

OMISSION

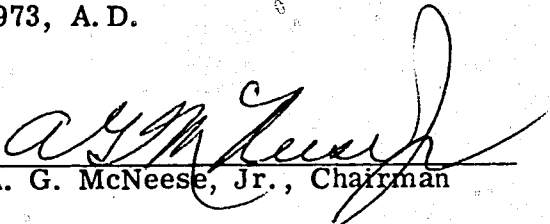
Pages 1948 - 2254

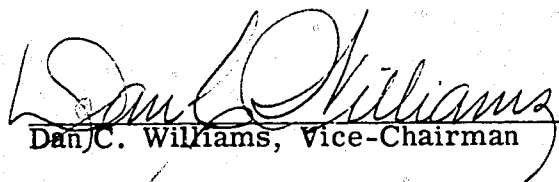
A. Ruth Baker

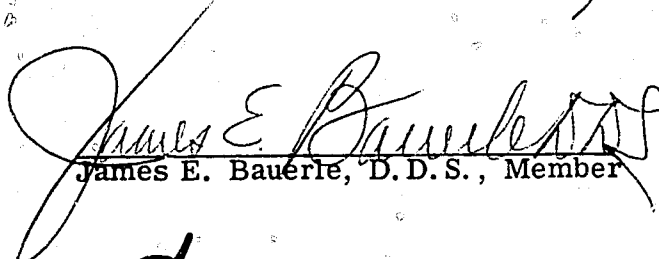
SIGNATURE OF OPERATOR

We, the undersigned members of the Board of Regents of The University of Texas System, hereby ratify and approve all actions taken at this meeting (March 5, 1973) to be reflected in the Minutes.

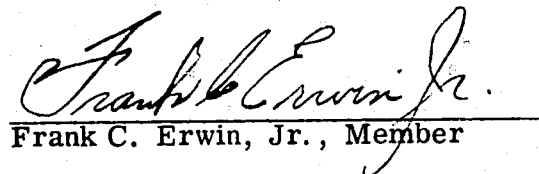
Signed this the 5th day of March, 1973, A. D.

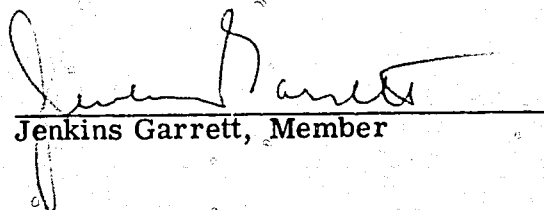

A. G. McNeese, Jr., Chairman


Dan C. Williams, Vice-Chairman

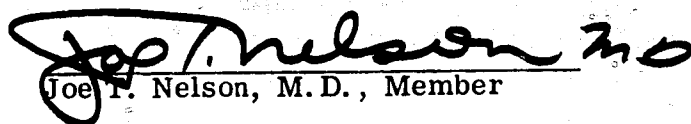

James E. Bauerle, D. D. S., Member

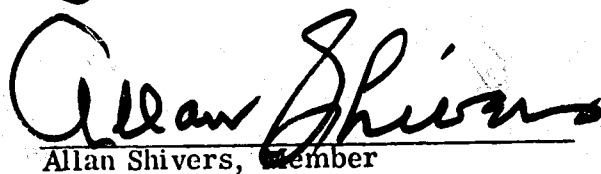

Edward Clark, Member


Frank C. Erwin, Jr., Member


Jenkins Garrett, Member

Mrs. Lyndon B. Johnson, Member


Joe P. Nelson, M. D., Member


Allan Shivers, Member

Meeting No. 712

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

Pages 1 - 73

March 5, 1973

Houston, Texas

3-05-73

MEETING NO. 712

MONDAY, MARCH 5, 1973. -- At 9:30 a. m. on Monday, March 5, 1973, the Board of Regents of The University of Texas System convened in regular session in the Embassy Room of The Shamrock Hilton Hotel, Houston, Texas, with the following in attendance:

ATTENDANCE. --

Present

Chairman McNeese, Presiding
 Vice-Chairman Williams
 Regent Bauerle
 Regent Clark
 Regent Erwin
 Regent Garrett
 Regent Nelson
 Regent Shivers

Absent

Regent (Mrs.) Johnson - excused

Secretary Thedford

Chancellor LeMaistre
 Chancellor Emeritus Ransom
 Deputy Chancellor Walker

The meeting was called to order by Chairman McNeese.

