Horizon Land Corporation, or its affiliates, has held a water exploration permit on Block L, University Lands, El Paso County, comprising approximately 12,532.7 acres, since October 1, 1960. By instrument dated July 27, 1966, the Board of Regents granted to Horizon Properties Corporation a water exploration permit and option to negotiate for a water lease for the 5-year period commencing on October 1, 1966, and terminating on September 30, 1971. Horizon Properties Corporation has notified the University of its intention to exercise its option under the aforesaid Water Exploration Permit No. 89, and has negotiated the terms of a water contract through the Office of University Lands-Geology, in Midland.

The Vice-Chancellor for Investments, Trusts and Lands and the Geologist-in-Charge recommend that the Board of Regents grant to Horizon Properties Corporation a water contract covering 4,733.6 acres, more or less, out of Block L, University Lands, El Paso County, Texas, upon the following terms and conditions:

1. PURPOSE: Potable water contract for industrial and municipal uses.
2. AREA: S/2 of Sec. 1; all of Secs. 2 through 11; S/2 of Sec. 12; S/2 and NE/4 of Sec. 18; S/2 of Sec. 21; and S/2 of Sec. 22; all in Block L, University Lands Survey, El Paso County, Texas.
3. TERM: 10 years from date of approval by Board, with option to renew contract for two additional 10-year periods.
4. ROYALTY:
 - A. For the first 5 years of the original term, Lessee shall pay the greatest of the following:
 - (1) \$6,000 per year, or
 - (2) 12.5% of the wholesale rate, or
 - (3) 3-1/2 cents per 1,000 gallons for all water produced.
 - B. For the second 5 years of the original term, Lessee shall pay the greatest of the following:
 - (1) \$10,000 per year, or
 - (2) 12.5% of the wholesale rate, or
 - (3) 4 cents per 1,000 gallons for all water produced.
 - C. Should Lessee elect to exercise the first option to renew for a 10-year period, Lessee shall pay the greatest of the following:
 - (1) \$20,000 per annum, adjusted for the cost of living increase or decrease, or

- (2) 12.5% of the wholesale rate, or
- (3) 4-1/2 cents per 1,000 gallons for all water produced, or
- (4) the original rate of 3-1/2 cents per 1,000 gallons for all water produced, adjusted for the cost of living increase or decrease.

D. Should Lessee elect to exercise the second option to renew for a 10-year period, Lessee shall pay the greatest of the following:

- (1) \$25,000 per year, adjusted for the cost of living increase or decrease, or
- (2) 12.5% of the wholesale rate, or
- (3) 5 cents per 1,000 gallons for all water produced, or
- (4) the original rate of 3-1/2 cents per 1,000 gallons for all water produced, adjusted for the cost of living increase or decrease.

5. LESSOR'S BUY-OUT: Lessor, upon termination of the original term, or at the end of any ten-year extension thereof, may acquire Lessee's business operated under this lease and all property of Lessee used in this business, by paying Lessee the unamortized portion of his costs of pipe lines and appurtenances, rights-of-way, water wells, storage tanks and appurtenances, buildings, pumps and mechanical and electrical equipment.

It is further recommended that the Chairman, or the Vice-Chancellor for Investments, Trusts and Lands be authorized to execute such water contract upon the same being approved as to form and as to content by the appropriate administrative officials.

RECOMMENDATION FOR RESURVEY OF BLOCK L, UNIVERSITY LANDS, EL PASO COUNTY, TEXAS.--In 1885, under the direction of W. C. Walsh, Commissioner of the General Land Office, the County Surveyor of El Paso County, B. P. Eubanks, surveyed approximately 29,000 acres for the University. Part of Block L, as surveyed, was placed in conflict with a Spanish Grant previously made to the inhabitants of San Elizario. On November 4, 1902, in Cause No. 16282, in the District Court of Travis County, Texas, styled The State of Texas v Michael Meehan, et al, judgment was entered establishing the boundary between Block L, University Lands, certain other lands belonging to the Public School Fund and the San Elizario Grant. This reduced the acreage in Block L, El Paso County, to approximately 12,532 acres, more or less. Mr. J. A. Conklin, as special surveyor for University Lands in 1943, set certain monuments and prepared a map purporting to reflect the boundary line between Block L and the San Elizario Grant. No field notes of the individual sections of Block L were prepared. The survey of J. A. Conklin as reflected by his map has never been adopted by the General Land Office.

Horizon Properties Corporation, in connection with its exploration under Water Exploration Permit No. 89, surveyed all of the locations of their test holes. Their survey does not agree with the J. A. Conklin map of Block L, University Lands, and an on the ground check which has been made by the Office of University Lands-Geology also reveals certain errors. The School Land Board of the State of Texas on April 7, 1970, will hold

an Oil and Gas Lease Sale covering surveyed, unsold school lands which adjoin Block L on the north and east. The official map of the General Land Office reflects considerable excess acreage and/or possible conflicts between these surveys and Block L. It should further be noted that Block L is bisected by Interstate Highway 10 and is located only 30 miles or so from El Paso. The possibility of commercial or other development of Block L, University Lands, in the near future because of its proximity to El Paso, would indicate that now is an appropriate time to resurvey Block L and resolve any possible boundary conflicts.

It is recommended by the Vice-Chancellor for Investments, Trusts and Lands, the University Land Agent and the Geologist-in-Charge that a resurvey be made of Block L, University Lands, El Paso County and that negotiations be made with competent surveyors with knowledge of the area in order to establish the cost of such survey. The recommendation as to the employment of a surveyor and the cost of such survey will be reported to the Board at a subsequent meeting for approval.

RECOMMENDATION RE AMENDMENT OF LEASE NO. 998 - NELL ANDERSON HARRISON, ET AL - LOVING, WARD AND WINKLER COUNTIES.--This lease, which is dated January 1, 1968, and expires December 31, 1972, provides for annual rental of 30¢ per acre, a rate double that for the lease which expired before the effective date of this lease. This extraordinary rate, which was far above the fair rental value for grazing purposes, was arrived at in an effort to offset the estimated surface damage payments to be received from Geophysical and Oil Companies, which under the Regents' rules and regulations then in effect were payable to the Lessee. With the change in this policy, which became effective October 1, 1969, and which now requires that payments for damages be made direct to the University rather than the Lessee, it is in order to amend the lease to provide for a fair rental for grazing purposes.

Accordingly, it is recommended by the Vice-Chancellor for Investments, Trusts and Lands, and the Land Agent, that the rental rate be set at 18¢ per acre per year, and that the stocking rate be reduced from 1,783 Animal Units to 1,568 Animal Units, effective from January 1, 1970, to the termination of the lease.

PERMANENT UNIVERSITY FUND - BOND MATTERS.--

PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1970 - RECOMMENDATION FOR SALE OF ISSUE, APPROVAL OF BOND COUNSEL, AND ESTABLISHMENT OF AN ACCOUNT FOR MISCELLANEOUS COSTS.--It is recommended by the Vice-Chancellor for Investments, Trusts and Lands that Permanent University Fund Bonds, New Series 1970, be issued in the amount of \$7,500,000; that the firm of McCall, Parkhurst and Horton be named as bond counsel; and that the Vice-Chancellor for Investments, Trusts and Lands be authorized to advertise for bids for the sale of the bonds, paying agency and printing. It is recommended that bids be invited for July 9, 1970, for submission to the Board of Regents at its meeting scheduled for July 10, 1970. Since Texas A&M University is also planning to sell bonds some discussion with their officials has been had regarding the coordination of our efforts. They have tentatively indicated to us that the proposed date would be satisfactory.

It is further recommended by the Vice-Chancellor for Investments, Trusts and Lands that an account be established in the amount of \$9,000 for Miscellaneous Costs - Permanent University Fund Bonds, New Series 1970, for the purpose of paying bond counsel fees, printing of the bonds, postage and other costs of the issue, same to be paid out of bond proceeds.

TRUST AND SPECIAL FUNDS - REAL ESTATE MATTERS.--

*Referred to
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U. T. AUSTIN - ARCHER M. HUNTINGTON MUSEUM FUND - RECOMMENDATION FOR PURCHASE OF APPROXIMATELY 102 ACRES, S. C. BUNDICK LEAGUE, GALVESTON COUNTY.--As authorized by the Board of Regents meetings in December, 1967, and January, 1968, four small tracts in the S. C. Bundick League were purchased from various owners. On December 13, 1968, the Board of Regents approved purchase of the 201.1 Thompson Tract in the northern section of the Huntington Lands. These five tracts combined total 234.81 acres and were acquired at a total cost of \$335,420.50.

When the northern Thompson Tract was acquired, they also offered to sell their southern 102 acre tract for \$3,000 per acre which we declined to recommend although it consists of Bay frontage which commands a higher valuation. In April, 1968, the Board of Regents approved sale of 340.5 acres in the northern portion of Huntington Lands to Union Carbide for approximately \$2,878 per acre. In July, 1968, the Board of Regents approved sale of 231.9 acres northwest of Loop 197 to American Oil Company for approximately \$3,186 per acre. As of March 24, 1970, we have a valuation of \$3,074 per acre on this 102 acre tract with a projected valuation of \$3,872 per acre in 1972, and \$4,350 per acre by 1974. The complete northern portion of this tract is being zoned heavy-industry by the Texas City Zoning Commission and they gave their verbal assurance that the southern portion would be eligible for the same zoning.

The 102 Thompson Tract is owned in undivided interest as follows: one-half by The First Hutchings-Sealy National Bank of Galveston, Trustee, one-sixth by Dr. E. S. McLarty of Galveston, one-sixth by Mr. Doyle McDonald, Galveston attorney, and one-sixth by Mr. Preston Shirley, Galveston attorney, and some of his associates. After continued negotiations, they have now agreed to accept \$2,400 per acre subject to survey. The Vice-Chancellor for Investments, Trusts and Lands recommends that we accept this offer of \$2,400 per acre with the owners reserving all minerals with one drilling site reserved for the mineral reservations. It is further recommended that this authorization be for all cash from the Archer M. Huntington Museum Fund with the Board of Regents authorizing sale of sufficient securities to make the purchase. The purchase is to be subject to receiving 100% ownership in the 102 acre tract.

Maps will be available at the meeting.

U. T. EL PASO RECOMMENDATION FOR APPROVAL OF ASSIGNMENT OF GRAZING LEASE FROM J. A. NEAL TO HOME AND BUSINESS SERVICE CORPORATION COVERING FRANK B. COTTON TRUST LANDS.--By instrument dated July 5, 1968, the Board of Regents of The University of Texas System granted to J. A. Neal a grazing lease covering 6,100.95 acres in Block 2, GC & SF, Culberson County, Texas, for a 5-year term from August 1, 1968, through July 31, 1973, same being a part of the Frank B. Cotton Estate Trust Properties. Mr. Neal has recently sold certain fee lands which he owned adjacent to the above described property to Home and Business Service Corporation, a Texas corporation, and has requested approval of the Board of Regents of an assignment of the above described grazing lease to said purchaser.

It is recommended by the Vice-Chancellor for Investments, Trusts and Lands, the University Land Agent and the administrative officials of U. T. El Paso that approval of the Board of Regents be granted to the assignment from J. A. Neal to Home and Business Service Corporation of such grazing lease and that the Vice-Chancellor for Investments, Trusts and Lands be authorized to execute an appropriate instrument evidencing such consent.

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

U. T. AUSTIN - RECOMMENDATION FOR ACCEPTANCE OF BEQUEST UNDER THE WILL OF DR. BERTHA K. DUNCAN BROOKS FOR THE JAMES LEONARD DUNCAN MEMORIAL SCHOLARSHIP FUND AND RECOMMENDATION FOR APPROVAL OF SETTLEMENT WITH SURVIVING SPOUSE ON COMMUNITY PROPERTY.--Dr. Bertha K. Duncan Brooks, Ph. D. 1929 in Educational Psychology and Philosophy from the University, a resident of Fort Worth when a student and a resident of Glen Rose, Somervell County, at her death on August 22, 1969, left a will dated October 9, 1957, reading in part as follows:

"I give, devise and bequeath all the rest, residue and remainder of my estate of every kind, character and description of which I may die seized or to which I may have any claim, in trust to the persons who at the time of my demise compose the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS, as Trustees, for the use and benefit of THE UNIVERSITY OF TEXAS; that by way of description, and without the intent to exclude any of said residue of my Estate from the vesting of such Trust, such Trust Estate shall include the following parcels and tracts of real estate with improvements and hereinafter described:

"The Trustees, acting by majority vote, are empowered to administer this Trust and donation, including the income from such property, through their duly authorized agent or agents, or any officer or officers of THE UNIVERSITY OF TEXAS acting under the BOARD OF REGENTS, and to apply the same to the purpose or purposes hereinafter set out. The persons who may be successors in office of any members of the BOARD OF REGENTS shall succeed to their rights, title, powers and duties hereunder so that at all times the persons who are members of such Board shall be the Trustees hereunder.

"This donation and any fund or property arising therefrom in whatever form it may take, shall be called THE JAMES LEONARD DUNCAN MEMORIAL SCHOLARSHIP FUND.

"The Trustees shall hold, manage, control, exchange, lease, alienate, mortgage, invest or reinvest in any way the whole or any part of such donation, fund, or property in whatever form it may take, shall collect the proceeds and income and shall, from time to time, pay out the income, or if the income be insufficient, out of the principal or corpus, all expenses of the Trust and any of the expenses, costs, or expenditures of or incurred in furthering the purpose of the Trust.

"The purpose of the Trust to be carried out by the Trustees is singly, or in any combination, the installation, establishment, support, or maintenance of an annual scholarship or scholarships to be awarded to a worthy white girl or white girls, selected in the manner deemed most suitable by the Trustees; such scholarship or scholarships to be known as THE JAMES LEONARD DUNCAN MEMORIAL SCHOLARSHIP (or SCHOLARSHIPS), being given in loving memory of and as a memorial to my deceased father, JAMES LEONARD DUNCAN; that as a condition precedent to the right of any girl to receive the award of such scholarship aforesaid, she shall first agree to "major" or specialize in one of the following fields of study, being Mathematics, Philosophy, Educational Psychology, or Psychology, and upon her failure to continue to so specialize, then she shall cease to be entitled to receive the benefits to be enjoyed by reason of the award of such scholarship.

"Neither this donation nor any fund or property arising therefrom, in whatever form it may take, shall ever be any part of the Permanent University Fund, nor shall the Legislature have power or be in anywise authorized to change the purposes nor any of the conditions hereof, nor to divert such donation, fund, or property from the purposes here set out.

"The Trustees shall receive no compensation for the administration of this Trust, nor for any function performed by them in connection therewith."

Group Wants Stock Holdings Used

By MORTON MINTZ
Washington Post

WASHINGTON — The governing boards of a growing number of universities owning stock in major corporations suddenly are being forced to grapple with fundamental questions of money and responsibility.

It is their obligation simply to seek the largest possible dividends for their institutions? Or should they make a smaller return on investment in order to serve the public interest?

The era when such questions were academic or could be pushed aside began to close two months ago when a group of young lawyers,

organized as the Project for Corporate Responsibility, launched the "campaign to make General Motors responsible" — more generally known as "Campaign GM."

One of its purposes is to induce university trustees to vote their blocs of GM stock in behalf of proposals aimed mainly at putting public members on GM's board, producing safer cars and reducing air pollution.

Monday, the issue comes to the fore at the Massachusetts Institute of Technology and Harvard. MIT has a reported 291,500 shares of GM stock and is the leading holder

among educational institutions.

MIT chairman James R. Killian Jr. is a GM director, as is MIT trustee Lloyd D. Brace. Killian has been reported as open minded and noncommittal on "Campaign GM," which has been supported by a group of MIT students.

Harvard ranks second among educational institutions with a reported 287,000 shares.

On Tuesday, Stanford's trustees will discuss the question.

Later in the week, the question comes before the regents of the Universities of Michigan (a reported 27,538

shares) and California (which ranks third with a reported 93,775 shares). California regent Frederick G. Dutton has formally recommended support of "Campaign GM."

A spokesman for the trustees of the Yale University corporation said that the issue was considered inconclusively at a two-day meeting last week but will be taken up again at a meeting May 8-9. Yale owns about 88,000 shares of GM stock.

GM's annual meeting of shareholders will be held in Detroit on May 22. "Campaign GM" spokesman say that before then, the question of how to vote blocs of stock will

be on the agenda of meetings at including Br universities' college.

On other including th Texas and College — pressing for of "Campaign

Meanwhile. back. Not o full-page advertisement side, but it h a represent Monday by trustees. "Campaign Joseph One

essing. Most in the mesh except

Used To Force 'Corporate Responsibility'

... be on the agenda of trustees' meetings at institutions including Brown and Cornell universities and Vassar college.

On other campuses — including the University of Texas and Mt. Holyoke College — students are pressing for action in support of "Campaign GM."

Meanwhile GM is fighting back. Not only has it taken full-page newspaper advertisements to state its side, but it has agreed to send a representative to appear Monday before the MIT trustees, along with "Campaign GM" co-ordinator Joseph Onel and Ralph Nader,

who announced "Campaign GM" but is not part of it, may also speak. The trustees meeting will be open to the public.

Across the country, groups of students and some faculty members are seeking support of three basic "Campaign GM" proposals:

- To create a "Committee on Corporate Responsibility" to report within a year on GM's past and present efforts to produce cars with a minimum potential for air pollution and a maximum potential for safety and low-cost maintenance and repair.

— To enlarge the board of directors by three members

"who will insist that the board take account of the many social consequences of its decisions."

— To amend GM's corporate charter to forbid the company "from engaging in conduct which is illegal or which is detrimental to the public health, safety and welfare."

The first two proposals are in the proxy statement GM mailed Thursday to its 1,350,000 stockholders — the result of a Securities and Exchange Commission directive instigated by "Campaign GM."

GM chairman James M. Roche and president Edward

N. Cole said management was recommending rejection of both proposals because they "would restrict management's ability to meet its responsibilities to the stockholders and the public."

