

Meeting No. 1,080

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

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January 26, 2012

Austin, Texas

MEETING NO. 1,080

MONDAY, JANUARY 26, 2012.--The members of the Board of Regents of The University of Texas System convened this special called meeting via telephone conference call at 3:03 p.m. on Thursday, January 26, 2012, in the Chairman's Office on the Ninth Floor, Ashbel Smith Hall, 201 West Seventh Street, Austin, Texas, with the following participation:

ATTENDANCE.--

Present

Chairman Powell
Vice Chairman Foster
Vice Chairman Hicks
Vice Chairman Dannenbaum
Regent Cranberg
Regent Gary
Regent Hall
Regent Pejovich
Regent Stillwell

Absent

Regent Rutkauskas, Student Regent,
nonvoting

In accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Powell called the meeting to order.

RECESS TO EXECUTIVE SESSION.--At 3:03 p.m., Chairman Powell announced a quorum present and said the Board would recess to convene in Executive Session pursuant to *Texas Government Code* Sections 551.071 and 551.074 to consider those matters listed on the Executive Session agenda.

RECONVENE IN OPEN SESSION.--At 3:44 p.m., the Board reconvened in open session for the following actions taken on matters discussed in Executive Session.

- 1a. U. T. System Board of Regents: Discussion with Counsel on pending legal issues

No action was taken on this item.

2. U. T. Austin: Approval of changes to current contract, including a change in the current contract term, for Head Men's Football Coach William Mack Brown

Regent Stillwell moved

- a. that the Board approve a new contract for The University of Texas at Austin Head Men's Football Coach William Mack Brown, incorporating changes as outlined below and contained in the attached summary (Page 4):
 1. extend the contract term of Coach Brown's employment as Head Men's Football Coach through December 31, 2020, with no change in annual compensation, as calculated under the current agreement;
 2. make two changes to the language on performance incentives to eliminate the athletic performance incentive for finishing as the highest seed in the Big 12 South because of the elimination of the North and South Divisions of the Big 12 Conference and to modify the language regarding incentives for academic performance of student athletes to conform to new federal regulations by replacing incentive payments that are currently based on graduation and retention rates with incentive payments based on specific yearly academic goals set for the team grade point performance and the team Academic Progress Rate, with no change in the total amount of incentives; and
 3. change and extend the agreed schedule for buyout payments in the event of termination.
- b. that this new contract be effective today (January 26, 2012) and be documented with the execution, within 60 days of January 26, 2012, of a written agreement, approved as to form by legal counsel for the U. T. System and U. T. Austin; and
- c. that the Board find, as required by State law, that these changes are in the best interest of U. T. Austin and The University of Texas System and are approved with the understanding that the source of funding for the contract will come entirely from athletic revenues and that no State-appropriated funds or tuition revenues will be used.

The motion was seconded by Vice Chairman Hicks, who made the following remarks:

Remarks by Vice Chairman Hicks

I second this motion and add that The University of Texas Board of Regents is in full support of Head Coach Mack Brown and the quality of the program, the players and their subsequent academic success at U. T. Austin. He is uniquely qualified to lead this program that does so much for our flagship university. We agree with U. T. Austin leadership's desire that he be our coach until at least the end of this extended contract in 2020. I would ask for unanimous approval and a roll call vote to recognize this motion and show our support for Head Coach Mack Brown.

The motion carried unanimously.

Summary of Revisions

1. Revise language on Performance Incentive, currently in Section III.F of the contract, to read as follows:

F. Performance Incentive

When coaching efforts of Brown result in the football team being recognized in any of the following ways, Brown will be paid a Performance Incentive in the amount indicated for each such occurrence.

- 1. ~~[Represents Division in Big 12 Championship Game~~ - ~~\$ 50,000]~~
- 2.] Wins Big 12 Championship - ~~[\$100,000]~~ \$150,000
- 2. ~~[3.]~~ Participates in a BCS Bowl - \$100,000
- 3. ~~[4.]~~ Participates in a Non-BCS Bowl - \$ 50,000
- 4. ~~[5.]~~ End of Year Ranking: (AP or USA Today)
 - 1st or Tied for 1st - \$450,000
 - 2nd or 3rd or Tied for 3rd - \$100,000
 - 4th or 5th or Tied for 5th - \$ 50,000
 - 6th to 10th or Tied for 10th - \$ 25,000
- 5. At the beginning of each academic year a committee, appointed by the Chair of the Athletics Council and the Director of Men's Athletics, shall set specific academic goals for the team, subject to approval by the president. These goals will be based on the team grade point average and the annual team A.P.R. (Academic Progress Rate). A performance incentive of not less than \$20,000 or more than \$150,000, based on the recommendation of the committee, will be paid to Brown if the academic goals are achieved.

2. Revise language on buyout schedule, currently in Section IX of the contract, to read as follows:

<u>Date of Termination</u>	<u>Total Compensation</u>	<u>Number of Annual Payments</u>
1/26/12 – 12/31/12	\$3,500,000	5 (x\$700,000)
1/1/13 – 12/31/14	\$2,750,000	4 (x\$687,500)
1/1/15 – 12/31/16	\$2,250,000	3 (x\$741,667)
1/1/17 – 12/31/17	\$2,000,000	3 (x\$666,667)
1/1/18 – 12/31/18	\$1,500,000	2 (x\$750,000)
1/1/19 – 12/31/19	\$1,000,000	2 (x\$500,000)
1/1/20 – 12/31/20	\$-0-	

ADJOURNMENT.--There being no further business, the meeting was adjourned at 3:52 p.m.

/s/ Carol A. Felkel
Secretary to the Board of Regents

February 7, 2012