APPROVAL OF MINUTES OF REGULAR MEETING OF JANUARY 26, 1973. --

The Minutes of the regular meeting of the Board of Regents of The University of Texas System held in Arlington, Texas, on January 26, 1973, were unanimously approved in the form distributed by the Secretary upon motion of Vice-Chairman Williams duly seconded, and are recorded for the Permanent Record in Volume XX, beginning with Page 1513.

U. T. SYSTEM: (1) RESOLUTION AUTHORIZING THE ISSUANCE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, GENERAL TUITION REVENUE BONDS, NEW SERIES 1973, \$8,000,000 (AUTHORIZED BY H. B. NO. 278, 62ND LEGISLATURE, R. S., 1971), AND AWARDING OF SALE OF BONDS TO THE AUSTIN NATIONAL BANK OF AUSTIN, THE CAPITAL NATIONAL BANK IN AUSTIN, CITIZENS NATIONAL BANK OF AUSTIN, AND CITY NATIONAL BANK OF AUSTIN (ALL OF AUSTIN, TEXAS); FIRST NATIONAL BANK IN DALLAS, DALLAS, TEXAS; THE FORT WORTH NATIONAL BANK, FORT WORTH, TEXAS; FIRST HUTCHINGS-SEALY NATIONAL BANK, AND UNITED STATES NATIONAL BANK (BOTH OF GALVESTON, TEXAS); CULLEN CENTER BANK & TRUST, FANNIN BANK, BANK OF THE SOUTHWEST NATIONAL ASSOCIATION, HOUSTON, AND TEXAS COMMERCE BANK NATIONAL ASSOCIATION (ALL OF HOUSTON, TEXAS), (2) DESIGNATION OF TEXAS COMMERCE BANK NATIONAL

ASSOCIATION, HOUSTON, TEXAS, OR THE AUSTIN NATIONAL BANK OF AUSTIN, AUSTIN, TEXAS, AS THE PAYING AGENT AND (3) AWARDING OF CONTRACT TO THE STECK-WARLICK COMPANY, THE STECK DIVISION, AUSTIN, TEXAS, FOR THE PRINTING OF THE BONDS. --The resolution set out on Pages 4 - 15 was duly introduced for the consideration of said Board and read in full. It was then duly moved by Regent Nelson and seconded by Vice-Chairman Williams that said resolution be adopted; and, after due discussion, said motion carrying with it the adoption of said resolution, prevailed and carried by the following vote:

AYES: All members shown present on Page 1 voted "Aye" except Regents McNeese, Clark, and Shivers who abstained from voting.

NOES: None.

The adoption of this resolution authorized issuance of Board of Regents of The University of Texas System, General Tuition Revenue Bonds, New Series 1973, in the amount of \$8,000,000 (authorized by House Bill No. 278, 62nd Legislature, R. S., 1971) and awarded the sale of the bonds to The Austin National Bank of Austin, The Capital National Bank in Austin, Citizens National Bank of Austin, and City National Bank of Austin (all of Austin, Texas); First National Bank in Dallas, Dallas, Texas; The Fort Worth National Bank, Fort Worth, Texas; First Hutchings-Sealy National Bank, and United States National Bank (both of Galveston, Texas); Cullen Center Bank & Trust, Fannin Bank, Bank of the Southwest National Association, Houston, and Texas Commerce Bank National Association (all of Houston, Texas) (Page 15) for the par value thereof and accrued interest thereon to date of delivery at the negotiated interest rate of 4-1/2% reflected on Page 4.