Two additional proposals are in a "Campaign GM" proxy statement mailed last weekend to more than 2,000 institutions — universities, banks, mutual funds, foundations, insurance companies, churches and pension funds.

One of these proposals is to elect — provided three extra seats on GM's Board are created — the first woman director, Betty Furness, who

was President Johnson's consumer adviser; the first black director, Rev. Channing Phillips of Washington, D.C.; and a famed environmental scientist, Rene Dubos. Their mission would be to "insist that the board take account of the many social consequences of its decisions."

The second proposal would allow shares to be voted selectively for only one or a few directors — so-called "cumulative voting."

"Campaign GM" plans to offer additional proposals at the shareholders' meeting. Spokesmen said they are playing by all of the rules and will use no disruptive tactics.

Several years after execution of the will, the then Dr. Duncan was married to Mr. T. B. Brooks who still resides in their home, built from community funds and with a mortgage loan still outstanding. All other property in the Estate was separate property of Decedent. Mr. Brooks is cooperative, and no contest of the will is expected. It has now been filed for probate in Somervell County, with Mr. Sam W. Freas, County Attorney, as attorney of record and The American National Bank of Austin as Independent Executor, and the hearing on the application for probate is set for April 3. Taking into account the proposed settlement with Mr. T. B. Brooks, as set out below, it appears the net bequest to the University after claims and costs of administration will amount to about \$9,000 or perhaps a little more. The Vice-Chancellor for Investments, Trusts and Lands recommends acceptance of the bequest.

Mr. T. B. Brooks and his only son, after analysis of values, have offered to pay the University and/or the Independent Executor \$3,000 for Decedent's community one-half of the equity in the home (with assumption of the outstanding mortgage by Mr. Brooks) and for Decedent's 1964 Pontiac Tempest valued at \$400. This settlement takes into account payments made by Mr. Brooks on behalf of the Estate since August 1969. The Vice-Chancellor for Investments, Trusts and Lands further recommends that the Board of Regents authorize this settlement with Mr. Brooks and the execution of the appropriate papers in due course.

Chairman Erwin has asked the System Law Office to advise the Board of Regents at the time the foregoing matter is considered as to whether or not the University, as a State Agency, can enforce the condition that the trust's beneficiaries be limited to a "white girl or girls."

III. OTHER MATTERS

1. **REPORTS OF SECURITIES TRANSACTIONS FOR PERMANENT UNIVERSITY FUND AND FOR TRUST AND SPECIAL FUNDS FOR JANUARY 1970.** --The reports of securities transactions for Permanent University Fund and for Trust and Special Funds for January 1970 were mailed to the Regents on April 1, 1970. The results of the ballots will be reported by the Secretary at the meeting of the Land and Investment Committee.
2. **INVESTMENT MATTERS: VOTING OF GENERAL MOTORS STOCK.** -- Pursuant to a request which was timely filed by Joe Tom Easley (2nd year law student at U. T. Austin and Managing Editor of the Texas Law Review) and James D. Welch (3rd year law student at U. T. Austin and Associate Editor of the Texas Law Review), they have been granted a period not to exceed fifteen minutes to present reasons why the University should vote its General Motors stock in favor of proposals to change the corporate structure. In their request, they state: "These proposals, if approved, will help make GM more responsive to matters of concern to the University and its community."

Executive Vice Chancellor Walker and Mr. Shelton have been requested to be prepared to discuss the consideration involved in this matter.

Committee of the Whole

COMMITTEE OF THE WHOLE
Chairman Erwin, Presiding

Date: April 17, 1970

Time: Following the meeting of the Land and Investment Committee

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

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I. REPORTS AND SPECIAL ITEMS BY REGENTS

A. Chairman Frank C. Erwin, Jr.

B. Vice-Chairman Jack S. Josey

C. Regent W. H. Bauer

D. Regent Jenkins Garrett

E. Regent Frank N. Ikard

F. Regent Joe M. Kilgore

G. Regent John Peace

H. Regent Dan C. Williams

I. Regent E. T. Ximenes

II. REPORTS AND SPECIAL ITEMS BY CHANCELLOR

III. REPORTS AND SPECIAL ITEMS BY DEPUTY CHANCELLOR

IV. REPORTS AND SPECIAL ITEMS BY EXECUTIVE VICE-CHANCELLORS

A. Executive Vice-Chancellor John J. McKetta

B. Executive Vice-Chancellor E. D. Walker

V. SPECIAL ITEMS

A. U. T. System

1. Regents' Rules and Regulations: (1) Part One, Amendment to Chapter I; (2) Part Two, Amendment to Chapter I --

The following amendments to the Rules and Regulations of the Board of Regents implement the policies adopted by the Board at the March 6, 1970, meeting (Minutes, page 65) related to the official seal, colors, flag, and mascots for all component institutions. These amendments have been approved as to form by the University Law Office.

However, System Administration feels that as proposed, the System seal and the seal of The University of Texas at Austin would be indistinguishable. Therefore, Chancellor Ransom, Deputy Chancellor LeMaistre, and Executive Vice-Chancellor McKetta recommend that the amendments be adopted, with an additional amendment that the following be added as the last sentence to Paragraph 9.1:

Provided further, however, no component institution shall use as its official seal that seal approved herein as the official seal of The University of Texas System, unless the full title of the institution as designated in the Rules and Regulations of the Board of Regents, Part One, Chapter VIII, Section 4, is also used as an integral part of the seal.

Amend Subsection 5.25 of Section 5 of Chapter I of Part One of the Regents' Rules and Regulations to read as follows:

- 5.25 Seal.--The custody of the official seal of The University of Texas 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 of Regents and requiring attestation. [EACH COMPONENT INSTITUTION SHALL MAINTAIN AN OFFICIAL SEAL ESPECIALLY DESIGNED FOR SUCH INSTITUTION TO BE USED FOR THE PURPOSE OF CERTIFYING DIPLOMAS AND OFFICIAL TRANSCRIPTS FOR STUDENTS AND FOR SUCH OTHER OFFICIAL PURPOSES AS MAY BE APPROVED BY THE BOARD, THE CHANCELLOR, OR BY THE CHIEF ADMINISTRATIVE OFFICER OF THE COMPONENT INSTITUTION.]

Amend Chapter I of Part Two of the Regents' Rules and Regulations by adding a Section 9 to read as follows:

Sec. 9. Official Seal, Colors, Flag, and Mascot.

9.1 The official seal of The University of Texas System shall be the seal held in the custody of the Secretary to the Board of Regents on which shall be inscribed "Seal of The University of Texas." The official seal of each component institution shall consist of The University of Texas System seal with such heraldic additions as may be approved by the Board of Regents upon recommendation of the head of the component institution and System Administration. 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 of Regents, by System Administration, or by the head 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.

Variations

9.2 The official colors for The University of Texas 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 of Regents upon recommendation of the head of the component institution and System Administration.

9.3 The Texas State Flag shall be designated as the official flag of The University of Texas 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.

9.4 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 of Regents upon recommendation of the head of the component institution and System Administration.

2. Regents' Rules and Regulations, Part Two; Amendment to Chapter I, Section 1, Subsection 1.4: -- Deputy Chancellor LeMaistre and Executive Vice-Chancellor Walker recommend the following amendment to the Rules and Regulations of the Board of Regents:

Amend Subsection 1.4 of Section 1 of Chapter I of Part Two of the Regents' Rules and Regulations to read as follows:

- 1.4 A semi-annual report of such gifts of less than \$1,000 showing name and address of donor, amount, purpose, and date of the gift shall be filed in the Office of the Board of Regents within thirty (30) days after August 31 and February 28 of each year. Such reports will summarize [FROM THE UNIVERSITY OF TEXAS M. D. ANDERSON HOSPITAL AND TUMOR INSTITUTE AT HOUSTON EXCLUDE] gifts of \$25 or less by showing totals only, in two categories: Type of Donor and Purpose of Gifts.

3. Regents' Rules and Regulations, Part Two: Amendment to Chapter III: --

It is recommended by Deputy Chancellor LeMaistre, Executive Vice-Chancellor Walker and Comptroller Anderson that the Regents' Rules and Regulations, Part Two, Chapter III, be amended to increase the rate of per diem permissible from Grant and Trust funds in order to conform that rate to the current federal rate of per diem permissible from Grant funds. The proposed amendment follows:

- 13.3(10)2 Grants and Trust Funds--Travel allowances paid from grants and trust funds, unless otherwise specified under the grant or gift, may be on a per diem basis as specified in the foregoing general travel regulations, except that a maximum of \$25.00 [~~\$22.00~~] per calendar day or \$6.25 [~~\$5.50~~] per quarter day (as defined in Sec. 13.36) per diem rate shall apply to both in-state and out-of-state travel. When anticipated living costs are unusually low for those engaged in travel, the person authorizing the travel may reduce the per diem for all or any part of the travel, provided that the employee shall be notified of such reduced per diem before being allowed to incur any expense. In addition to per diem, costs of public transportation or rented vehicle, supported by receipts for expenses in excess of \$2.50, will be paid. If transportation is by private car, reimbursement will be paid at a rate not to exceed 10¢ per mile, but limited to an amount not in excess of the cost of regular air transportation. 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 registration fees or similar expenses shall be obtained and attached to the expense account.

4. Designation of The University of Texas System
Environmental Science Park.

Deputy Chancellor LeMaistre, Executive Vice-Chancellor Walker, and the University Law Office concur in the recommendation of Dr. R. Lee Clark, Chairman of the Administrative Council of The University of Texas at Houston, that the two areas of land comprising the Science Park at Buescher State Park be designated as The University of Texas System Environmental Science Park.

The acquisition of land suitable for research and scientific studies in ecology and environmental health, as well as a genetics animal resource and field laboratories for all of the units of The University of Texas System, has been underway for several years. With Regental approval 717.3 acres of land in the Buescher State Park, Bastrop County, Texas, was deeded from the Parks and Wildlife Commission to the Board of Regents, and 373.99 acres of land (Camp Swift property) located about ten miles from the Buescher State Park land has been leased from the Texas State Department of Health. These two areas, of approximately 1,091 acres, will comprise the Environmental Science Park. The generosity of the Buescher family and heirs in providing the original 1700 acres of park land and in their concurrence of the use of a portion of that acreage for this specialized scientific purpose is gratefully acknowledged by the Board of Regents.

Previous orders relating to this subject appear in the Minutes of Board of Regents' meetings November 4-5, 1966 (pages 75-76), December 7-8, 1967 (pages 102-103), and July 26, 1968 (page 70).

5. Appointment of the University of Texas System Resource Committee on Drug Abuse. --

Deputy Chancellor LeMaistre requests approval of the Board of Regents to appoint a University of Texas System Resource Committee on Drug Abuse. This committee would be comprised of the most knowledgeable persons in this specialized categorical area available within the System. The functions of this Committee would be to advise and consult, upon request, with System Administration, institutional heads, other operating agencies of State government, and the Executive and Legislative branches of State government on development of appropriate programs in this vital area of public concern.

BACKGROUND:

In recent months, the offices of the Governor, Lt. Governor, Permanent and Interim Legislative Committees, and State agencies of several functional areas have shown a vital concern for the problems related to drug and narcotic use and abuse. The last session of the Legislature, through H.B. 467, required that the Texas Education Agency have operational by September, 1970, a drug education program in the public schools of Texas.

Within the academic and medical components of The University of Texas System there is a wealth of expertise related to all phases of the drug and narcotic problem, from education to legal, to treatment, and to rehabilitation. The appointment of this Resource Committee would provide a multi-disciplinary group to be of service to those groups, both public and private, concerned with the development of meaningful programs.

B. U. T. Austin

6. Minutes of Meeting of Board of Directors of the Texas Student Publications, Inc. (Executive Committee Item No. 23-M-69). -- The minutes of the meeting of the Board of Directors of Texas Student Publications, Inc., at The University of Texas at Austin, held on February 23, 1970, were referred from the Executive Committee to the Committee of the Whole. See Page Exec - 2.

Referenced

In Doctor LeMaistre's memorandum of March 16, 1970, to the Executive Committee appears the following:

"The following items which do not require specific regental approval are called to your attention for your information only:

1. (Not applicable)
2. (Not applicable)
3. VIII. (p. 4, TSP minutes.) The TSP Board has approved a change in the nameplate of The Daily Texan. A copy of a sample of the nameplate is attached to the TSP minutes."

Doctor LeMaistre also recommended approval of the minutes of which the foregoing is a part.

Below is Paragraph VIII of Page 4 referred to above. An exception was taken to Paragraph VIII of Page 4 which appeared in the TSP minutes of February 23, 1970.

VIII. CHANGE IN NAME PLATE OF THE DAILY TEXAN. Morrison showed the Board members a new name plate for The Daily Texan set in a san serif extended modern type style. It was pointed out that the TSP Handbook requires that the TSP Board approve any changes in The Daily Texan's name plate. Morrison requested permission to try out the new name plate for a few issues.

Edmonds objected on the grounds that there was lots of tradition in the old name plate, and that careful consideration should be given before a new name plate is adopted. Morrison said he had discussed the change with the staff, but Edmonds said he had not seen it before. Hollis questioned whether or not the proposed change would constitute a change that needed to be approved by the TSP Board and then by the Regents. It was generally agreed that such a change would be considered action of the TSP Board that would require approval by the Regents. Courtney said he strongly objected to the change. He pointed out that successful corporations find a good trademark, name plate, or even letterhead design and stick with it. Edmonds said he was sure many daily newspapers would never consider changing from their archaic Old English type name plates, such as The Dallas Morning News. Mindak said the change would probably go unnoticed. Morrison said he would withdraw the request, but the following motion was made:

MOTION: Sparks moved and it was seconded that the name plate of The Daily Texan be changed as requested by Mark Morrison. This motion carried with Courtney voting against.

C. U. T. Permian Basin

7. Ratification of Waiver of Resolution and selection of B. H. Amstead as President. -- At the Regents' meeting of March 6, 1970, Mr. B. H. Amstead was named President of The University of Texas of the Permian Basin to be effective at any date agreed upon by Mr. Amstead and the Chancellor. With the exception of naming of the President, the resolution adopted December 12, 1969, whereby the deeds to the McKnight site were accepted for The University of Texas of the Permian Basin, shall remain in full force and effect.

Since this item was not on the Agenda, it is submitted herein for ratification.

D. Houston Medical School

8. Ratification of Regents Erwin, Josey and Williams as Members of the Joint Conference Committee of U. T. Regents and Hermann Trustees. -- The Affiliation Agreement between the Board of Regents of The University of Texas System and the Trustees of the Hermann Hospital Estate of Houston, Harris County, Texas, provides for a Joint Conference Committee of Trustees and Regents composed of an equal number of representatives from the Hermann Hospital Estate and The University of Texas System with the Director of the Hospital and the Dean of the Medical School as ex officio members. This Conference Committee is to consider all matters of joint concern of Hermann Hospital and The University of Texas Medical School at Houston. At the Regents' Meeting of March 6, 1970, Chairman Erwin and Regent Williams were named representatives of The University of Texas System on this committee and Vice-Chairman Josey was named to the committee both as a representative of the Trustee of the Hermann Hospital and as a Regent of The University of Texas System.

Since this item was not on the Agenda, it is submitted herein for ratification.

VI. SCHEDULED EVENTS AND MEETINGS. -- The following meetings have been scheduled for the Board of Regents:

May 29, 1970, in El Paso
 July 10, 1970, in Austin

1970

1970 APRIL 1970						
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1970 NOVEMBER 1970						
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1970 DECEMBER 1970						
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- April 17 Board of Regents' Meeting in Austin
- May 8 U. T. Foundation, Inc., in Houston
- May 20 Development Board in Austin
- May 29 Board of Regents' Meeting in El Paso
Commencement Exercises
- May 30 U. T. Austin
U. T. Arlington
U. T. El Paso
Nursing School (System-wide)
- June 1 Houston Dental Branch
Dallas Medical School
G. S. B. S.
- June 10 Galveston Medical Branch
- June 14 San Antonio Medical School
- June 13 Public Health School
- July 10 Board of Regents' Meeting in Austin
- September 12, 1970 Bd of Regents' Meeting, Arlington*
- September 19 Texas vs. California in Austin
- September 26 Texas vs. Texas Tech in Lubbock
- October 3 Texas vs. U. C. L. A. in Austin
- October 10 Texas vs. Oklahoma in Dallas
- October 24 Texas vs. Rice in Houston
- October 31 Texas vs. S. M. U. in Austin
- November 7 Texas vs. Baylor in Waco
- November 14 Texas vs. T. C. U. in Fort Worth
- November 26 Texas vs. Texas A&M in Austin
- December Texas vs. Arkansas in Austin

6c

COMMITTEE OF THE WHOLE

Emergency Items

- 9. U. T. System: Amendment to Roster of Depository Banks at San Antonio. -- (See Below).
- 10. U. T. Austin: Increase in Student Service Fees to Finance Shuttle Bus Service. -- (See Below).

=====

- 9. U. T. System: Amendment to Roster of Depository Banks at San Antonio. --

It is recommended by Comptroller Anderson, Executive Vice-Chancellor Walker, Deputy Chancellor LeMaistre and Chancellor Ransom that the roster of depository banks in San Antonio be amended by adding the Central Park Bank and that time deposits only be authorized, subject to this bank being willing to execute the standard depository agreement previously approved by the Board of Regents. The amount of funds placed on time deposit shall not affect the ratio within the other approved banks.

- 10. U. T. Austin: Recommendation for Increase in Student Service Fees to Finance Shuttle Bus Service. --

President Hackerman and System Administration concur in the recommendation of the Student-Faculty Shuttle Bus Committee that in order to continue the shuttle bus operations for the 1970 summer months, the Student Service Fee be increased by \$2.00 for the twelve-week summer term (from \$11.00 to \$13.00) and proportionate amounts for six or nine-week terms.

It is further recommended in order to expand the shuttle bus service for next fall, that the Student Service Fee be increased from \$18.00 to \$19.00 per semester, making \$3.00 a semester available for shuttle bus service.