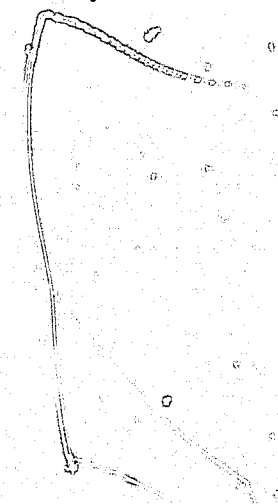
The purpose of this issue is to provide additional proceeds to fund the construction of the second facility of the Houston Medical School of The University of Texas Health Science Center at Houston and other construction funded by Tuition Revenue Bond proceeds.

It was noted that these bonds were not issued as additional parity bonds and they are subordinate to the outstanding \$117,000,000 Board of Regents of The University of Texas System, General Tuition Revenue Bonds, Series 1971, Series 1972 and Series 1972-A. An Offering Circular was submitted to each of the 37 depository banks of The University of Texas System, and the Bond Consultant communicated with all 37 of the depository banks of The University of Texas System for the purpose of negotiating a direct placement of these bonds at the lowest acceptable interest rate. This resolution awards the sale of these bonds to the depository banks that negotiated the best interest rate.

Upon motion of Vice-Chairman Williams, seconded by Regent Bauerle, the Texas Commerce Bank National Association, Houston, Texas, was designated Paying Agent for the Board of Regents of The University of Texas System, General Tuition Revenue Bonds, New Series 1973, in the amount of \$8,000,000, at the negotiated rate of ten cents (\$.10) per coupon and \$1.25 per bond paid. The Co-paying Agent designated was The Austin National Bank of Austin, Austin, Texas (Pages 5, 6). Regent Shivers was recorded "present but not voting."

The Steck-Warlick Company, The Steck Division, Austin, Texas, was awarded by unanimous vote the contract to print the Board of Regents of The University of Texas System, General Tuition Revenue Bonds, New Series 1973, \$8,000,000, upon motion of Vice-Chairman Williams duly seconded. These bonds are to be printed according to specifications with lithographed borders for the sum of \$499.

It was noted that after the Bond Consultant had ascertained the direct placement of these bonds at a satisfactory interest rate, System Administration negotiated for the paying agents and for the printing of these bonds. For the paying agents, negotiations were carried on with those depository banks that had submitted bids to be the paying agents of the last seven bond issues of this nature that had been authorized by The University of Texas System. For the printing of this series of bonds, negotiations were carried on with the Steck-Warlick Company, The Steck Division, Austin, Texas. The Steck-Warlick Company has been the low bidder on all University bond issues over the past two years.



RESOLUTION AUTHORIZING THE ISSUANCE OF BOARD OF REGENTS
OF THE UNIVERSITY OF TEXAS SYSTEM GENERAL TUITION REVENUE
BONDS, NEW SERIES 1973, \$8,000,000

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

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

Section 1. That said Board's negotiable, serial, coupon bonds to be designated "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM GENERAL TUITION REVENUE BONDS, NEW SERIES 1973", are hereby authorized to be issued, sold, and delivered in the principal amount of \$8,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, PURCHASE, CONSTRUCT, IMPROVE, ENLARGE, AND/OR EQUIP PROPERTY, BUILDINGS, STRUCTURES, AND FACILITIES FOR THE UNIVERSITY OF TEXAS MEDICAL SCHOOL AT HOUSTON.

Section 2. That said bonds shall be dated MARCH 1, 1973, shall be numbered consecutively from 1 THROUGH 1,600, shall be in the denomination of \$5,000 EACH, and shall mature and become due and payable serially on APRIL 1 in each of the years, and in the amounts, respectively, as set forth in the following schedule:

<u>YEARS</u>	<u>AMOUNTS</u>
1978	\$2,500,000
1979	2,500,000
1980	3,000,000

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

Section 3. That said bonds shall bear interest at the rate of 4-1/2% per annum, evidenced by interest coupons which shall appertain to said bonds, and which shall be payable on the dates stated in the FORM OF BOND set forth in this Resolution.