It is also recommended that a committee composed of President Hackerman, Vice-President Colvin, Executive Vice-Chancellor Walker, Deputy Chancellor LeMaistre, Regent Kilgore and Chairman Erwin be authorized to review proposals for continued shuttle bus service and that Chairman Erwin be authorized to sign a contract as recommended by the Committee.

bc

VI. SCHEDULED EVENTS AND MEETINGS. -- The following meetings have been scheduled for the Board of Regents:

May 29, 1970, in El Paso
 July 10, 1970, in Austin
 September 12, 1970, in Arlington

1970 APRIL 1970						
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1970

April 17

Board of Regents' Meeting
in Austin

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May 8

U. T. Foundation, Inc., in Houston

May 20

Development Board in Austin

May 29

Board of Regents' Meeting
in El Paso

1970 JUNE 1970						
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Commencement Exercises

May 30

U. T. Austin
 U. T. Arlington
 U. T. El Paso
 Nursing School (System-wide)

1970 JULY 1970						
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June 1

Houston Dental Branch
 Dallas Medical School
 G. S. B. S.

June 10

Galveston Medical Branch

June 14

San Antonio Medical School

June 13

Public Health School

July 10

Board of Regents' Meeting
in Austin

1970 AUGUST 1970						
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September 12

Board of Regents' Meeting
in Arlington

September 19

Texas vs California
in Austin

1970 SEPTEMBER 1970						
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September 26

Texas vs. Texas Tech
in Lubbock

October 3

Texas vs. U. C. L. A.
in Austin

1970 OCTOBER 1970						
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October 10

Texas vs. Oklahoma
in Dallas

October 24

Texas vs. Rice
in Houston

1970 NOVEMBER 1970						
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October 31

Texas vs. S. M. U.
in Austin

November 7

Texas vs. Baylor
in Waco

November 14

Texas vs. T. C. U.
in Fort Worth

1970 DECEMBER 1970						
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November 26

Texas vs. Texas A&M
in Austin

December 5

Texas vs. Arkansas
in Austin

Meeting of the Board

02

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
THE UNIVERSITY OF TEXAS AT EL PASO, COMBINED FEE REVENUE BONDS,
SERIES 1970, IN THE AMOUNT OF \$5,500,000

SALE OF THE BONDS.--As authorized, bids were called for and received until 11:00 A.M., CST, on April 16, 1970, and then publicly opened and tabulated. A copy of the tabulation is attached.

It is recommended by the Vice-Chancellor for Investments, Trusts and Lands, that the Board of Regents adopt the resolution authorizing the issuance of the bonds and the sale to Phelps, Fenn & Co. and Associates, New York, New York.

It is further recommended that the resolution fixing the Building Use Fee and the General Use Fee in connection with the \$5,500,000.00 Board of Regents of The University of Texas System, The University of Texas at El Paso, Combined Fee Revenue Bonds, Series 1970, be adopted.

It is further recommended that the resolution fixing the Gymnasium and Library Facilities Use Fee in connection with the \$8,500,000.00 Board of Regents of The University of Texas System, The University of Texas at El Paso, Building Revenue Bonds, Series 1969, be adopted.

DESIGNATION OF PAYING AGENCY.--Attached is a tabulation of the bids received and publicly opened and tabulated at 2:00 P.M., April 15, 1970, CST, in accordance with specifications furnished prospective bidders.

It is recommended by the Vice-Chancellor for Investments, Trusts and Lands, that the bid of The State National Bank of El Paso to serve as paying agent for this issue be accepted. The bank will charge ten cents (10¢) per coupon and \$1.25 per bond paid. The New York paying agent is Chemical Bank, New York, New York.

AWARD OF CONTRACT FOR PRINTING THE BONDS.--Attached is a tabulation of the bids received and publicly opened and tabulated at 2:00 P.M., April 15, 1970, CST, in accordance with specifications previously furnished companies bidding on University issues in recent years.

It is recommended by the Vice-Chancellor for Investments, Trusts and Lands, that the bid of the Steck-Warlick Company, The Steck Division, Austin, be accepted for printing the bonds with lithographed borders, as set out in the specifications, for the sum of \$609.50, there being 6 interest rates.

TABULATION OF BIDS
\$5,500,000
THE UNIVERSITY OF TEXAS AT EL PASO

COMBINED FEE REVENUE BONDS, SERIES 1970

Bids to be Opened on: Thursday, April 16, 1970 at 11:00 A.M., C.S.T.

ACCOUNT	COUPONS			INTEREST COST	EFFECTIVE RATE
Phelps, Fenn & Co. and Associates	1973 to 1985	8.00%			
	86 to 1987	6.70		Gross: \$ 9,967,795.00	
	88 to -	6.80		Less Prem: 11.00	
	89 to 1992	6.90		Net: \$ 9,967,784.00	7.10209%
	93 to 1998	7.00			
	99 to 2006	7.10			
Rauscher Pierce & Co.) White Weid & Co) Merrill Lynch Pierce Fenner) and Smith (Joint Managers) John Nuveen & Co. &) Associates)	1973 to 1985	8.00			
	86 to 1989	7.50		Gross: \$10,011,147.50	
	90 to 1997	7.25		Less Prem: -0-	7.1329%
	98 to 2000	7.15		Net: \$10,011,147.50	
	2001 to 2004	7.20			
	2005 to 2006	6.50			
Halsey, Stuart & Co. Inc. Lehman Brothers Bear, Stearns & Co. and Associates	1973 to 1982	8.00			
	83 to 1988	7.50		Gross: \$10,026,360.00	
	89 to 1994	7.00		Less Prem: -0-	7.14382%
	95 to 2006	7.10		Net: \$10,026,360.00	
	to				
	to				
First National City Bank Morgan Guaranty Trust Company of New York Salomon Brothers & Hutzler First National Bank in Dallas (Joint Managers)	1973 to 1991	7.50			
	92 to 2005	7.20		Gross: \$10,071,645.00	
	2006 to -	6.50		Less Prem: 1,309.00	7.1751%
	to			Net: \$10,070,336.00	
	to				
	to				
	19 to			Gross: \$	
	to			Less Prem:	
	to			Net: \$	
	to				
	to				
	to				

BIDS FOR PAYING AGENCY

\$5,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
 THE UNIVERSITY OF TEXAS AT EL PASO
 COMBINED FEE REVENUE BONDS, SERIES 1970

(Dated May 1, 1970)

Tabulation of Bids Received
 April 15, 1970 - 2:00 p.m., CST

Bidder	New York Co-Paying Agent	Per Coupon Paid	Per Bond Paid
The State National Bank of El Paso P. O. Box 1072 El Paso, Texas 79999	Chemical Bank, New York, New York	10¢	\$1.25
Southwest National Bank of El Paso Box 1572 El Paso, Texas 79999	Chase Manhattan Bank	20¢	\$2.00

BIDS FOR PRINTING BONDS

\$5,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
 THE UNIVERSITY OF TEXAS AT EL PASO
 COMBINED FEE REVENUE BONDS, SERIES 1970

Tabulation of Bids Received
 April 15, 1970 - 2:00 p.m., CST

Bidder	One Coupon Rate	Two Coupon Rate	Three Coupon Rate	Four Coupon Rate	Five Coupon Rate	Six Coupon Rate	Number of Working Days
The Steck Division Steck-Warlick Company Post Office Box 968 Austin, Texas 78767	\$534.50	\$549.50	\$564.50	\$579.50	\$594.50	\$609.50	14
Helms Printing Co., Inc. 2710 Swiss Avenue Dallas, Texas 75204	\$657.50	\$670.00	\$682.50	\$695.00	\$707.50	\$720.00	12

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

Chairman Erwin, Presiding

Date: April 17, 1970
Time: 9:00 a. m.
Place: Main Building 212
U. T. Austin

- A. INVOCATION
- B. CONSIDERATION OF MINUTES OF MEETING HELD ON
MARCH 6, 1970
- C. U. T. EL PASO: RESOLUTION AUTHORIZING ISSUANCE AND
AWARDING SALE OF BOARD OF REGENTS OF THE UNIVERSITY
OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO,
COMBINED FEE REVENUE BONDS, SERIES 1970, \$5,500,000. --
Pursuant to authorization at the meeting of March 6, 1970, bids for
Board of Regents of The University of Texas System, The University
of Texas at El Paso, Combined Fee Revenue Bonds, Series 1970, in
the amount of \$5,500,000, will be received in Main Building 209,
The University of Texas at Austin, at 11:00 a. m. on Thursday,
April 16, 1970 .

At the Regents' meeting on Friday, April 17, 1970, at 9:00 a. m. a
recommendation will be submitted by the Vice-President for
Investments, Trusts and Lands for sale of the bonds to the success-
ful bidder.

Action Required

- 1. Adoption of the resolution authorizing issuance and sale of
bonds as prepared by the bond counsel and as set out on
Pages B of R 2 - B of R 25.
- 2. Designation of paying agent and co-paying agent. -- Bids
have been called for and a recommendation will be made
at the meeting.
- 3. Award of contract for printed bonds. -- Bids have been
called for and a recommendation will be made at the
meeting.
- 4. Adoption of resolution fixing rates in connection with the
\$5,500,000 Board of Regents of The University of Texas
System, The University of Texas at El Paso, Combined
Fee Revenue Bonds, Series 1970. -- This resolution, pre-
pared by the bond counsel, is set out on Pages B of R 26-
B of R 29.
- 5. Adoption of resolution fixing rates for gymnasium facilities
and library facilities in connection with the \$8,500,000 Board
of Regents of The University of Texas System, The Univer-
sity of Texas at El Paso, Building Revenue Bonds, Series
1969. -- This resolution, prepared by the bond counsel, is set
out on Pages B of R 29a - B of R 29c.

RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,500,000
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,
THE UNIVERSITY OF TEXAS AT EL PASO, COMBINED FEE
REVENUE BONDS, SERIES 1970; PRESCRIBING THE TERMS
AND CONDITIONS THEREOF; MAKING PROVISION FOR THE
PAYMENT OF PRINCIPAL AND INTEREST THEREON; AWARDING
SALE OF SAID BONDS; AND CONTAINING OTHER PROVISIONS
RELATING TO THE SUBJECT

WHEREAS, it is hereby affirmatively found and declared that notice of this meeting of the Board of Regents of The University of Texas System (sometimes hereinafter called the "Board") has been given in the manner and for the time required by law; and

WHEREAS, Article 2909c-3, V.T.C.S., as amended, authorizes and empowers the Board, without cost to the State of Texas, to issue its revenue bonds for the purpose of providing funds to acquire, purchase, construct, improve, enlarge and/or equip any property, buildings, structures, or other facilities, for and on behalf of The University of Texas at El Paso (sometimes hereinafter called the "University"); and

WHEREAS, it has been determined by said Board, and the Board hereby affirmatively determines, for the good of The University and the moral welfare and social conduct of its students, that said University acquire, purchase, construct, improve, enlarge and/or equip property, buildings, structures, or other facilities, for and on behalf of said University (which property, buildings, structures, or other facilities are sometimes hereinafter called the "Facilities"); and

WHEREAS, the Board has heretofore determined, and hereby affirmatively determines, to authorize the issuance of its negotiable revenue bonds for the purpose of providing funds for the Facilities and to secure the payment of same by a pledge of the revenues hereinafter mentioned; and

WHEREAS, said Board is authorized by said Article 2909c-3 to pledge to the payment of the principal of and interest on said bonds issued under such Article, in addition to other resources of said Board, (1) a General Fee charged all enrolled students for the use and availability of the Campus of the University, and (2) a Building Use Fee charged all tuition paying students pursuant to Article 2654c-1, V.T.C.S., as amended.

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

SECTION 1:

NAME, AMOUNT, PURPOSE AND AUTHORIZATION: That said Board's negotiable, coupon, revenue bonds to be designated as "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO, COMBINED FEE REVENUE BONDS, SERIES 1970" (sometimes hereinafter called the "Bonds") are hereby authorized to be issued and delivered in principal amount of \$5,500,000 for the purpose of providing funds for acquiring, purchasing, constructing, improving, enlarging and/or equipping property, buildings, structures, or other facilities, for and on behalf of The University of Texas at El Paso, under and in strict conformity with the Constitution and laws of the State of Texas, including Article 2909c-3, V.T.C.S., as amended.

SECTION 2:

2.01 - DATE, BOND NUMBERS, DENOMINATION AND MATURITIES: That said Bonds shall be dated May 1, 1970, shall be numbered consecutively from 1 to 1100, both inclusive, shall be in the denomination of \$5,000 each, aggregating \$5,500,000, shall become due and payable serially in their numerical order on May 1 in each of the years 1973 to 2006, both inclusive, in the respective amounts shown in the following schedule, to-wit:

\$ 40,000	1973/74
50,000	1975
55,000	1976/77
60,000	1978
65,000	1979
70,000	1980
75,000	1981
80,000	1982
85,000	1983
90,000	1984
95,000	1985
105,000	1986
110,000	1987
120,000	1988
125,000	1989
135,000	1990
145,000	1991
155,000	1992
165,000	1993
180,000	1994
190,000	1995
205,000	1996
215,000	1997
235,000	1998
250,000	1999
265,000	2000
285,000	2001
305,000	2002
325,000	2003
350,000	2004
375,000	2005
400,000	2006

2.02 - OPTION OF PRIOR REDEMPTION: Said Bonds may be redeemed prior to their scheduled maturities, at the option of said Board, on the dates stated, at the prices and in the manner provided in the FORM OF BOND hereafter set forth in this resolution.

SECTION 3:

3.01 - INTEREST RATES AND INTEREST PAYMENT DATES: That said Bonds shall bear interest per annum at the following rates, respectively, to-wit:

- Bonds maturing _____ through _____, _____%,
- Bonds maturing _____ through _____, _____%,
- Bonds maturing _____ through _____, _____%,
- Bonds maturing _____ through _____, _____%,
- Bonds maturing _____ through _____, _____%,
- Bonds maturing _____ through _____, _____%,

interest payable November 1, 1970, and semi-annually thereafter on May 1 and November 1 of each year until the principal sum is paid.

3.02 - PAYMENT OF PRINCIPAL OF, INTEREST ON, CHARACTERISTICS AND EXECUTION OF BONDS: That the 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 BONDS set forth in this resolution.

SECTION 4:

FORM OF BONDS, REGISTRATION CERTIFICATE AND INTEREST COUPONS: That the form of said 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 said Bonds, and the form of each of

the aforesaid interest coupons which shall appertain and be attached initially to each of said Bonds, shall be, respectively, in substantially the following form:

FORM OF BONDS:

No. _____

\$5,000

UNITED STATES OF AMERICA
STATE OF TEXAS

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
THE UNIVERSITY OF TEXAS AT EL PASO
COMBINED FEE REVENUE BOND
SERIES 1970

ON MAY 1, _____, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT EL PASO, promises to pay to bearer the principal amount of

FIVE THOUSAND DOLLARS

and to pay interest thereon, from the date hereof, at the rate of _____% per annum, evidenced by interest coupons payable NOVEMBER 1, 1970, and semi-annually thereafter on each MAY 1 and NOVEMBER 1 while this bond is outstanding. Both principal of and interest on this bond shall be payable in any coin or currency of the United States of America which, on the respective dates of payment of such principal and interest, is legal tender for the payment of debts due the United States of America, at _____, or, at the option of the holder, at _____,

New York, New York. The principal hereof shall be payable only upon presentation and surrender of this bond, and interest hereon falling due on and prior to the maturity of this bond shall be payable only

upon presentation and surrender of the interest coupons hereto attached as such coupons severally become due.

THE DATE OF THIS BOND, in conformity with the resolution hereinafter mentioned, IS MAY 1, 1970.

THIS BOND is one of a series of 1100 bonds of like tenor and effect, except as to serial number, maturity, interest rate and option of prior redemption, being numbered consecutively from 1 to 1100, both inclusive, in the denomination of \$5,000 each, aggregating \$5,500,000, issued pursuant to a resolution (hereinafter called the "Resolution") adopted by said Board of Regents on April 17, 1970, for the purpose of providing funds for acquiring, purchasing, constructing, improving, enlarging, and/or equipping property, buildings, structures, or other facilities, for and on behalf of The University of Texas at El Paso, all issued under and in strict conformity with the Constitution and laws of the State of Texas, including Article 2909c-3, V.T.C.S., as amended, and all equally and ratably secured by and payable from a first lien on and pledge of the Pledged Revenues (as defined in the Resolution), including the Building Use Fee charged all tuition paying students attending The University of Texas at El Paso, and the General Fee charged all enrolled students for the use and availability of the campus of such University.

THIS BOND, and the issue of which it is a part, and the interest thereon, constitute special obligations of said Board of Regents, and are payable solely from such revenues and do not constitute an indebtedness of the Board, the State of Texas or of The University of Texas at El Paso. The holder of this bond and of the interest coupons hereto appertaining shall never have the right

to demand payment of such Bond or of such coupons out of any funds raised or to be raised by taxation. This Bond and the interest coupons attached hereto are and shall be negotiable instruments in accordance with the laws of the State of Texas and shall be transferable by delivery.

ON MAY 1, 1985, AND ON ANY INTEREST PAYMENT DATE THEREAFTER, the outstanding bonds of this Series may be redeemed prior to their scheduled maturities, at the option of said Board, IN WHOLE OR IN PART, for the principal amount thereof and unpaid accrued interest thereon to the date fixed for redemption, plus a premium on the principal amount of each such bond to be so redeemed, as follows: 2% if redeemed on or before November 1, 1987; 1-1/2% if redeemed after November 1, 1987, but on or before November 1, 1990; 1% if redeemed after November 1, 1990, but on or before November 1, 1993; 1/2 of 1% if redeemed after November 1, 1993, but on or before November 1, 1996; and at par, if redeemed after November 1, 1996. If said Board elects to redeem all or any part of said Bonds on any such redemption date, notice of the exercise of the option to redeem shall be given in writing to the banks at which said bonds are payable, and said notice shall be published one (1) time in a financial journal or publication published in the English language in the City of New York, New York, or in the City of Austin, Texas, which notice shall be mailed to said banks and published in said journal or publication at least thirty (30) days prior to the date fixed for redemption. When said Bonds, in whole or in part, have been called for redemption in the manner prescribed and due provision has been made to pay the redemption price of the Bonds called for redemption to the date fixed for redemption, the right of the owners or holders

to collect interest which would otherwise accrue after the redemption date on the Bonds called for redemption shall terminate on the date fixed for redemption.

IT IS HEREBY DECLARED AND REPRESENTED that, in issuing this bond and the series of which it is a part, and while any part of the principal of or interest on said Bonds is outstanding and unpaid, said Board has covenanted and agreed to operate and maintain continuously the said University of Texas at El Paso and the facilities and services afforded by same; to establish and continuously maintain said Building Use Fee within the limits prescribed by law, and said General Fee sufficient to pay the principal of and interest on the Bonds as prescribed herein.

SAID BOARD RESERVES THE RIGHT TO ISSUE ADDITIONAL PARITY BONDS under the terms and conditions stated in the Resolution, and said Bonds may be payable from the same source, secured in the same manner and placed on a parity with this bond and the series of which it is a part.

IT IS FURTHER CERTIFIED AND RECITED that all acts, conditions and things required to be done precedent to and in the issuance of this bond and this series of Bonds have happened and have been performed in regular and due time, form and manner as required by law; that this series of Bonds does not exceed any Constitutional or statutory limitation; and that provision has been made for the payment of the principal of and interest on this bond and the series of which it is a part by irrevocably pledging the revenues specified herein.

IN WITNESS WHEREOF, this bond and the interest coupons appertaining hereto have been signed with the facsimile signature of the Chairman of said Board and countersigned with the facsimile signature of the Secretary of said Board, and the official seal of said Board has been duly impressed, or placed in facsimile, on this bond.

Chairman, Board of Regents,
The University of Texas System

Secretary, Board of Regents,
The University of Texas System

FORM OF REGISTRATION CERTIFICATE:

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I HEREBY CERTIFY that this bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY SIGNATURE AND SEAL this _____.

Comptroller of Public Accounts
of the State of Texas

FORM OF INTEREST COUPONS:

No. _____ \$ _____

ON _____ 1, _____ *

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT EL PASO, promises to pay to bearer, without exchange or collection charges, at _____

_____,
or, at the option of the holder, at _____,
_____, New York, New York, the amount
shown on this interest coupon, in any coin or currency of the United
States of America which on such date is legal tender for the payment
of debts due the United States of America, being interest due that
date 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 El Paso, Combined Fee Revenue Bonds, Series
1970, dated May 1, 1970. The holder 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. _____.

Chairman, Board of Regents

Secretary, Board of Regents

*(Coupons maturing after May 1, 1985, shall contain
the following additional clause:

unless the bond to which this coupon appertains
shall have been called for previous redemption
and due provision made to redeem same,)

SECTION 5:

DEFINITIONS: That throughout this resolution the following words
or expressions shall have the respective meanings set forth below,
unless the text hereof specifically indicates otherwise, to-wit:

(a) University: The University of Texas at El Paso.

(b) Board: the Board of Regents of The University of

Texas System.

(c) Campus: all of the property, buildings, structures, and other facilities which compose the University.

(d) Building Use Fee: the Building Use Fee established concurrently herewith by resolution of the Board, pursuant to Article 2654c-1, V.T.C.S., as amended, and to be charged all tuition paying students attending the University.

(e) General Fee: the General Fee established by resolution of the Board concurrently herewith, pursuant to Article 2909c-3, V.T.C.S., as amended, and to be charged all enrolled students of the University for the general use and availability of the Campus of the University.

(f) Bond or Bonds: the \$5,500,000 Revenue Bonds authorized by this resolution.

(g) Bondholder or Bondholders: the person or persons who shall be the holder or holders of any of the Bonds.

(h) Outstanding and Outstanding Bonds: all bonds theretofore issued and not canceled, except such bonds for the payment of redemption of which cash, equivalent to the principal amount of redemption price thereof, with interest to date of maturity or redemption date, shall be held by the Banks of Payment, provided if such bonds are to be redeemed prior to the date of maturity, notice of redemption shall have been given as provided in the resolution or resolutions authorizing such bonds.

(i) Additional Bonds: the additional parity bonds (when and if issued) which the Board expressly reserves the right to issue in the Bonds and in Section 8 of this resolution.

(j) Pledged Revenues: the Building Use Fee and the General Fee herein pledged to the Bonds and all of the revenues and fees which are subsequently pledged to the Bonds or Additional Bonds as permitted by Article 2909c-3, V.T.C.S., as amended, and as herein provided, which may also include all or any part of any grant, donation 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.

(k) Resolution: the Resolution authorizing the issuance of the Bonds.

(l) Banks of Payment: _____
_____, or _____
_____, New York, New York.

(m) Fiscal Year: the University's fiscal year beginning September 1 of each year and ending August 31 each following year.

SECTION 6:

6.01 - BOND SECURITY: That the Bonds and any Additional Bonds, both as to principal and interest, shall be payable from and secured by a first lien on and pledge of the Pledged Revenues. Said lien and pledge are hereby irrevocably created and made according to the terms of this Resolution.

6.02 - SPECIAL OBLIGATIONS: That the Bonds and interest thereon shall constitute special obligations of the Board, payable solely from the Pledged Revenues, that such obligations shall not constitute an indebtedness of the University, the Board or of the State of Texas, and the owners or holders of the Bonds and the interest coupons shall never have the right to demand payment thereof out of any funds

raised or to be raised by taxation.

SECTION 7:

7.01 - GENERAL FEE REVENUE FUND, COMBINED FEE REVENUE BONDS, SERIES 1970, INTEREST AND SINKING FUND: That there are hereby created and ordered to be established on the books of the University two special and separate accounts to be known as the "General Fee Revenue Fund" (hereinafter called the "Revenue Fund") and the "Combined Fee Revenue Bonds, Series 1970, Interest and Sinking Fund" (hereinafter called the "Interest and Sinking Fund").

7.02 - DEPOSIT OF GENERAL FEE COLLECTIONS INTO REVENUE FUND: That on and after September 1, 1970, the gross collections of the General Fee shall be deposited as received to the credit of the Revenue Fund.

7.03 - DEPOSITS INTO INTEREST AND SINKING FUND - DEBT SERVICE RESERVE:

(a) That on and after September 1, 1970, the gross collections of the Building Use Fee shall be deposited as received to the credit of the Interest and Sinking Fund.

(b) That the accrued interest and premium, if any, received upon delivery of the Bonds to the purchasers thereof shall be deposited in the Interest and Sinking Fund.

(c) That in addition thereto all of the Building Use Fees collected by the University during the fiscal year ending August 31, 1970, shall be deposited to the credit of the Interest and Sinking Fund.

(d) That all moneys in the Interest and Sinking Fund in excess of the requirements for paying the interest on and the principal of the Bonds through the next succeeding year shall constitute a debt service reserve, and shall be used as needed from time to time,

to pay the principal of and interest on the Bonds. The funds and/or investments thus accumulated in the Interest and Sinking Fund shall be used finally in making the final principal and interest payments on the Bonds.

7.04 - DEPOSITS TO PAY FIRST INTEREST COUPON AND DEPOSITS FROM REVENUE FUND INTO INTEREST AND SINKING FUND AND RELATED MATTERS:

(a) That on or before October 25, 1970, there shall be deposited to the credit of the Interest and Sinking Fund, from moneys on hand and available for such purpose such amount as is necessary, together with any moneys already on deposit therein, to pay the interest requirements on the Bonds accruing on November 1, 1970; and that on or before each April 25th and October 25th thereafter there shall be deposited to the credit of the Interest and Sinking Fund from moneys in the Revenue Fund, such amounts as are necessary, together with any moneys already on deposit therein, to:

(1) pay the interest and principal requirements on the Bonds as will accrue on May 1, 1971, and November 1, 1971, and on each May 1st and November 1st thereafter,

(2) accumulate within five years from the date of the Bonds, an amount equal to one year's average annual principal and interest requirements for the Bonds as a debt service reserve in the Interest and Sinking Fund, provided that no less than one-fifth (1/5) of said reserves shall be accumulated prior to or during each fiscal year hereafter, beginning with the fiscal year ending August 31, 1971, and

(3) if moneys to the credit of the debt service reserve are used at any time to pay the principal of and interest due on the Bonds (other than the final principal and interest payments on the Bonds), replace such moneys so used in the following fiscal year, and in each year thereafter, if and to the extent necessary and at the rate of not less than one-fifth (1/5) in each year of the amount equal to one year's average annual principal and interest requirement for the Bonds (which amount constitutes the debt service reserve);

(b) That on or before October 31, 1970, and on or before each April 30 and October 31 thereafter while any of the Bonds remain Outstanding, there shall be made available to the Banks of Payment, out of the Interest and Sinking Fund, money sufficient to pay the interest on and principal of the Bonds as will accrue or mature on the first day of the month immediately following.

(c) That moneys in the Revenue Fund not required to be transferred to the Interest and Sinking Fund may be used by the Board for any lawful purpose.

(d) That whenever the total amount in the Interest and Sinking Fund, including the debt service reserve, shall be equivalent to (1) the aggregate principal amount of all Bonds and any Additional Bonds Outstanding, plus (2) the aggregate amount of all unpaid coupons thereto appertaining unmatured and matured, no further payments 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 Banks of Payment sufficient for such redemption.

7.05 - INVESTMENT AND SECURITY OF FUNDS: (a) The money in both funds established pursuant to this Resolution may, at the option of the Board, be placed in time deposits or be 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 the last day of August of each year. Interest and income derived from such deposits and investments shall be credited to the fund for 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.

(b) That all bank deposits of all funds created by this Resolution, including money placed in time deposits, shall be secured by the pledge of securities, as provided by law, in a principal amount at all times not less than the amount of deposits credited to such funds, respectively.

SECTION 8:

ADDITIONAL BONDS: That the Board expressly reserves the right hereafter to issue in one or more series Additional Bonds for purposes permitted by law, which Additional Bonds, when issued, shall be secured by and payable from liens on and pledges of the Pledged Revenues as defined in the Resolution in the same manner and to the same extent as the Bonds and any other then Outstanding Additional Bonds, if any; and the Additional Bonds permitted by this Section when issued, shall be payable from the Interest and Sinking Fund and shall be in all respects of equal dignity and on a parity with the Bonds and any other then Outstanding Additional Bonds, if any. Each resolution authorizing such Additional Bonds shall prescribe appropriate additional or larger payments to be made into the Interest and Sinking Fund as will permit the accumulation in the Fund within five fiscal years after the fiscal year in which the Additional Bonds are issued, as a debt service reserve, an amount not less than the average annual principal and interest requirements on all parity revenue bonds Outstanding after the proposed parity revenue bonds are issued. It is specifically provided, however, that the Additional Bonds permitted by this Section shall not be authorized or issued unless:

(1) The Board is not in default as to any covenant, condition or obligation set forth herein, and the Senior Financial Officer of the University signs a written certificate to such effect.

(2) The Interest and Sinking Fund contains the amounts of money then required by the terms hereof to be deposited therein.

(3) The Pledged Revenues either for the fiscal year or the 12-month period next preceding the issuance of additional parity bonds are certified by the State Auditor or a Certified Public Accountant to have been equal to at least 1.25 times the average annual principal and interest requirements on all Bonds and Additional Bonds then Outstanding and payable from the Pledged Revenues;

(4) The Senior Financial Officer of the University signs a written certificate to the effect that during each of the fiscal years, following that in which the Additional Bonds are issued, the estimated Pledged Revenues are equal to at least 1.25 times the requirements for each such year for the payment of the principal and interest on all Outstanding Bonds, then Outstanding Additional Bonds and the Additional Bonds being issued.

(5) The resolution authorizing such Additional Bonds shall provide for an identical flow of funds as heretofore prescribed, with payments of principal of the Additional Bonds on May 1 of the appropriate years and interest payments thereon on May 1 and November 1 of each year.

SECTION 9:

COVENANTS OF BOARD: That the Board hereby agrees and covenants:

(a) That it will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in this Resolution and the Bonds executed and delivered hereunder, that it will promptly pay or cause to be paid from the revenues herein pledged the principal of and interest on the Bonds issued hereunder on the dates and at the places and manner prescribed in such Bonds,

and that it will, at the times and in the manner prescribed herein, deposit or cause to be deposited in the Interest and Sinking Fund, from the revenues pledged, the amounts of money specified herein. The Banks of Payment shall totally destroy all paid Bonds and coupons and furnish the Board with an appropriate certificate of destruction covering the Bonds and coupons thus destroyed.

(b) That 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, lawfully and effectively taken; and that the Bonds in the hands of the holders thereof will be a valid and enforceable special obligation of the Board in accordance with their terms and the terms of this Resolution.

(c) That it lawfully owns and is lawfully possessed of the land upon which the existing buildings of the University are located and has good and indefeasible estate in such land in fee simple; that it warrants that it has, and will defend, the title to the said land and every part thereof and improvements thereon, for the benefit of the holders and owners of the Bonds against the claims and demands of all persons whomsoever; and that it is lawfully qualified to pledge the revenues herein pledged in the manner prescribed herein, and has lawfully exercised such right.

(d) That 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 upon the buildings 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 which would be prior to or interfere with the lien hereof, so that the priority of the lien 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, materialmen's or other lien or charge which might or could become prior to the lien hereof, or do or suffer any matter or thing whereby the lien hereof might or could be impaired; provided, however, that no such tax, assessment or charge, and that no such claim which might be used as the basis of a mechanic's, laborer's, materialmen'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 offered by same.

(f) That it will continuously maintain the Building Use Fee at the maximum rate permitted by law, and the General Fee at the rate which, together with the Building Use Fee, will provide funds at least sufficient to pay the principal of and interest on the Bonds and any Additional Bonds and accumulate as herein provided the debt service reserve in the Interest and Sinking Fund which shall be equal to one year's average annual principal and interest requirements on the Bonds and any Additional Bonds, as such principal and interest mature. The General Fee shall be revised from time to time in order that the proceeds thereof, together with the proceeds of the Building Use Fee, will be fully sufficient to furnish funds for said purposes.

(g) That it shall cause to be kept proper books, records and accounts (separate and apart from all other records and accounts) in which complete and correct entries shall be made of all transactions relating to the Building Use Fee and the General Use Fee; and that the Board shall furnish to the holder of the Bonds, at the written request of such holder, as soon as practicable after the close of each fiscal year, complete operating and income statements of the University in reasonable detail covering such period.

(h) That any Bondholder shall have the right at all times to inspect all records, accounts and data of the Board relating to the Pledged Revenues, including the Building Use Fee and the General Fee.

SECTION 10:

COVENANTS AS TO ARBITRAGE AND DEBT SERVICE GRANTS: The Board hereby specially covenants and agrees with the original purchasers of said Bonds and with the owners or holders from time to time of said Bonds as follows:

(1) That the Board will promptly proceed to utilize the proceeds of the sale of said Bonds (other than accrued interest to date of delivery and any premium) for the purposes set forth in Section 1 of the Resolution; and

(2) That no portion of said Bonds is issued as a part of an issue, all or a major portion of the proceeds of which are reasonably expected to be used directly or indirectly

(a) to acquire securities (within the meaning of Section 165 (g)(2)(A) or (B) of the Internal Revenue Code) or obligations (other than obligations described

in Section 103 (a)(1) of the Internal Revenue Code) which may be reasonably expected at the time of the issuance of such issue to produce a yield over the term of the issue which is materially higher (taking into account any discount or premium) than the yield on obligations of said Bonds, or

(b) to replace funds which were used directly or indirectly to acquire securities or obligations described in subparagraph (a).

The Board further specifically covenants and agrees with the original purchasers of said Bonds and with the owners or holders from time to time of said Bonds that it will take such action in accordance with regulations prescribed from time to time by the Secretary of the Treasury or his delegate to carry out the purposes of Section 103 (d) of the Internal Revenue Code so that no portion of said Bonds shall be classified as an "arbitrage bond" within the meaning of Section 103 (d) of the Internal Revenue Code.

(3) The Board covenants that it will not permit to be deposited to the credit of any of the Funds herein established or applied to the payment of the principal of or interest on the Bonds, any proceeds from any grant, 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 being includable in whole or in part in Gross Income for Federal income taxes.

SECTION 11:

REMEDIES IN THE EVENT OF DEFAULT: That, in addition to all the rights and remedies provided by the laws of the State of Texas, the Board further covenants and agrees that in the event of default in the payment of principal of or interest on any of the Bonds when due, or failure to make the payments required into the Revenue Fund and the Interest and Sinking Fund, or defaults in the observance or performance of any of the covenants, conditions or obligations set forth in this Resolution, the owner or holder of any of the Bonds shall be entitled to apply for a writ of mandamus to a court of proper jurisdiction for the purpose of compelling and requiring the Board and the officials thereof to observe and perform any covenants, obligations or conditions prescribed in this Resolution. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time as often as may be deemed expedient. The specific remedies provided herein shall be cumulative of all other existing remedies, and the specification of such remedies shall not be deemed to be exclusive.

SECTION 12:

APPROVAL AND REGISTRATION OF BONDS: That after said Bonds shall have been executed, it shall be the duty of the Chairman of the Board, or someone acting under authority of said Chairman, to deliver said Bonds to the Attorney General of the State of Texas for examination and approval. After the Bonds shall have been approved by the Attorney

General, they shall be delivered to the Comptroller of Public Accounts of the State of Texas for registration. Upon registration of said Bonds, the Comptroller of Public Accounts (or a deputy designated in writing to act for the Comptroller) shall manually sign the Comptroller's certificate of registration prescribed herein to be printed on the back of each Bond, and the seal of the Comptroller shall be impressed, or placed in facsimile, on each of said Bonds.

SECTION 13:

SALE OF BONDS: That the sale of said bonds to _____,
_____,
at a price equal to the principal amount thereof plus accrued interest thereon from the date thereof to the date of actual delivery, plus a cash premium of \$_____, subject to the unqualified approving opinion, as to the legality of said Bonds, of the Attorney General of the State of Texas and Vinson, Elkins, Searls & Connally, Houston, Texas, market attorneys, is hereby authorized, approved, ratified and confirmed. When said Bonds have been approved by the said 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.