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

Section 5. That the form of 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 the aforesaid interest coupons which shall appertain and be attached initially to each of said bonds, shall be, respectively, substantially as follows:

3-05-73

1879

FORM OF BOND:

NO. _____

\$5,000

UNITED STATES OF AMERICA
STATE OF TEXAS
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
GENERAL TUITION REVENUE BOND
NEW SERIES 1973

ON APRIL 1, 19 , the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM 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 4-1/2% per annum, evidenced by interest coupons payable OCTOBER 1, 1973, and semi-annually thereafter on each APRIL 1 and OCTOBER 1 while this bond is outstanding.

THE PRINCIPAL of this bond and the interest coupons appertaining hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this bond or proper interest coupon, at the following, which shall constitute and be defined as the "Paying Agent" for this Series of Bonds:

TEXAS COMMERCE BANK NATIONAL ASSOCIATION, HOUSTON, TEXAS,
OR, AT THE OPTION OF THE BEARER, AT
THE AUSTIN NATIONAL BANK OF AUSTIN, AUSTIN, TEXAS.

THIS BOND is one of a Series of negotiable, serial, coupon bonds, dated March 1, 1973, issued in the principal amount of \$8,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, PURCHASE, CONSTRUCT, IMPROVE, ENLARGE, AND/OR EQUIP PROPERTY, BUILDINGS, STRUCTURES, AND FACILITIES FOR THE UNIVERSITY OF TEXAS MEDICAL SCHOOL AT HOUSTON.

ON OCTOBER 1, 1973, OR ON ANY 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 accrued interest thereon to the date fixed for redemption. Prior to any date fixed for any such redemption said Board shall cause a written notice of such redemption to be given to the Paying Agent, and by the date fixed for any such redemption due provision shall be made with the "Paying Agent" for the payment of the required redemption price. If such written notice of redemption is given and if due provision for such payment is made, all as provided above, the bonds which are to be so redeemed thereby automatically shall be redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the purpose of being paid by the "Paying Agent" with the funds so provided for such payment.

IT IS HEREBY certified, recited, and covenanted that this bond has been duly and validly issued and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the issuance and delivery of this bond have been performed, existed, and been done in accordance with law; and that the interest on and principal of this bond and the Series of which it is a part are

secured by and payable from an irrevocable lien on and pledge of specified Pledged General Tuition imposed on students enrolled at each and every institution, branch, and school now or hereafter operated by or under the jurisdiction of said Board, and a student Library Use Fee at each New System Institution of said Board, and certain Federal interest grants, and other revenues, collectively defined as "Pledged Revenues" and further described and defined in the Resolution authorizing this Series of bonds, said lien and pledge being subject and subordinate only to the prior first lien on and pledge of said "Pledged Revenues" heretofore created in favor of the "Outstanding Bonds", as described and defined in the Resolution authorizing this Series of bonds.

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.

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

 xxxxxxxx
 Secretary, Board of Regents,
 The University of Texas System

 xxxxxxxx
 Chairman, 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

 xxxxxxxx
 Comptroller of Public Accounts of
 the State of Texas.

FORM OF INTEREST COUPON:

NO. _____ \$ _____

ON _____ 1, 19__

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM promises to pay to bearer the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, unless due provision has been made for the redemption prior to maturity of the bond to which this interest coupon appertains, upon presentation and surrender of this interest coupon, at the
 TEXAS COMMERCE BANK NATIONAL ASSOCIATION, HOUSTON, TEXAS,
 OR, AT THE OPTION OF THE BEARER, AT
 THE AUSTIN NATIONAL BANK OF AUSTIN, AUSTIN, TEXAS,
 said amount being interest due that day on the bond, bearing the number hereinafter designated, of that issue of BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM GENERAL TUITION REVENUE BONDS, NEW SERIES 1973, DATED MARCH 1, 1973. The holder hereof shall never have the right to demand payment of this obligation out

of any funds raised or to be raised from taxation. Bond No. ____.