RESOLUTION FIXING RATES IN CONNECTION WITH THE
\$5,500,000 BOARD OF REGENTS OF THE UNIVERSITY OF
TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO,
COMBINED FEE REVENUE BONDS, SERIES 1970

WHEREAS, it is affirmatively found and declared that notice of this meeting of the Board of Regents of the University of Texas System (sometimes hereinafter called the "Board") has been given in the manner and for the time required by law; and

WHEREAS, the Board is authorized and empowered by the provisions of Senate Bill No. 399, Chapter 763, Acts of the 61st Legislature of Texas, Regular Session, 1969 (codified by Vernon as Article 2909c-3), without cost to the State of Texas, to issue its revenue bonds for the purpose of providing funds to acquire, purchase, construct, improve, enlarge and/or equip any property, buildings, structures, or other facilities, for and on behalf of the University of Texas at El Paso (sometimes hereinafter called the "University"), or any branch or branches thereof; and

WHEREAS, said Board has adopted a resolution (sometimes hereinafter called the "Resolution") authorizing the issuance of \$5,500,000 Board of Regents of the University of Texas System, the University of Texas at El Paso, Combined Fee Revenue Bonds, Series 1970 (sometimes hereinafter called the "Bonds"), said bonds being equally and ratably secured by and payable from a first lien on and pledge of a Building Use Fee and a General Fee; and

WHEREAS, the Resolution defines the Building Use Fee to be the building use fee established by resolution of the Board

pursuant to Article 2654c-1, V.T.C.S., as amended, and charged all tuition paying students attending the University; and

WHEREAS, said Board is authorized and empowered by the provisions of said Article 2909c-3 to fix and collect a General Fee from students for the general use and availability of the campus of the University, including any branch or branches thereof, and to secure the payment of the principal of and interest on the Bonds by a first lien on and pledge of the revenues derived from such General Fee and such Building Use Fee;

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

Section 1:

That the Board does hereby establish, fix, levy and charge and order to be collected from all students enrolled in the University of Texas at El Paso, commencing with the fall semester of 1970, a Building Use Fee and a General Fee.

Section 2:

That the Building Use Fee hereby established shall be fixed as follows:

Long Session

\$5.00 per semester for each student taking 12 or more semester hours; and

\$0.42 per semester for each semester hour for each student taking less than 12 semester hours.

Each Six Weeks Summer Session

\$5.00 per semester for each student taking 12 or more semester hours; and

\$0.42 per semester for each credit hour for each student taking less than 12 hours,

and that such Building Use Fee is levied and charged and ordered to be collected as the Building Use Fee defined in the Resolution authorizing the issuance of its \$5,500,000 Combined Fee Revenue Bonds, Series 1970.

Section 3:

That the General Fee hereby established shall be fixed, levied, charged and collected in such amounts annually as shall be fully sufficient, together with the Building Use Fee hereby established, to provide for the payment of the principal of and interest on, and the accumulation and maintenance of the debt service reserve for the Bonds, and any Additional Bonds hereafter authorized to be issued, all in accordance with the Resolution authorizing the Bonds.

Section 4:

That the General Fee hereby established shall be initially fixed as follows:

\$16.00 per semester from each student regularly enrolled in the University at each of the regular fall and spring semesters; and

\$ 8.00 per term from each student regularly enrolled in the University at each term of each summer session,

and that such General Fee is levied and charged and ordered to be collected as the General Fee defined in the Resolution authorizing the issuance of the Bonds.

Section 5:

That the administrative officers of The University of Texas System and of The University of Texas at El Paso be, and they are hereby, authorized and directed to do any and all things necessary and/or convenient to carry out and accomplish the purposes of this resolution.

RESOLUTION FIXING RATES FOR GYMNASIUM FACILITIES
AND LIBRARY FACILITIES IN CONNECTION WITH THE
\$8,500,000 BOARD OF REGENTS OF THE UNIVERSITY OF
TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO,
BUILDING REVENUE BONDS, SERIES 1969

WHEREAS, it is hereby affirmatively found and declared that notice of this meeting of the Board of Regents of The University of Texas System (sometimes hereinafter called the "Board") has been given in the manner and for the time required by law; and

WHEREAS, on May 2, 1969, the Board of Regents of The University of Texas System adopted a resolution (sometimes hereinafter called the "Resolution") authorizing the issuance of \$8,500,000 Board of Regents of The University of Texas System, The University of Texas at El Paso, Building Revenue Bonds, Series 1969 (the "Bonds"), dated May 1, 1969, and secured by and payable from, in addition to other sources set forth in the Resolution, an irrevocable first lien on and pledge of the Gross Revenues to be derived from Student Fees or Use Fees, as defined and provided in the Resolution, to be fixed, charged and collected from all students regularly enrolled at The University of Texas at El Paso (sometimes hereinafter called the "University"), for the use and availability of the Gymnasium Facilities and/or the Library Facilities, all as defined and provided in the Resolution; and

WHEREAS, it is now appropriate and proper that the Board adopt a resolution which fixes reasonable and adequate rates to be charged for services to be afforded by said Gymnasium Facilities

and/or Library Facilities during the University's fiscal year 1970-71;

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

Section 1:

That the following rates are hereby established and fixed, and such rates shall be levied, charged and collected from all students regularly enrolled in The University of Texas at El Paso, commencing with the fall semester of 1970, a uniform Student Fee for the use and availability of one, or all, of the Gymnasium Facilities and the Library Facilities in the amounts as follows:

- a. \$ 6.00 per term from each student regularly enrolled in the University at each term of each summer session; and
- b. \$12.00 per semester from each student regularly enrolled in the University at each of the regular fall and spring semesters; and

such Use Fees shall be and remain in effect in at least said amounts through the 1970-1971 fiscal year of the University.

Section 2:

That the rates thus fixed in Section 1 of this resolution are in amounts deemed to be reasonable and adequate by the Board, taking into consideration the cost of providing said facilities and services, the use to be made of them, and the advantages to be derived therefrom by the users thereof and by The University of Texas System and The University of Texas at El Paso. Such rates shall remain in force and effect unless changed by order of the Board, which reserves the right and has covenanted to alter

or revise such rates as and when considered by it to be necessary to make the payments that it has covenanted to make in the Resolution authorizing the issuance of the Bonds.

Section 3:

That the administrative officers of The University of Texas System and of The University of Texas at El Paso be, and they are hereby, authorized and directed to do any and all things necessary and/or convenient to carry out and accomplish the purposes of this resolution.

PASSED AND APPROVED this 17th day of April, 1970.

Agenda of the Meeting of the Board of Regents (Continued)

Time: Following the Meeting of the Committee of the Whole

D. SPECIAL ITEMS

1. Chancellor Harry Ransom
2. Deputy Chancellor Charles LeMaistre
3. Chief Administrative Officers of the Component Institutions (and Recognition of New Officers)
 - a. U. T. Austin (Doctor Hackerman)
 - b. U. T. El Paso (Doctor Smiley)
 - c. U. T. Arlington (Doctor Harrison)
 - d. U. T. Dallas (Doctor Johnson)
 - e. Dallas Medical School (Doctor Sprague)
 - f. San Antonio Medical School (Doctor Pannill)
 - g. San Antonio Dental School (Doctor Olson)
 - h. Institute of Texan Cultures (Mr. Shuffler)
 - i. U. T. Permian Basin (Doctor Amstead)
 - j. Galveston Medical Branch (Doctor Blocker)
 - k. Houston Medical School (Doctor Smythe)
 - l. Houston Dental Branch (Doctor Olson)
 - m. M. D. Anderson (Doctor Clark)
 - n. G.S.B.S. (Doctor Arnim)
 - o. Public Health School (Doctor Stallones)
 - p. System Nursing School (Doctor Willman)

4. Members of the Board of Regents
 - a. Chairman Frank C. Erwin, Jr.
 - b. Vice-Chairman Jack S. Josey
 - c. Regent W. H. Bauer
 - d. Regent Jenkins Garrett
 - e. Regent Frank N. Ikard
 - f. Regent Joe M. Kilgore
 - g. Regent John Peace
 - h. Regent Dan C. Williams
 - i. Regent E. T. Ximenes

E. REPORTS OF STANDING COMMITTEES

1. Executive Committee by Committee Chairman Bauer
2. Academic and Developmental Affairs Committee by
Committee Chairman Kilgore
3. Buildings and Grounds Committee by Committee
Chairman Peace
4. Land and Investment Committee by Committee
Chairman Ikard
5. Medical Affairs Committee by Committee
Chairman Josey
6. Board for Lease of University Lands by Regent Peace

F. REPORTS OF SPECIAL COMMITTEES, IF ANY

G. REPORT OF COMMITTEE OF THE WHOLE

H. ADJOURNMENT

The items that follow on WHITE PAPER were distributed by the Administration during the course of the meeting.

BAT



THE UNIVERSITY OF TEXAS SYSTEM

2607 GUADALUPE STREET
P. O. BOX 7218 UNIVERSITY STATION
AUSTIN, TEXAS 78712

*Distributed at
the meeting*

B + D

OFFICE OF
FACILITIES PLANNING AND CONSTRUCTION

TEL. NO.
471-1517

MEMORANDUM

April 3, 1970

To: Walter C. Moore
From: Bill Ball
Subject: CAMPUS MONITORING SYSTEM - THE UNIVERSITY OF TEXAS AT AUSTIN

At your suggestion, I attended a meeting requested by Honeywell to review their bid on the Austin Campus Monitoring project.

Honeywell feels their bid meets the intent of the Specifications and the characteristics of their system meet or exceed the characteristics of the specified system.

They admit to disregarding the Specifications, not only where Johnson Controls were set as a standard, but also where features were required. In many areas, they relied upon their judgment as to what was an important feature and would like for the University to accept, in this instance, a standard commercial package they are developing for air conditioning systems data acquisition, alarm and control.

Their basic concept differs from the concept specified and differences in programming and mode of operation are offered to offset such exceptions as lower basic computing and multiplexing speeds, use of reed switches in lieu of solid state, etc. Also, in their opinion, the display capability of only one variable at a time does not limit the operator in troubleshooting.

Honeywell stated that, had they bid a custom system as specified, they would have required at least sixty (60) days bidding time and probably longer than the eighteen (18) month delivery time. They feel that the eighteen (18) month completion is double time pace even on their standard package.

I explained we could not award a contract on a qualified bid and their bid was definitely qualified. I further explained that we must uphold the integrity of the Specifications or start completely over; and that, the manner to determine the importance of specified features and acceptability of alternate features is by agreement with the Engineers and addendum to the Specifications prior to bid date.

Campus Monitoring System
April 3, 1970
Page Two

They feel they have not been afforded sufficient time, prior to or subsequent to bidding, to fully explain their product or position. In order to reach a clear understanding, a meeting has been scheduled for 10:00 A. M., April 9, 1970, to allow Honeywell to meet with our consultants, as well as our engineering and operations personnel and everyone's position can be reviewed.



Bill Ball

BB:jh
xc: ✓ Lester E. Palmer

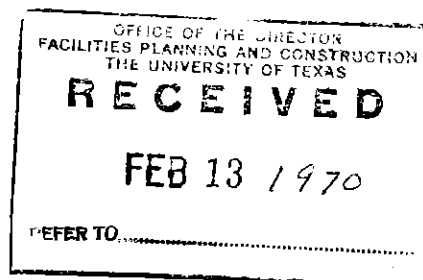
Brown & Root, Inc. Post Office Box Three, Houston, Texas 77001

February 12, 1970
File: M-2070 - FCB



Mr. L. E. Palmer, Director
Office of Facilities Planning & Const.
The University of Texas
P.O. Box, 7218, University Station
Austin, Texas 78712

CAMPUS MONITORING SYSTEM
UTILITIES EXPANSION 1-68
THE UNIVERSITY OF TEXAS AT AUSTIN
BROWN & ROOT JOB NUMBER EF-0001



Dear Mr. Palmer:

Brown & Root, Inc. has examined and evaluated the two (2) proposals received and opened in your offices on February 3, 1970. Proposals were received from Honeywell, Inc. and Johnson Service Company. Robertshaw had bid documents in their possession but did not bid. An evaluation of the two (2) proposals is attached.

Please note that one bid (Johnson Service) is in accordance with the specification and one bid (Honeywell) is actually an alternate in that the Bidder takes blanket exception to the specification issued and has offered an alternate system. The alternate offered does not meet either the equipment specifications or the functional requirements of The University.

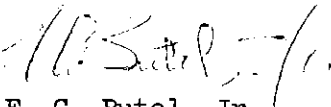
It is recommended that the system proposed by Johnson Service Company be accepted based on their compliance with the specifications.

The original Utilities Expansion budget has \$256,992 allotted for the Campus Monitoring System, with no deductions required for fees. It is our understanding that an additional \$96,000 is available, less 6% for Engineer's fee (or \$90,566 plus \$5,434 fees). Thus, the total amount available for this contract is \$347,558.

It is recommended that a contract be awarded to Johnson Service Company for the Base Bid plus Additive Alternates 1, 2, 3 and 8, for a total contract price of \$346,281.

Very truly yours,

BROWN & ROOT, INC.


F. C. Butel, Jr.
Project Engineer

FCB:jc



THE UNIVERSITY OF TEXAS SYSTEM

2607 GUADALUPE STREET
P. O. BOX 7218 UNIVERSITY STATION
AUSTIN, TEXAS 78712

OFFICE OF
FACILITIES PLANNING AND CONSTRUCTION

TEL. NO.
471-1517

MEMORANDUM

March 19, 1970

To: Lester E. Palmer
From: Atwell C. Lagow
Subject: CAMPUS MONITORING SYSTEM - THE UNIVERSITY OF TEXAS AT AUSTIN

If Mr. Bauer reacts favorably after reviewing the Plans and Specifications for the Campus Monitoring System, it is my recommendation that we again recommend to the Board of Regents, at the April meeting, to enter into a contract with Johnson Service Company for the installation of the Campus Monitoring System. This recommendation is made after carefully considering the following facts:

1. The Campus Monitoring System was advertised for bids on December 21, 1969, with a bid date set at January 27, 1970. This period was for 37 calendar days. At the request of Honeywell, the bid date was changed to February 3, 1970, making a total of 44 calendar days to prepare their bids. The delayed bid date was agreed to by Honeywell, who stated at the time that the new date would give them ample time to bid the project. There was no hint when the bid date was discussed their bid would not be based on the specified equipment. The other bidders were also contacted by telephone to advise them of the delay in bid date and each was questioned as to whether or not any additional time would be needed to turn in a bid. The other two prospective bidders replied that no more time would be required.
2. There are four (4) companies in the United States that do work in the field of automatic temperature regulation who qualify to perform the work required by the specifications for the Campus Monitoring System. These companies are:
 - a. Honeywell Company
 - b. Johnson Service Company
 - c. Robertshaw Fulton Controls
 - d. Powers Regulator Company.

Campus Monitoring System
March 19, 1970
Page Two

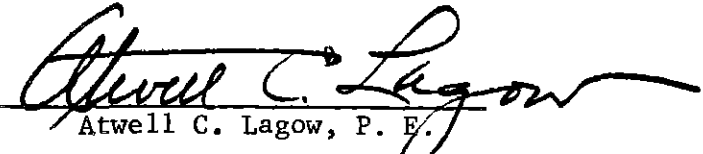
Plans and Specifications were issued to the first three on the list above after they expressed an interest in bidding. Powers Regulator Company came to our office in person to explain why they were not bidding. They said they were not ready to bid a system of the magnitude of the specified system. Their main purpose in making a personal visit was to make sure we were not offended by not bidding and their position in bidding future work would not be jeopardized.

3. About two weeks after the advertisement for bids had been published, Mr. Cherry of Honeywell called to state he could not bid knurled knob switches as theirs were push button switches. Other trivial differences were also mentioned. Mr. Wilcox and I both explained to him we were not at all concerned with what the switches looked like, but we were concerned with what signal we received when the switch contacts were closed and that the signals came in the specified sequence. Mr. Cherry was advised to contact our Engineers, Brown and Root, for a detailed discussion of acceptable variations. We were advised by Brown and Root that Honeywell did contact them and Honeywell stated, after discussing the Specifications with them, they could meet the requirements of the Specifications.
4. Robertshaw was contacted by telephone after bids were in and questioned as to why they did not respond to our invitation to bid after giving us every indication, up to the day before bid opening, they would have a bid. Their reply was that the two divisions of the company compiling the cost data did not get their figures together in time to be in our office at 2:00 P. M. on the bid date. They further stated they had no intention of offering an alternate bid as they have installed a number of custom built installations similar in scope to the one we had specified.
5. Representatives of the Johnson Service Company are frequent visitors to the Campus to look after the work they have in progress on the Campus. We have taken advantage of their visits by asking them to estimate the cost of the Central Monitoring System before it was put out for bids. They gave us some budget figures before the specifications were finished. Several times after advertising, and before bids were opened, Johnson Service Company expressed alarm that their probable bid was going above the budget figure. Some addenda items were issued to try to reduce the overall cost of the System. Johnson was well aware their competition could build the specified system as it was an open specification and the U. T. installation would be a choice one for publicity reasons for the successful Contractor. Johnson has admitted orally, after bidding, they cut their bid significantly to try to be under the bids of their competitors.

Campus Monitoring System
March 19, 1970
Page Three

They also expressed concern that Powers might come in with a surprise bid and beat them out of the job with a low figure, even though they were not on the bidder's list.

6. The Plans and Specifications cannot be changed sufficiently in scope to be re-bid. Since the system is a bare minimum to meet our Campus requirements, there is no way to specify a different system that would be of use on the Campus. The system as specified cannot be re-issued as Johnson Service Company's price is now public information and any further advertising for bids would not be bidding, but would be an auction to see if anyone can beat Johnson Service Company's bid.
7. If it is found that the necessary support cannot be obtained to award a contract to the lowest bid complying with the Plans and Specifications, then it is recommended that the project be abandoned and we continue the individual messenger system of relaying information back to the technicians at the Service Building. Monitoring of fire protection systems and other proposed security systems will be abandoned.