XXXXXXXXXX	XXXXXXXXXX
Secretary, Board of Regents, The University of Texas System.	Chairman, Board of Regents, The University of Texas System.

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

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

The term "Outstanding Bonds" shall mean collectively the Board of Regents of The University of Texas System General Tuition Revenue Bonds, Series 1971, authorized by resolution of the Board on December 2, 1971 (hereinafter called the "Series 1971 Bonds"), the Board of Regents of The University of Texas System General Tuition Revenue Bonds, Series 1972, authorized by resolution of the Board on March 16, 1972, (hereinafter called the "Series 1972 Bonds"), and the Board of Regents of The University of Texas System General Tuition Revenue Bonds, Series 1972-A, authorized by resolution of the Board on December 8, 1972, (hereinafter called the "Series 1972-A Bonds").

The term "New Series Bonds" or "Bonds" shall mean the bonds authorized by this Resolution.

The term "Established System Institution" shall mean and include each of the following existing and operating institutions, respectively:

- The University of Texas at Austin
- The University of Texas at Arlington
- The University of Texas at El Paso
- The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston
- The University of Texas Graduate School of Biomedical Sciences at Houston
- The University of Texas School of Public Health at Houston
- The University of Texas Dental Branch at Houston
- The University of Texas Medical Branch at Galveston
- The University of Texas Southwestern Medical School at Dallas
- The University of Texas Medical School at San Antonio
- The University of Texas Nursing School (System Wide), excepting the Nursing Schools at El Paso and San Antonio.

The term "New System Institution" shall mean and include each of the following institutions, respectively, to be operated by and under the jurisdiction of the Board, and which were newly created by various Acts of the 61st Legislature, Regular Session, 1969:

- The University of Texas at Dallas
- The University of Texas of the Permian Basin
- The University of Texas at San Antonio
- The University of Texas Medical School at Houston
- The University of Texas Dental School at San Antonio
- The University of Texas (Undergraduate) Nursing School at El Paso
- The University of Texas (Clinical) Nursing School at San Antonio;

except and provided that although the Board intends to use its best efforts to acquire, purchase, construct, improve, enlarge, and/or equip buildings, structures, and facilities for the foregoing institutions as soon as practicable and to the extent permitted by law, in order to establish and commence full operation of each of said institutions as a part of The University of Texas System, the Board does not warrant or represent any particular date for commencing or completing any work at any such institution, and it is agreed and shall be understood that each such institution shall become and constitute a New System Institution, and the lien on the Pledged Revenues at any such institution shall be effective, only upon the actual enrollment of students on a regular basis and the commencement of regular operation of such institution, if and when such event occurs.

The term "each and every institution, branch, and school now or hereafter operated by or under the jurisdiction of the Board" shall mean and include all of the following:

- (a) each Established System Institution, and
- (b) each new System Institution,

together with any other institution, branch, or school now or hereafter operated by or placed under the jurisdiction of the Board pursuant to law (all collectively known as The University of Texas System).

The term "Pledged General Tuition" shall mean all of the aggregate amount of student tuition charges now or hereafter required or authorized by law to be imposed on students enrolled at each and every institution, branch, and school, now or hereafter operated by or under the jurisdiction of the Board, but specifically excluding and excepting (1) the amount of tuition scholarships now provided for by law, and (2) the following amount of such student tuition charges at each and every such institution, branch, and school which previously has been or hereafter may be pledged to the payment of other bonds (excepting the Bonds and Additional Bonds) issued by the Board:

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

and Section 55.17 (f) (2) of the Texas Education Code provides, and it is hereby covenanted, that the aggregate amount of student tuition charges which are now required or authorized by law to be imposed, and which are pledged to the payment of the Bonds and any Additional Bonds by this Resolution, shall never be reduced or abrogated while such obligations are outstanding; it being further covenanted that the aggregate amount of student tuition charges now required or authorized by law to be imposed on students enrolled at each and every institution, branch, and school operated by or under the jurisdiction of the Board are set forth in Chapter 54 of the Texas Education Code, as amended and modified by Chapters 511 and 755, Acts of the 62nd Legislature, Regular Session, 1971, to which Chapters reference is hereby made for all purposes.