Atwell C. Lagow, P. E.

ACL:jh

EVALUATION COMPARISON

The evaluation comparison is a summary of Bidder proposals compared to requirements of the technical specifications.

The purpose of the comparison is to highlight differences between the specification and Bidder's proposal. The comparison contains information derived from Bid document and supporting proposal material.

The functional description of operation for each Bidder is somewhat similar; however, the system bid by Johnson Service Company offers more flexibility for future expansion and for accommodation of new features than the alternate system proposed by Honeywell, Inc.

It should be noted that Honeywell, Inc. has taken exception to the equipment defined in these specifications and that they have based their proposal on a Honeywell System 111 SML.

<u>ITEM</u>	<u>SPECIFICATIONS</u>	<u>HONEYWELL</u>	<u>JOHNSON</u>
Drawings	TS-2 Control Center Arrangement Control Panel Communication Cabling Routing	Control Panel Only (PP3)	Control Center Arrangement Control Panel Cable Routing (Drawings #1 through #7)
Experience	TS-3 Evidence of Experience Including a list of similar installations	Descriptive Literature No installation listing	Descriptive Literature No installation listing
Central Operators Console	TS-4 through TS-7 A mechanical <u>system data display</u> <u>concept</u> which provides maximum operator aid for system snapshot interrogation.	A <u>Single Point Data Display</u> <u>concept</u> requiring repetitive data point selection by operator for system snapshot inter- rogation.	A mechanical system data display concept consistent with specifications.
Central Processing Unit (Computer)	TS-7 and TS-8 3rd. Generation high speed control computer.	Honeywell 3rd. Generation special purpose processor.	Scientific Data Systems model Sigma 3 High speed control computer.
Real Time Clock	TS-8 Tuning fork driven solid state counter with emergency power back up.	Mechanical panel clock with 4-digit, 24-hour display. Electronic digital clock with no display. Power back- up not defined.	Tuning fork driven counter with emergency power back up.
Remote Multiplexer	Solid state multiplexing for high level analog and contact sense signals. Describe tie in of future multiplexers.	Multiplexing hardware not defined. Switching rate: 17 points/sec. analogs 70 points/sec. contact sense Future multiplexers wired to color coded trunk cable in parallel.	Solid state multiplexer Switching rate: 30 points/sec. linear analogs 80 points/sec. contact sense Future multiplexers wired to color coded trunk cable in parallel.
Alarm Hi-Lo Limit Values	Discrete limits for each analog data point.	49 Hi-Lo limits values available for the entire system.	Discrete limits for each analog data point in the system.

<u>ITEM</u>	<u>SPECIFICATIONS</u>	<u>HONEYWELL</u>	<u>JOHNSON</u>
Analog input Ranges	As required to present process data in usual form of measurement	1 Temperature millivolt range (0-250°F) 1 Linear millivolt range (0-100 MV) 1 Non-linear millivolt range (0-50 MV)	Up to 15 linear millivolt ranges to be digitized between -50 and 783 engineering units.
Slide Projector	80 Frame Slide Projector with provisions for a second projector. Max. access time 4 seconds.	81 Frame Carousel Slide Projector No provision for additional projector defined. Max access time 4 seconds.	80 Frame Slide Carousel Projector Provisions for the addition of future projectors. Max. access time 8.3 seconds.
Graphic Display Slides	Contractor to furnish art work and manufacture slides	Responsibility for slides not defined.	Furnish art work and slides for owner's and engineer's approval
Logging and Alarm Typers	<u>Basic logging typer, ASR 35</u> <u>Secondary alarm typer with color shift, KSR-35</u>	One (1) typer model RO-35 with color shift. Capability to accommodate additional typers not defined.	Model ASR-35 Logging typer Model KSR-35 Alarm Typer with color shift. System may be expanded to accommodate additional typers.
Transducers	High quality, standard design, industrial type instruments similar to existing installed transducers where possible.	Foxboro resistance temperature sensors. Other transducers not defined.	Foxboro resistance temperature sensors. Foxboro and Johnson N-6530 pressure transducers.
Manual Control Panel	Facility to provide remote manual control switching operations independent of the computer.	This feature not defined.	Emergency manual control panel included at Operator's console.
Data Acquisition System Isolation	Provide program controlled physical isolation of mechanical systems or buildings.	This feature not defined.	Systems or buildings may be isolated at remote multiplexer by program control from Operator's console.
Cabling	Multiconductor instrument and control cable in rigid conduit.	Multiconductor control and instrument cable, conduit not defined.	Multiconductor control and instrument cable in rigid conduit with NEMA 4 junction boxes.

<u>ITEM</u>	<u>SPECIFICATIONS</u>	<u>HONEYWELL</u>	<u>JOHNSON</u>
Alarm Monitoring	Scan Rate: Analog 30 points/sec. Contact sense 80 points/sec.	Scan Rate: Analog 17 points/sec. Contact sense 70 points/sec.	Scan Rate: Analog 30 points/sec. Contact sense 80 points/sec.
	Make Hi-Lo Alarm test for each point each scan cycle	Make Hi-Lo Alarm test for each point each scan cycle	Make Hi-Lo Alarm test for each point each scan cycle
	Transient control resultant alarms shall be inhibited	This feature not defined	Transient control resultant alarms will be inhibited
	Random scan capability	Random scan capability	Random scan capability
	Momentary audible alarm	Continuous audible alarm	Momentary audible alarm
Alarm Message Reporting	Red color off-normal type Black color normal type	Red color off-normal type Black color normal type	Red color off-normal type Black color normal type
	Critical alarm reporting	Critical identification of systems, sequential reporting of point	Critical alarm reporting of point, will interrupt busy printer
	Dedicated alarm typer	Time shared alarm typer	Dedicated alarm typer
Off-Normal Point Review	Alarm Point Summary	Alarm Point Summary	Alarm System Log
Mechanical System Display	Display system mechanical graphic and show system variables with identified simultaneously.	Display system mechanical graphic with one (1) system variable shown and identified at the time.	Display system mechanical graphic with system variables shown and identified simultaneously.
Trend Logging	Capability to log 8 or more analog variables which can be assigned from operator's console.	10 variable logging capability	8 variable logging capability
Remote Start-Stop	Computer program controlled start-stop capability with remote manual backup	Limited start-stop capability. No manual back-up defined.	Complete start-stop capability with remote manual back-up.

Miss Bedford

April 15, 1970

MEMORANDUM

TO: Charles A. LeMaistre, M.D.

FROM: Arthur H. Dilly

SUBJECT: Agenda Item on Reorganization of Development Function
in Response to Mr. Collie's Comment

Remarks by Mr. Collie

1. Reference Section 1.31

Member of the Executive Council of the Ex-Student's Assoc. should be on the System Development Board.

2. Reference Section 2.45

Raises a question whether the fund raising activities of the Ex-Student's Association must have the approval of the Board of Regents.

Mr. Dilly's Comments

I would have no objection to this either as an additional member or by indication that one of the three members at large should be from the Ex-Student's Association.

Mr. Gibson advises that the Board of Regents cannot require their approval of Ex-Student's Association fund raising efforts. In the draft document, the last sentence of Section 2.45 requires that such fund raising efforts "must have the approval of the Board of Regents". Apparently, we cannot require Ex-Student's Association to have this approval. I suggest that the last sentence be changed to read as follows: "However, it is expected that such Ex-Student's Association will not sponsor or participate in any other organized fund raising efforts without first consulting and advising with the institutional head, the Chancellor and the Board of Regents."

Remarks by Mr. Collie

Mr. Dilly's Comments

3. Reference Section 2.1

Suggests that each component institution has the right to a development board, assuming such board conforms to the general rules of the Board of Regents.

The draft document says "may have a development board". This could easily be changed to "shall have a development board" to satisfy Mr. Collie's question.

4. Reference Section 2.23 and Section 2.4

Suggests these two sections are repetitious.

I do not agree in that Section 2.23 outlines specific responsibilities for the institutional development board while Section 2.4 outlines methodology and techniques of operation

5. Reference Section 2.31

Suggests an institutional development board of 25 members is too large and that perhaps the number of members should be related to the size of the student body.

The draft says "not more than 25 members" and I think this discretion should be left with the institutional head.

6. Reference Section 2.31

Suggests definition of "staggered three year terms".

This should be changed to something that reads about as follows: "Initial appointments to the institutional development board shall draw lots providing for 1/3 of the total membership to serve for one, two or three years. All terms following the initial appointment of the board will be for a three year term. All terms shall officially begin on September 1."

7. Reference Section 2.44

In the second sentence there is a reference to "local development board".

For the sake of conformity the "local" should be changed to "institutional".

Remarks by Mr. Collie

Mr. Dilly's Comments

8. Reference Section 2.44

Question on the meaning of the third sentence as to whether or not the requirement for System development board recommendation implies any recommendation or only a favorable recommendation prior to the action of the Board of Regents.

My interpretation of the sentence as it presently stands is that the System development board may make either a favorable or unfavorable recommendation but that the final responsibility for positive approval or disapproval rests with the Board of Regents.

9. Reference Section 3.16

Questions the encouragement of "Advisory Councils to Foundations".

The draft document says "Wherever practical". I believe that Mr. Collie may have not understood the fact that the council is essentially a fund raising mechanism.

10. Reference Section 3.21

Raises a question as to whether or not the Board of Regents can prohibit the establishment of an external foundation over which it admittedly has "no control".

This is a valid point and I suggest that Section 3.21 might be amended to read "Any component institution, department or school of a component institution of The University of Texas System which is the primary beneficiary of an external foundation may not receive gifts or bequests from that external foundation until such gifts or bequests have been approved by the Board of Regents".

MEMORANDUM RE REORGANIZATION OF
DEVELOPMENT ACTIVITIES
U. T. SYSTEM

1. ~~I notice the Ex-Students have been excluded from any appointment to the Development Board.~~ Since I believe this is contrary to the present system, ~~I wonder why this is.~~ Having a member of the Executive Council of the Ex-Students' Association, appointed by such Association, on the Development Board has been a very convenient and helpful method of liaison. Further, the appointment by the Ex-Students' Association gives it a closer feeling of allegiance to the Development Board.

② While it is out of order, this appears to be a convenient place to take up a comment on Section 2.45. I do not see how under the authority of the Board of Regents, as I understand it, that it can control except as a matter of comity, any fund raising activities of the Ex-Students' Association. In other words, is it possible to provide that any fund raising activities of the Ex-Students' Association "must have the approval of the Board of Regents." ?

③ 2. Concerning Section 2.1, should not each component institution have the right to a Development Board, assuming that any other institution has one and such Board conforms to the general rules of the Board of Regents. To put it in its worst light, I do not think the Chancellor or the Board of Regents should have the power to "punish" an institution by denying a Development Board.

① Dept says
"may have Dev. Bd."
still

④ 3. I suggest the subsections of Section 2.23 repeat generally the subsections of Section 2.4. With respect to Section 2.23, I suggest a forthright statement that the Development Board of the institution has the responsibility for solicitation of gifts. (NO)

⑤ 4. As to Section 2.31, I suggest a Development Board of 25 members is too large (except possibly with respect to U. T. Austin) and that the number of members should be in relationship to the number of students on some averaging basis. What is meant by "staggered three year terms"? I suggest this should be spelled out. (We say "Not Mine, I mean")

⑦ 5. In Section 2.44 there is a reference to "local" Development Board; we have used "institutional" Development Board elsewhere. (Right - should be inst.)

⑧ Does the third sentence of Section 2.44 mean that the System Development Board has to recommend favorably concerning the campaign or just that a recommendation has to be made. (Good question X)

⑨ 6. With respect to Section 3.16, I question the encouragement of "advisory councils" to the foundations. At best, I would make this permissive. (We say "wherever practical" - Collie may not understand there are fund-raising people)

⑩ 7. With respect to Section 3.21, how can the Board of Regents prohibit an external foundation over which it admittedly has "no control". For example, if I wanted to set up a foundation in aid of the law school, I do not see how the Board of Regents or any one else could keep me from establishing such foundation. Of course, the Board of Regents could prohibit the law school from receiving the money or other gift, but could not under the law prevent the formation of the foundation. (good question)

I applaud the general objectives of the
proposed reorganization and urge its adoption
at the earliest practical time.

OK



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

Miss Shepard

April 16, 1970

MEMORANDUM

TO: Chairman Frank C. Erwin, Jr.
FROM: Charles A. LeMaistre, M.D.
Deputy Chancellor
SUBJECT: Law School Admissions Policies

Two meetings with Dean Keeton in the last 48 hours have produced new information bearing on the proposed admission requirements for the Law School.

1. Dean Keeton states that the present admission requirements permitted an entering class last fall larger than the School could handle in consecutive years; last year approximately 700 first-year students were enrolled, 175 more than the average entering class in recent years. Over the last five years, including last year's large class, the average entering class has been about 525 students.

2. Dean Keeton states that "The new admission standards will not yield a higher percentage of non-residents than the average percentage of non-residents for the last five years. The average percentage of non-resident students during the last five years was 19.76%.

3. In terms of total enrollment, the Law School is, with their present enrollment of 1468 students, the largest law school in the United States, with the exception of Harvard. The State situation is that the Law School has 1468 of the present 4140 law students enrolled.

The System Administration had recommended approval of the proposed admission standards without complete knowledge of either the entering or total enrollment picture or percentage of non-residents presently enrolled. The recommendation was made to reinforce Dean Keeton's desire to upgrade the quality of the law school students.

In 1959 the Board of Regents authorized an increase in the Law School facilities to accommodate an increase to 1500 total enrollment, which was the number recommended by the Law School Faculty and The University of Texas at Austin administration. In view of the continued demand for admission to the Law School, the need for a total enrollment of this number is evident.

With this in mind, System Administration requests that the Board of Regents approve the admission requirements as set forth in the agenda item, with the following provisions replacing those listed in the agenda:

1. The total enrollment in the Law School be maintained at no less than 1450 students.
2. The first-year enrollment shall never be less than 500 students.
3. The percentage of non-resident students shall at no time be above 15% of the entering class or 15% of the total enrollment of the Law School.

For purposes of computing the percentage limitations set out in Section Three above, any student who enters the Law School as a non-resident shall be treated as a non-resident for the entire time he is a student in the Law School.

I believe that these revised admission requirements and the guarantees provided in the three related provisions will serve to both upgrade the quality of Law School admissions and fulfill The University of Texas System responsibility to provide a significant supply of well-trained legal talent for this State.

CAL: c

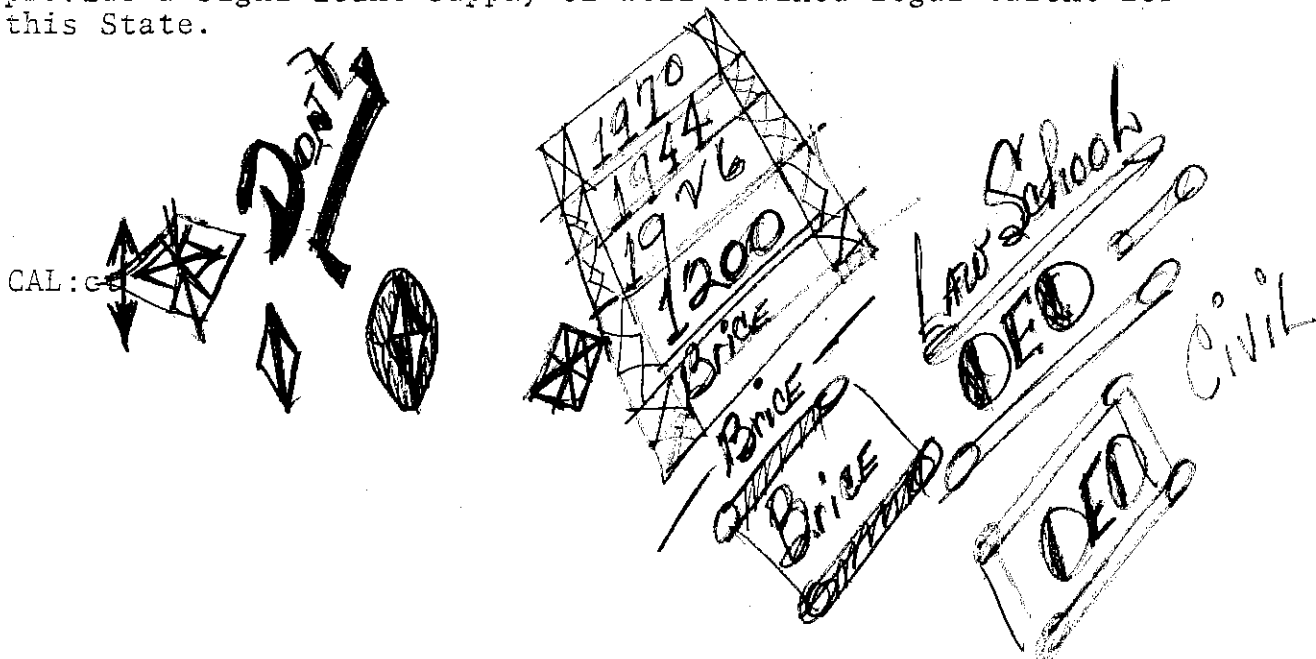
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LAW SCHOOL

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CIVIL





THE UNIVERSITY OF TEXAS AT AUSTIN
SCHOOL OF LAW
2500 Red River
AUSTIN, TEXAS 78705

April 16, 1970

Office of the Dean

Memorandum to: Dr. Charles A. LeMaistre, Deputy Chancellor
From: Page Keeton, Dean
Subject: Additional Information Regarding Law School Admissions Proposals

Quality standards--do they identify those who do unsatisfactory work?

As Ernest Smith indicated in our meeting the other day, three separate and distinct validity studies have been made, two of which were made by the Testing and Guidance Service of The University of Texas, and one of which was made by the Law School Admission Test Service, as a basis for deciding upon admissions criteria and their particular formulation of those criteria.

The last study was made of a group of students who entered in June and September of the years 1966 and 1967. The students, the college from which they graduated, collegiate grade averages, and their Law School Admission scores were all considered. This constituted a total group of between 900 to 1,000 students and was large enough for a statistical study.

It was done for the very purpose of identifying the particular combination of collegiate grade averages and test scores that would serve as the best predictor for success in the Law School.

The combination that we have selected for next year's class would cut in half the attrition rate in the Law School. This is on the assumption that our expectations for a degree are not altered and our grading standards are not changed. This is because 50% of those who made unsatisfactory grades heretofore have come from the group that was admitted in those years but who would not be admitted under the proposals of the Law School.

If we moved up to another table somewhat as I would ultimately propose and at which point it could be said that our admissions are as rigorous as necessary for a law school of the first rank, then the attrition could be reduced to around 5%. It is my hope that within three to four years this can be done because such ought to be the situation in a first-class professional operation, legal or medical.

Dr. Charles A. LeMaistre

April 16, 1970

Page Two

Can we accept more students?

Even if the Regents concluded that they would prefer not to have the kind of quality operation that we believe is desirable, we cannot adopt standards that would result in more students than we propose. I notice from the Daily Texan this morning an alleged quotation from Frank Erwin as follows: "They just haven't demonstrated to me that they are overcrowded or overworked." As to whether or not we are being overworked, I make no representations. I do say that this faculty works hard, is very productive, and it is because of this that we have high standing. We have the highest student-teacher ratio of any school or college at The University of Texas at Austin and the highest of any good law school in the nation. It is a ratio of over 30 - 1. I also say that we are crowded in our present quarters and there can be no reasonable difference of opinion about this on the part of an informed person. We are currently in violation of the standards of the Association of American Law Schools regarding the study space that should be provided for the size of our student body. The University will receive a request for an addition to the Law School of at least \$1,000,000 even if we maintained total enrollment at the current level.

There are two other state law schools and several private schools. We could not, if we desired to do so, train all the professional lawyers that are needed. I would say that our purpose is to train as many professional lawyers as we can, consistent with the operation of an outstanding law school.

If the Regents want us to train more lawyers, regardless of the qualifications of those who apply for admission, then another three to four million dollar building will have to be constructed and a law school of 2,500 should be envisaged. I think it would be far better to make some qualified students available for other state law schools, thereby improving the quality of those law schools.

Copy to: Dr. Norman Hackerman

April 16, 1970

MEMORANDUM

TO: Dean Keeton

FROM: S. Johanson

The facts on the following page show the number of students who entered the law school in September of 1968, and whose June 1969 averages were below 63. In other words, those students dropped for failure. I have computed their Texas Indeces under our present formula. Observe that none met the 1160 score that we are applying to residents this year.

Observe also that these data give only part of the picture. (1) Many students who are in deep trouble scholastically after the mid year examinations drop out on their own before June exams, once they see the handwriting on the wall. (2) The chart does not include students whose averages were above 63 but below 65 -- on scholastic probation. (3) To give a more complete picture, it would probably be desirable to give the data on students whose June averages were below 68. Although these students have "passed," they are the ones that barely drag through -- if they make it at all.

It probably would have been useful to also gather the data referred to in (2) and (3). The names of the individuals were not readily available, however, and there was no possibility of completing this by tomorrow morning. Perhaps this is something that the Admissions Secretary can work up in the near future.

September 1968 Class -- June 1969 Averages Below 63

185 gpa + LSAT + 2W

	<u>GPA</u>	<u>School</u>	<u>LSAT</u>	<u>Texas Index</u>
Beaty	2.16	U.T.	511/45/46	1001
Berry	2.30	U.T.	495/50/55	1021
Bewley	2.34	Oklahoma	352/44/50	814
Brand	2.83	UT/Hwd Payne	570/56/51	<u>1135</u>
Colley	2.44	U. of South	532/50/50	1109
Doolittle	2.69	U.T.	538/52/50	1140
Ellison	2.65	St. Mary's	458/45/55	972
Frazier	2.35	U.T.	570/52/51	1109
Garcia	<u>3.75</u>	Texas A & I	428/50/39	<u>1128</u>
Gamez	2.23	St. Mary's	357/37/48	791
Heitman	2.46	A & M	559/48/49	1088
Levin	2.34	Tulane	553/58/62	1106
Litin	2.52	Rice	555/58/52	<u>1137</u>
Moore	2.13	Midwestern	570/48/43	1040
Muller	2.64	Mankato	492/48/52	1047
Nance	2.11	U.T.	547/64/52	1065
Ormond	2.91	Xavier Ohio	493/37/36	1073
Pines	2.32	Rutgers	546/59/53	1093
Reavis	2.62	Tech/U.T.	<u>585</u> /63/57	1085
Ross	2.94	East Texas	411/47/52	975
Stool	2.29	U.T.	477/40/45	981
Worsham	2.37	A & M	466/55/59	993

22 F's LSAT's below 525 = 11
 LSAT's below 550 = 15
 gpa's below 2.5 = 13

TI's - 15 below 1100
ALL below 1140



THE UNIVERSITY OF TEXAS AT AUSTIN
SCHOOL OF LAW
2500 Red River
AUSTIN, TEXAS 78705

April 15, 1970

Office of the Dean

Memorandum to: Dr. Charles A. LeMaistre, Deputy Chancellor

From: Page Keeton, Dean

Subject: Non-resident Enrollment During the Past Five Years

In the course of our conversation regarding law school admission recommendations for the 1970-71 school year you inquired about the percentage of non-residents that were admitted each year for the last five years. I am submitting below this information.

It will be noted that the average percentage of approximately 20% was also approximately the percentage of non-residents at the beginning of this school year. It will also be noted that the percentage of non-residents started rising at the beginning of the 1965-66 school year and increased thereafter for the next two years. I think that it was at this juncture that we began also to increase our quality requirements. At that point we began to make a distinction between residents and non-residents as regards qualifications for admission. It will be noted also that at the beginning of the 1968-69 school year there was a substantial drop, indicating good faith on our part in accepting the general notion that this should be watched. Last year there was a slight increase, but not much.

As I stated to you in oral conversation, I am confident that the new admissions standards will not yield a higher percentage of non-residents than the average percentage of non-residents for the last five years. In the second place, it is quite clear that if we could have maintained our existing admissions requirements compatible with the space situation at the law school, we would have had a much higher percentage of non-residents than we will have under the proposed new standards. Under the old standards the non-resident students that we were accepting would probably not have been eligible at most of the first-rate law schools, if any. We will, therefore, be competing for a high quality group and our percentage yield would likely be less. I am guessing our yield would be around fifteen to sixteen percent, but I cannot evaluate what effect the low tuition for non-residents is having at the present time. The higher the tuition rates for the great private law schools, the more likely that students will turn to us for financial reasons.

Dr. Charles A. LeMaistre
April 15, 1970
Page Two

As our discussion brought out, the entering class last year was inordinately large and at least 175 more than we could accommodate on a long-term basis. It is my judgment that the new admissions standards will yield a law school next year of between 1,450 and 1,550 students, which is all that we can accommodate, and I don't think that the law school enrollment will drop below 1,450 students over the next few years. In fact, I would guess that within a two or three-year period, it will be necessary to come to a meeting of minds about another change in our admissions policies.

The table is listed below:

<u>Entering Class</u>	<u>Percentage of Non-residents</u>
1969	20.2
1968	19.5
1967	24.1
1966	19.3
1965	15.7
Average Percentage of Non-residents	19.76

Includes 131 graduates and foreign students

Median Grade Point Averages and Law School Admission Test Scores at Twelve of the Best Law Schools in the United States

<u>Total Students</u>	<u>School</u>	<u>Median Grade Point Average</u>	<u>Median LSAT Score</u>
(1649)	Harvard	3.58	670
(588)	Yale	(no information)	(no information)
(528)	Pennsylvania	3.29	625
(1052)	Michigan	3.20	628
(792)	California at Berkeley	3.50	644
(459)	Chicago	(no information)	(no information)
(989)	Columbia	(no information)	(no information)
(806)	Virginia	3.03	615
(426)	Stanford	3.29	661
(851)	New York University	3.09	626
(307)	Duke	3.11	625
(765)	UCLA	3.4	620

(1468) Texas 2.88 573

Total Enrollment

South Texas 564 (all night, and few qualified.)
 Texas Southern = 140
 Baylor = 295
 SMU = 578
 Univ of Houston = 500
 Texas Tech = 183
 St Marys 412 includes 125 at night
 + 1468 4140 law students
 2972 + 1468 4440 law students

PERCENTAGE OF NON-RESIDENTS AT OUTSTANDING LAW SCHOOLS

STATE LAW SCHOOLS

University of Michigan	57%
University of California at Berkeley	28%
University of Virginia	60%
University of Minnesota	25%
University of Illinois	16%
University of Georgia	17%

PRIVATE LAW SCHOOLS

Non-residents are in the overwhelming majority at the great private law schools such as Harvard, Yale, Chicago, Duke, New York University, University of Pennsylvania, Columbia and Stanford. There are no outstanding law schools, public or private, unless The University of Texas School of Law is regarded in such category, with anything like a 10% limitation on non-residents.

OFFICE OF THE DEPUTY CHANCELLOR
AGENDA ITEM FOR BOARD OF REGENTS' MEETING

Date of Meeting: April 17, 1970
To Be Considered By: Academic and Developmental Affairs Committee
System Components Concerned: U.T. Austin

Subject: Appointment of Students' Association Attorney

*Discussion By: _____
Recommendation: (The recommendation should be followed by a description of appropriate background information and reference to any applicable previous Minute Order.)

Executive Vice-Chancellor McKetta and Deputy Chancellor concur in President Hackerman's recommendation for the approval of the appointment of Mr. James G. Boyle to the position Students' Association Attorney, effective June 1, 1970, at an annual salary, 12-months, of \$12,500.

Attachments: U.T. Austin Administration recommendations
Mr. Boyle's credentials

Reference: RRR, Part Two, Chapter X, Section 11 and related citations.

*If not on invitation list, invitation and arrangements are the responsibility of the appropriate institutional head.

Original + 1 cc to Secretary to the Board of Regents

ccs: Chancellor
Deputy Chancellor
Mr. Walker
Dr. McKetta
Mr. Dilly

Date: 4/16/70
JH/jh



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

Vice-President for Student Affairs

PRESIDENT'S OFFICE
 U.T. AUSTIN

April 14, 1970

REC'D APR 14 1970

*OK
 JG McKitt*

Dr. Norman Hackerman
 President
 Main Building 102

REFER TO _____
 HANDLE _____ READ & RETURN _____

Dear President Hackerman:

Attached is a letter from Mr. Joseph R. Krier which conveys the recommendation of the Student Assembly that Mr. James G. Boyle be appointed Students' Association Attorney. The salary proposed is \$12,500 per calendar year, beginning June 1, 1970.

The creation of the office of Students' Association Attorney was authorized by the Board of Regents on June 20, 1969 (See Minutes of that meeting, page 22). Guidelines for operation of the office, considerably more restrictive than those proposed in the Student Assembly act that proposed the creation of the office, are found in RRR, Part Two, Chapter X, Section 11 and other Regents' Rules cited therein.

Mr. Krier's letter of April 13, 1970, plus the presence on the selection committee of Professors Corwin Johnson and Russell Weintraub, comprise to my mind sufficient attestation as to Mr. Boyle's qualifications for the position.

I recommend approval of the appointment.

Sincerely yours,

Bryce Jordan

BJ;jt

ACADEMIC AFFAIRS
 OFFICE U.T. SYSTEM

APR 15 1970

*OK
 WSP
 4/14*

To.....For info and retain
 To.....Please advise me
 To.....Please handle



THE UNIVERSITY OF TEXAS AT AUSTIN
AUSTIN, TEXAS 78712

Office of the Dean of Students

March 23, 1970

Dr. Bryce Jordan
Vice President for Student Affairs
Main Building 120
The University of Texas at Austin

V. P. FOR STUDENT AFFAIRS U. T. - AUSTIN	
Acknowledged.....	File.....
REC'D MAR 23 1970	
To	for info & return
To	Please advise me
To	Please handle

Dear Dr. Jordan:

Attached please find the recommendation of the Student Attorney Selection Committee of the Students' Association confirming the appointment of James G. Boyle as the Students' Association Attorney.

I concur with this recommendation and respectfully request that it be forwarded for approval.

Sincerely,

Stephen D. McClellan
Dean of Students

SDM/ktm

CENLA LEGAL AID SOCIETY, INC.

P. O. BOX 1427
719 SIXTH STREET

ALEXANDRIA, LOUISIANA 71301

ATTORNEYS
EDWARD E. ROBERTS, JR.
EDWARD L. CLOUTMAN, III
JAMES G. BOYLE
DUDLEY P. SPILLER, JR.

TELEPHONE
445-0241

February 23, 1970

Mr. Joseph R. Krier
President, Students' Association
University of Texas at Austin
Austin, Texas

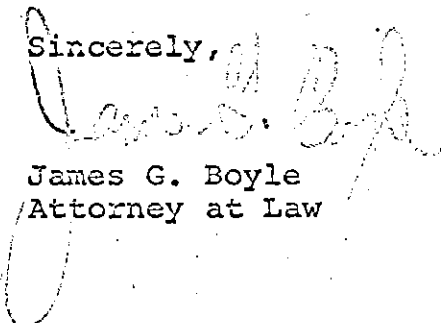
V. P. FOR STUDENT AFFAIRS U. T. - AUSTIN	
Acknowledged.....	File.....
REC'D MAR 23 1970	
To.....	for info & return
To.....	Please advise me
To.....	Please advise me

Dear Mr. Krier:

I am happy to accept the Students' Attorney position. I plan to resign from the staff of the Cenla Legal Aid Society, Inc. effective May 15, 1970. This week I am going to notify the Reginald Heber Smith people at the University of Pennsylvania Law School and the Board of Directors of the Cenla Legal Aid Society of my intention to resign.

The Students' Attorney position is, to my knowledge, the first of its kind in the country. I feel very fortunate to be a part of this precedent-setting venture.

Sincerely,


James G. Boyle
Attorney at Law

JGB:cjz



STUDENTS' ASSOCIATION
 THE UNIVERSITY OF TEXAS AT AUSTIN
 AUSTIN, TEXAS

V. P. FOR STUDENT AFFAIRS	
U. T. - AUSTIN	
Acknowledged.....	File.....
REC'D APR 14 1970	
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To	Please advise m
To	Please ha

JOSEPH R. KRIER
President
 ERNEST HAYWOOD
Vice-President

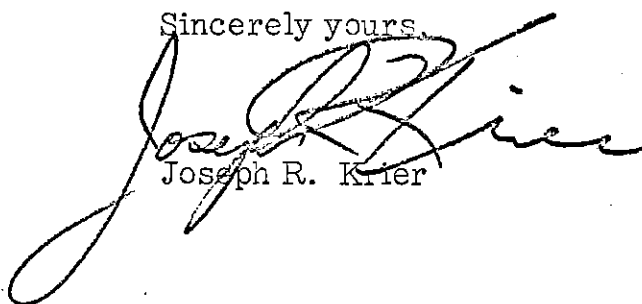
April 13, 1970

Dr. Bryce Jordan
 Main Bldg. 120
 The University of Texas
 Austin, Texas

Dear Dr. Jordan:

By way of addition to my letter of March 11, 1970, the selection committee did have the opportunity to orally contact two of Mr. Boyle's references. Judge Carl A. Swanson of the 16th Judicial Circuit, Sycamore, Illinois and Mr. David Robertson of the University of Texas School of Law both testified to the high character and ability of Mr. Boyle. Both felt that he would be more than qualified for this position. If I can provide you with any additional information, please let me know.

Sincerely yours,



Joseph R. Krier

JRK/rcb



STUDENTS' ASSOCIATION
THE UNIVERSITY OF TEXAS AT AUSTIN
AUSTIN, TEXAS

JOSEPH R. KRIER
President
ERNEST HAYWOOD
Vice-President

March 11, 1970

V. P. FOR STUDENT AFFAIRS
U. T. - AUSTIN
Acknowledged.....File.....
REC'D MAR 23 1970
To for info & return
To Please advise me
To Please handle

Dr. Stephen McClellan
Dean of Students
Speech Bldg. 102
The University of Texas at Austin

Dear Dr. McClellan:

Following the recommendation of the Student Attorney Selection Committee the Student Assembly has confirmed the appointment of James G. Boyle as the Students' Association Attorney. He will begin his work on June 1, 1970 at a salary of \$12,500. I strongly recommend that this action be taken to the next Board of Regents meeting so the new attorney can begin making plans for his office before June 1.

Please find enclosed a copy of the Students' Attorney Act and the Regents Rules pertaining to Mr. Boyle's appointment.

Sincerely,

Joseph R. Krier
Joseph R. Krier

JRK:rcb
Enclosures

OFFICE OF THE DEAN OF STUDENTS
REFER TO.....
REC'D
PLEASE ANSWER.....FOR INFO.....
RETAIN.....RETURN.....
FILE.....

OFFICE OF THE STUDENTS' ATTORNEY ACT

V. P. FOR STUDENT AFFAIRS	
U. T. - AUSTIN	
Acknowledged.....	File.....
REC'D MAR 23 1970	
To	for info & return
To	Please advise me
To	Please handle

Section 1. Statement of Purpose

There is found to exist a need for competent, continual legal advice and representation by the Students' Association of the University of Texas at Austin. The concern of this Assembly is that the Students' Association, through its President, would better advance the programs and activities of this association, and the interests of the students which it represents, by having an attorney available at all times. It is further found that the individual students of this association would greatly benefit by having an attorney available to advise them or refer them to an attorney on civil and criminal legal matters. In order to fulfill this need, there shall be a Students' Attorney, and this office is hereby created.

Section 2. Qualifications

The Students' Attorney shall be an attorney admitted to the Bar of the Supreme Court of Texas.