except and provided that although the Board intends to use its best efforts to acquire, purchase, construct, improve, enlarge, and/or equip buildings, structures, and facilities for the foregoing institutions as soon as practicable and to the extent permitted by law, in order to establish and commence full operation of each of said institutions as a part of The University of Texas System, the Board does not warrant or represent any particular date for commencing or completing any work at any such institution, and it is agreed and shall be understood that each such institution shall become and constitute a New System Institution, and the lien on the Pledged Revenues at any such institution shall be effective, only upon the actual enrollment of students on a regular basis and the commencement of regular operation of such institution, if and when such event occurs.

The term "each and every institution, branch, and school now or hereafter operated by or under the jurisdiction of the Board" shall mean and include all of the following:

- (a) each Established System Institution, and
- (b) each new System Institution,

CORRECTION

THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

school operated by or under the jurisdiction of the Board set forth in Chapter 54 of the Texas Education Code, as amended and modified by Chapters 511 and 755, Acts of the 62nd Legislature, Regular Session, 1971, to which Chapters reference is hereby made for all purposes.

except and provided that although the Board intends to use its best efforts to acquire, purchase, construct, improve, enlarge, and/or equip buildings, structures, and facilities for the foregoing institutions as soon as practicable and to the extent permitted by law, in order to establish and commence full operation of each of said institutions as a part of The University of Texas System, the Board does not warrant or represent any particular date for commencing or completing any work at any such institution, and it is agreed and shall be understood that each such institution shall become and constitute a New System Institution, and the lien on the Pledged Revenues at any such institution shall be effective, only upon the actual enrollment of students on a regular basis and the commencement of regular operation of such institution, if and when such event occurs.

The term "each and every institution, branch, and school now or hereafter operated by or under the jurisdiction of the Board" shall mean and include all of the following:

- (a) each Established System Institution, and
- (b) each new System Institution,

together with any other institution, branch, or school now or hereafter operated by or placed under the jurisdiction of the Board pursuant to law (all collectively known as The University of Texas System).

The term "Pledged General Tuition" shall mean all of the aggregate amount of student tuition charges now or hereafter required or authorized by law to be imposed on students enrolled at each and every institution, branch, and school, now or hereafter operated by or under the jurisdiction of the Board, but specifically excluding and excepting (1) the amount of tuition scholarships now provided for by law, and (2) the following amount of such student tuition charges at each and every such institution, branch, and school which previously has been or hereafter may be pledged to the payment of other bonds (excepting the Bonds and Additional Bonds) issued by the Board:

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

and Section 55.17 (f) (2) of the Texas Education Code provides, and it is hereby covenanted, that the aggregate amount of student tuition charges which are now required or authorized by law to be imposed, and which are pledged to the payment of the Bonds and any Additional Bonds by this Resolution, shall never be reduced or abrogated while such obligations are outstanding; it being further covenanted that the aggregate amount of student tuition charges now required or authorized by law to be imposed on students enrolled at each and every institution, branch, and school operated by or under the jurisdiction of the Board are set forth in Chapter 54 of the Texas Education Code, as amended and modified by Chapters 511 and 755, Acts of the 62nd Legislature, Regular Session, 1971, to which Chapters reference is hereby made for all purposes.

The term "Library Use Fee" shall mean the gross collections of a special fee to be fixed, charged, and collected from all students (excepting those exempt by the aforesaid Chapter 755, Acts of the 62nd Legislature) regularly enrolled at each New System Institution, respectively, for the use and availability of all library facilities at each such New System Institution, respectively, in the manner and to the extent provided in this Resolution.