Section 3. Selection

1. The Students' Attorney shall be nominated by a selection committee composed as follows:
 - a. the President of the Students' Association as chairman
 - b. two members of the faculty; one must be from the School of Law and appointed by the Dean of the School of Law, the other appointed by the President of the Students' Association
 - c. two students; one must be from the School of Law and appointed by the President of the Student Bar Association, the other appointed by the President of the Students' Association.
2. The selection committee shall extend efforts in soliciting qualified men for the position of Students' Attorney, and choose one man for the nomination.
3. The nomination of the selection committee shall be submitted to the Student Assembly for approval by a majority vote.
4. The selection committee shall draft a contract, consistent with this act, in order to maintain the office of Students' Attorney. The attorney shall be given a three year contract, subject to an initial six month probation clause, and subject to removal in accordance with section 7 of this act.

Section 4. Duties of Office

1. The Students' Attorney shall act as counsel to the Students' Association. He shall be available to aid in matters of contracts, suits, complaints, negotiations, and any other activity within the scope of the legal practice as may be required by the Students' Association. His duties shall include, but shall not be limited to the following:
 - a. He shall be familiar with state and federal legislation and proposed legislation as it pertains to students, and advise this association thereon. He shall act as agent for this association when requested to do so by the Student Assembly.
 - b. He shall consider all matters referred to him by the Student Assembly and the House of Delegates.
 - c. He may aid in drafting legislation for the Student Assembly and the House of Delegates and advise the Attorney General.
2. The Students' Attorney may establish a legal referral service program for the benefit of the individual students in conjunction with the Travis County Bar Association. As a part of this service, upon initial contact with the individual student, the Students' Attorney shall advise him as to the substance of his civil and criminal legal rights.
3. The Students' Attorney may, upon approval by 2/3 of those present of the Student Assembly, represent an individual student in any case which involves the interests of students generally. In such cases, the Students' Attorney shall be solely responsible to the individual student whom he represents, and act in his best interests rather than that of the Students' Association; however, he shall not accept any fee from the individual student whom he represents.
4. If he can avoid problems of professional ethics, and only in such case, he may extend legal services to individual students forceably detained in criminal matters. His efforts shall be limited to getting the individuals out of jail or making requests for dismissal, and he may not proceed to litigate such cases without prior approval by the Student Assembly as under Section 4.3 of this act. In such cases, legal services shall be extended to individual students according to priorities of time, locality, and severity, as determined by the Students' Attorney without consideration of the student's financial ability to retain other counsel. Records in such cases shall be kept confidential, and not open to disclosure to the administration, the Students' Association, or to any other person or group.
5. Services rendered on behalf of individuals shall be extended only to those students having a current blanket tax.
6. The Students' Attorney shall confine his activities to legal matters in conducting his office, assisting a student in matters affecting him in his role as a student.
7. The Students' Attorney shall not be used so as to invite, encourage or foster the breaking of any law by allowing reliance on his efforts.

Section 5. Authority

The Students' Attorney shall have the power to set up his office as he deems best, recruit law students to assist him, hire a secretary, and conduct such activity that he feels necessary and prudent within the intent of this act in maintaining his office.

Section 6. Funding and Budget

Funding shall come from appropriations of Blanket Tax Funds. Efforts should be extended to secure gifts, grants and donations to reduce the financial burden on students, to ensure continued operation, and to allow for expanded activities. Blanket Tax appropriations shall be channeled through Student Government funds, for disbursement consistent with the following budget:

funds available for attorney's salary	\$14,000
funds available for secretary	5,000
office equipment	2,000
office expense	1,500
travel expense	500
library and miscellaneous	<u>2,000</u>
Total	\$25,000

The salary of the Students' Attorney shall range from \$9,000 to \$14,000 yearly as decided by the Selection Committee, according to experience, ability, and other pertinent factors.

Section 7. Removal

The attorney may be dismissed according to terms of his contract, by recommendation of two-thirds (2/3) of the total membership of the Student Assembly. The recommendation shall be brought before a five member law faculty committee appointed by the Dean of the School of Law, which will decide independently and dismiss for good cause.

such cases a rental price may be charged. However, when persons, groups, or organizations officially designated by the President 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.

V. P. FOR STUDENT AFFAIRS
 U. T. - AUSTIN
 Acknowledged
 DEC 23 1970
 To
 To
 To
 For info
 Please advise in
 Please hand

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 Board of Regents, and the Board of Regents may approve, reverse, or modify each such action.

Sec. 10. Athletics Council (The University of Texas at Austin)

- 10.1 At least fifteen copies of the minutes of all meetings of the Athletics Council at The University of Texas at Austin shall be delivered promptly to the President of The University of Texas at Austin for distribution to the Chancellor, to the members of the Board of Regents, and to such other members of the administration as the President of The University of Texas at Austin may direct.
- 10.2 The Board of Regents may subsequently approve, reverse, or modify any action therein. The minutes shall be submitted for this review and for the Board's consideration through the Executive Committee which shall refer all items relating to policy to the Committee of the Whole and all items relating to buildings to the Buildings and Grounds Committee.

Sec. 11. The Students' Association (The University of Texas at Austin)

- 11.1 Any attorney employed in whole or in part by the Students' Association of The University of Texas at Austin shall not act as counsel of record nor represent any student, faculty member, or staff member of the Central Administration or any component institution of The University of Texas System:
 - 11.11 At any stage of any administrative proceeding, including any disciplinary proceeding, brought by or on behalf of the Board

of Regents or the Chancellor of The University of Texas System or by or on behalf of any component institution of the System or any institutional head of such institution, against any such student, faculty member, or staff member.

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 interests of The University of Texas 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 for legal services entered into by the Students' Association shall be made expressly subject to and consistent with 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 8.8 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 13.6 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.

of all matters to be considered by the Board at any meeting shall be mailed or delivered to each member of the Board of Regents 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 at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the needs for action thereon, and the Deputy Chancellor's and the Chancellor's recommendations. 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 Deputy Chancellor's and the Chancellor's recommendations 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 of Regents, 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.

8.7 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 Executive Director of News and Information under the direction of the Chairman of the Board, the Chancellor, or the Deputy Chancellor.

→ 8.8 Political and Otherwise Obviously Controversial Matters.-- The Board of Regents reserves to itself the responsibility for passing upon matters of a political or obviously controversial nature which represent an official position of The University of Texas System or any institution or department thereof. Statements on such matters shall be made by the Chairman of the Board, the Chancellor, or the Deputy Chancellor. 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 University of Texas System or any institution or department thereof, without the advance approval of the Board of Regents. 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 University of Texas System or any of its component institutions. Statements on matters of an emergency nature shall be cleared by the Deputy Chancellor and the Chancellor with the Chairman of the Board of Regents.

Sec. 9. Executive Associate for Economic Affairs.

- 9.1 The Executive Associate for Economic Affairs is a staff officer of The University of Texas System. He is elected by the Board of Regents, 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 the economic resources of The University of Texas System and its component institutions, and, upon request, consults and advises with the Board of Regents and the Vice-Chancellor for Investments, Trusts and Lands regarding such plans and studies.

CHAPTER III

PERSONNEL

Sec. 1. Appointments.

- 1.1 The Board of Regents, upon the recommendation of the Chancellor, shall elect or appoint, as the case may be, all of the officers, faculty members, and employees of Central Administration and of the component institutions and agencies of The University of Texas 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 to the executive heads 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, etc., 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.
- 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 University of Texas System or any component institution thereof.

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 Chancellor and the Board of Regents are the only proper channels through which recommendations concerning the administration of The University of Texas 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 University faculty or staff 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 University 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 University 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 University of Texas 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 University of Texas System or any of its component institutions.
- 13.7 Every member of the faculty or staff who gives professional opinions must protect The University of Texas 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 University of Texas 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 University of Texas System or its component institutions, unless advance permission has been obtained from the institutional head and provision has been made for compensation to The University of Texas System or its component institutions.
- 13.9 Outside employment and consultation for full-time faculty and staff members may be approved only when it is undertaken in conformity with the provisions in the institutional supplements.

Sec. 14. Holidays.

- 14.1 Members of the teaching staffs are entitled to all holidays for students listed annually in the official calendar of their respective institutions.

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 of Regents.

- 5.13 Amendment or Repeal by Regents. -- The Board of Regents shall amend or repeal any portion of the constitution and laws of a students' association when, in the judgment of the Board of Regents, 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 of Regents 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 of Regents, 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 of Regents.
- 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



STUDENTS' ASSOCIATION
THE UNIVERSITY OF TEXAS AT AUSTIN
AUSTIN, TEXAS

Attorney

JOSEPH R. KRIER
President
ERNEST HAYWOOD
Vice-President

February 12, 1970

Dear Assemblyman,

On March 6, 1969 the Student Assembly authorized the position of Students' Association Attorney, and subsequently allocated \$25,000 for the operation of that position. It was the feeling of the Assembly that the Students' Association Attorney would become involved in three primary areas--the establishment of a campus office (with assistance from law students), to advise students on individual legal problems; as an aid to the Fair Housing Commission, and as counsel to the Association and Texas Union, particularly in contractual matters, e.g. CEC, Round-Up, Student Insurance. The position was approved by both UT administration and the Board of Regents with some modifications, i. e. the attorney could not take part in legal action against the University nor represent students involved in criminal actions.

For the past eight months the selection committee has been conducting a search for the best possible individual for that position. Nominations were sought from the faculty of the Law School and members of the legal profession including local attorneys and judges. Information concerning this position was sent to those individuals nominated. From the resumes submitted the committee interviewed seven individuals we felt might be capable of handling this position.

As a result of those interviews the committee unanimously nominates Mr. James G. Boyle for the position of Students' Association Attorney. The committee is very enthusiastic about Mr. Boyle and feel he is highly qualified for this position. We respectfully urge your careful consideration and approval of this nomination. Enclosed is a copy of his resume.

Sincerely,

Corwin Johnson
Charles I. Francis Prof. of Law

Joseph R. Krier, Chairman

Mark Berry, President, Student Bar Assn.

Russell Weintraub,
Marrs McLean Prof. of Law

Bob Heath, Law Assemblyman

RESUME

JAMES G. BOYLE

1204 Paris Drive
Alexandria, Louisiana 71301

Telephone: (318) 443-3594 or 445-0241

Birth Date: July 2, 1944
Marital Status: Single
Draft Status: 2A



UNDERGRADUATE SCHOOL

<u>School</u>	<u>Degree</u>	<u>Grade Point Average</u> <u>(4.0 system)</u>
Denison University, Granville, Ohio	A.B.	Government 3.4 Speech 3.7

Honors and Activities

Dean's List
Omicron Delta Kappa (Men's Leadership Honorary)
Pi Sigma Alpha (Political Science Honorary)
Delta Sigma Rho - Tau Kappa Alpha (Forensics Honorary)
Ross Award (best chapter publication of Sigma Chi Fraternity, 1965)
Lewis Prize Speech Contest Finalist, 1964 and 1965
International Debates--Oxford University, 1964 and Trinity University (Ireland)
President of Student Government
Chairman, Student-Faculty Committee

LAW SCHOOL

<u>School</u>	<u>Dates Attended</u>	
School of Law, The University of Texas Austin, Texas	9-66 to 6-69	Top third of class

Honors and Activities

International Law Society
International Moot Court
Hildebrand Moot Court Finalist
Dean's Committee on Minority Group Recruitment
Moot Court Board
Study Program -- University of Guanajuato, GTO., Mexico

ADMITTED TO BAR

September 5, 1969, Louisiana
September 15, 1969, Texas
October 23, 1969, United States District Court (W.D. Louisiana)

MEMBER

Texas State Bar Association
Louisiana State Bar Association
Alexandria Bar Association
American Bar Association

BUSINESS EXPERIENCE

<u>Firm</u>	<u>Dates Employed</u>	<u>Position</u>
Reginald Heber Smith Fellow Cenla Legal Aid Society, Inc. 719 Sixth Street Alexandria, Louisiana	9-69 to present	Attorney
Huston-Tillotson College Austin, Texas	6-69 to 8-69	Government Instructor
Reid, Ochsenschlager, Murphy & Hupp 75 S. Stolp Aurora, Illinois	6-68 to 9-68	Law Clerk
National Teacher Corps 7501 West Cermak North Riverside, Illinois	6-66 to 9-66	Teacher Intern
Superintendent of Public Instruction Room 302, State Office Building Springfield, Illinois	6-65 to 9-65	Research Asst. Speech Writer
WCLT, Radio, Inc. Neward, Ohio	6-63 to 10-63	Radio Announcer

REFERENCES

Judge Carl A. Swanson
16th Judicial Circuit
Sycamore, Illinois

Dr. Louis Brakeman
Chairman, Department of Government
Denison University
Granville, Ohio

Mr. David Robertson
Professor of Law
School of Law
University of Texas
Austin, Texas

COMMITTEE OF THE WHOLE
EXECUTIVE SESSION

April 17, 1970

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

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
April 17, 1970

STRICTLY
EXECUTIVE SESSION

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II. U. T. System: Discussion of Personnel for Security Division and Appropriation Therefor	2 ✓
III. U. T. Permian Basin: Discussion of Personnel and Appropriation Therefor	3 ✓
IV. M. D. Anderson: Personnel Recommendations of Representatives of World Health Organization with Respect to M. D. Anderson and Texas Medical Center, Inc.	4 ✓
V. Houston Dental Branch: Waiver of Regents' <u>Rules and Regulations, Part One, Chapter III, Section 31. (14)</u> for Dr. A. P. Westfall	4 ✓

I. U. T. System: Deputy Chancellor LeMaistre's Request for a Discussion of Changes in and Expansion of System Administration Personnel and Physical Facilities Therefor. --

II. U. T. System: Discussion of Personnel for Security Division and Appropriation Therefor. --

Deputy Chancellor LeMaistre and Executive Vice-Chancellor Walker recommend the adoption of the Operating Budget set out below for the Special Services Office - Security Division, for the period April 1 through August 31, 1970:

Based on the preliminary report presented to the Board of Regents at its January meeting, Executive Vice-Chancellor Walker with the concurrence of Deputy Chancellor LeMaistre recommends that the program for narcotics surveillance be developed for The University of Texas System in cooperation with the Department of Public Safety. The initial operating budget for this activity as set out below is to be added to the Special Services budget.

SPECIAL SERVICES - SECURITY DIVISION
OPERATING BUDGET
For the Period April 1 through August 31, 1970

Salaries:	
Agents (3)	\$15,000
Secretary	2,000
Maintenance, Operation, Equipment and Travel (including Car Rental)	<u>28,000</u>
Total Budget	<u>\$45,000</u>

III. U. T. Permian Basin: Discussion of Personnel and Appropriation Therefor. --

Deputy Chancellor LeMaistre, Executive Vice-Chancellors Walker and McKetta, President Amstead and Budget Officer Graydon request permission to discuss personnel and appropriations therefor for The University of Texas of the Permian Basin. In that connection it is recommended that the portion of the resolution relating to activation and operation of U. T. Permian Basin that was approved by the Board of Regents on December 12, 1969 (Minutes Page 76) be waived and that the following operating budget be approved for the remaining five months of the fiscal year ending August 31, 1970:

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN
1969-70 OPERATING BUDGET

(For the Period April 1 through August 31, 1970)

	<u>Account No.</u>	<u>Amount</u>
<u>Office of the President</u>		
President		
B. H. Amstead (effective April 1, 1970 - Salary Rate: \$30,000)		\$ 12,500
Executive Assistant		
Sarah Bogan (effective April 1, 1970 - Salary Rate: \$9,600)		4,000
Other Salaries		<u>19,500</u>
Sub-total, Salaries	714-0602-0010	\$ 36,000
Maintenance, Operation, and Equipment	714-0602-0050	15,000
Travel	714-0602-0075	<u>5,000</u>
Total - Office of the President		<u>\$ 56,000</u>
<u>Fiscal Office</u>		
Salaries	714-0615-0010	5,000
Wages	714-0615-0020	200
Maintenance, Operation and Equipment	714-0615-0050	200
Travel	714-0615-0075	<u>400</u>
Total - Fiscal Office		<u>\$ 5,800</u>
<u>General Institutional Expenses</u>		
Consultants	714-0625-1100	40,000
Space Rental	714-0625-1200	5,000
Equipment	714-0625-1300	15,000
<u>General Operating Expense</u>	714-0631-0050	8,000
<u>Unallocated Operating Account</u>	714-0690-1100	<u>120,200</u>
Total 1969-70 Operating Budget (From State General Revenue Funds)		<u>\$250,000</u>

IV. M. D. Anderson: Personnel Recommendations of Representatives of the World Health Organization with Respect to M. D. Anderson and Texas Medical Center. --

Deputy Chancellor concurs in the recommendation of President Clark that he be allowed to report on the recent visit of members of the World Health Organization to the Texas Medical Center and The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston. Since this could involve both personnel and land matters, it is requested that this item be discussed in the Committee of the Whole, Closed Session.

V. Houston Dental Branch: Waiver of Regents' Rules and Regulations Part One, Chapter III, Section 31. (14) for Dr. A. P. Westfall. --

Deputy Chancellor LeMaistre concurs in the recommendation of Dean Victor Olson that the Board of Regents approve the continuation of Dr. A. P. Westfall as Chairman of the Department of Preventive Dentistry (Orthodontics) for the 1970-1971 fiscal year.

BACKGROUND:

Dr. Westfall reached the age of 65 on April 2, 1967, and Regental approval was granted to continue Dr. Westfall as Departmental Chairman for the 1967-68, 1968-69, and 1969-70 fiscal years. At the time of the last approved continuation, Dr. Olson indicated that there was a young man in the Department of Preventive Dentistry who was being groomed for the Chairmanship. However, in a letter dated March 20, 1970, Dr. Olson indicates that this individual did not develop to Dr. Westfall's or Dr. Olson's satisfaction and is, in fact, leaving the school during the summer of 1970. While Dean Olson is seeking another Departmental Chairman candidate, he and Dr. LeMaistre consider it to be in the best interests of the orthodontic teaching program to continue Dr. Westfall as Departmental Chairman for at least another year.