The term "Pledged Revenues" shall mean collectively (a) the Pledged General Tuition, (b) the Library Use Fee, (c) all debt service subsidy and interest grants received from the United States Government in connection with the Bonds, and (d) any additional revenues, income, receipts, or other resources, including, without limitation, any grants, donations, or income received or to be received from the United States Government, or any other public or private source, whether pursuant to an agreement or otherwise, which hereafter may be pledged to the payment of the Bonds.

Section 7. (a) That the Board covenants and agrees to fix, levy, charge, and collect a uniform Library Use Fee from all students (excepting those exempt by the aforesaid Chapter 755, Acts of the 62nd Legislature) regularly enrolled in each New System Institution, respectively, at each regular fall and spring semester and at each term of each summer session, for the use and availability of all library facilities at each such New System Institution, respectively, in such amounts, without any limitation whatsoever, as will be at least sufficient at all times to provide, together with other Pledged Revenues, the money for making all deposits required to be made to the credit of the Interest and Sinking Fund and the Reserve Fund in connection with the Outstanding Bonds and the New Series Bonds, and to pay, when due, all principal of and interest on the Outstanding Bonds and New Series Bonds.

(b) That the Library Use Fee shall be fixed, levied, charged, and collected when and as required by this Section; and the Library Use Fee shall be increased if and when required by this Section, and may be decreased or abrogated, so long as all Pledged Revenues are sufficient to provide the money for making all deposits required to be made to the credit of the Interest and Sinking Fund and Reserve Fund in connection with the Outstanding Bonds and the New Series Bonds. All changes in such Library Use Fee shall be made by resolution of the Board, but such procedure shall not constitute or be regarded as an amendment of this Resolution, but merely the carrying out of the provisions hereof.

Section 8. (a) That the Series 1971 Bonds, the Series 1972 Bonds, and the Series 1972-A Bonds (herein collectively called the "Outstanding Bonds" are secured by and payable from an irrevocable first lien on and pledge of the Pledged Revenues, as provided in the resolutions authorizing their issuance.

(b) That pursuant to the resolutions authorizing the Outstanding Bonds there has been created and established on the

books of the Board a separate account or accounts which individually or collectively are known as the "Revenue Fund". All collections of Pledged Revenues shall be credited to the Revenue Fund immediately upon receipt.

(c) That the Board covenants and agrees that it will not hereafter issue any Additional Bonds, as permitted in the resolutions authorizing the issuance of the Outstanding Bonds, until the New Series Bonds have been paid and retired, or due provision shall have been made for such payment and retirement.

Section 9. That the New Series Bonds, and the interest thereon, are and shall be secured by and payable from an irrevocable lien on and pledge of the Pledged Revenues, subject and subordinate only to the prior first lien on and pledge of the Pledged Revenues heretofore created in favor of the Outstanding Bonds.

Section 10. That to pay the principal of and interest on all New Series Bonds, as the same come due, there is hereby created and there shall be established at an official depository of the Board (which must be a member of the Federal Deposit Insurance Corporation) a separate fund to be entitled the "New Series Tuition Revenue Bonds Interest and Sinking Fund" (herein called the "Interest and Sinking Fund").

Section 11. That there is hereby created and there shall be established at an official depository of the Board (which must be a member of the Federal Deposit Insurance Corporation) a separate fund to be entitled the "New Series Tuition Revenue Bonds Reserve Fund" (herein called the "Reserve Fund"). The Reserve Fund shall be used finally in retiring the last of the New Series Bonds, or for paying principal of and interest on any New Series Bonds, when and to the extent the amount in the Interest and Sinking Fund is insufficient for such purpose.

Section 12. That money in any Fund established pursuant to this Resolution may, at the option of the Board, be placed in time deposits or invested in direct obligations of, or obligations the principal of and interest on which are guaranteed by, the United States of America, and evidences of indebtedness of the Federal Land Banks, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Home Loan Banks, or Federal National Mortgage Association; provided that all such deposits and investments shall be made in such manner that the money required to be expended from any Fund will be available at the proper time or times. Such investments shall be valued in terms of current market value as of the last day of February and August of each year. Interest and income derived from such deposits and investments shall be credited to the Fund from which the deposit or investment was made. Such investments shall be sold promptly when necessary to prevent any default in connection with the New Series Bonds.

Section 13. That money in all Funds created by this Resolution, to the extent not invested, shall be secured in the manner prescribed by law for securing funds of the Board, in principal amounts at all times not less than the amounts of money credited to such Funds, respectively.

Section 14. (a) That on or before March 25, 1973, and semi-annually on or before each September 25th and March 25th thereafter, the Board shall make all deposits and payments required by the resolutions authorizing the issuance of the Outstanding Bonds, and all deposits and payments hereinafter

required shall be made and paid subject and subordinate to all required deposits and payments in connection with the Outstanding Bonds.

(b) That all accrued interest and any premium received as part of the proceeds from the sale and delivery of the New Series Bonds shall be deposited immediately to the credit of the Interest and Sinking Fund.

(c) That the Board shall transfer from the Pledged Revenues in the Revenue Fund and deposit to the credit of the Interest and Sinking Fund and the Reserve Fund, respectively, the amounts, at the times, as follows:

(1) on or before September 26, 1973, and semi-annually on or before each March 26th and September 26th thereafter, the Board shall deposit into the Interest and Sinking Fund an amount which will be sufficient, together with other monies, if any, then on hand therein and available for such purpose, to pay the interest scheduled to accrue and come due on the New Series Bonds on the next succeeding interest payment date;

(2) on or before September 26, 1973, and semi-annually on or before each March 26th and September 26th thereafter, the Board shall deposit to the credit of the Reserve Fund the sum of \$450,000; provided, however, that no deposit shall be made into the Reserve Fund which would cause the market value of the money and investments in the Reserve Fund to exceed the amount of \$1,200,000; but if the Reserve Fund should be depleted to less than said amount in market value said deposits, to the extent required, shall be resumed and continued until the Reserve Fund is restored to said amount; and so long as the Reserve Fund contains said amount, any surplus in the Reserve Fund over said amount shall be deposited into the Interest and Sinking Fund;

(3) on or before September 26, 1974, the Board shall deposit to the credit of the Interest and Sinking Fund the sum of \$900,000; and on or before March 26, 1975, the Board shall deposit to the credit of the Interest and Sinking Fund the sum of \$1,200,000; and on or before September 26, 1975, and semi-annually on or before each March 26th and September 26th thereafter, the Board shall deposit to the credit of the Interest and Sinking Fund the sum of \$1,500,000, until the New Series Bonds have been paid or retired, or until due provision shall have been made for such payment or retirement.

(d) That the Board covenants and agrees that the Interest and Sinking Fund will be used, and exhausted to the extent possible, not later than each interest payment date, first to provide for the payment of the interest coming due on New Series Bonds on each such interest payment date, and then to pay or redeem the principal of New Series Bonds at or prior to maturity; provided that during the period of April 2, 1977, through April 1, 1979, New Series Bonds shall be not redeemed prior to maturity from the Interest and Sinking Fund if, and to the extent that, such prior redemption on any date would result in amounts not being available from the Interest and Sinking Fund to pay the principal of any outstanding New Series Bonds actually maturing on the next succeeding April 1, taking into considera-

tion the provisions and requirements of this Resolution, including the provision that money in the Reserve Fund shall be used finally in retiring the last of the New Series Bonds.

Section 15. That if on any occasion there shall not be sufficient Pledged Revenues to make the required deposits into the Interest and Sinking Fund and the Reserve Fund, then such deficiency shall be made up as soon as possible from the next available Pledged Revenues, or from any other sources available for such purpose.

Section 16. On or before the last day of September, 1973, and semi-annually on or before the last day of each March and of each September thereafter while any of the New Series Bonds are outstanding and unpaid, the Board shall make available to the paying agents therefor, out of the Interest and Sinking Fund, and/or the Reserve Fund, if necessary, money sufficient to pay such interest on and such principal of the New Series Bonds as will accrue or mature on the October 1st or April 1st immediately following. The paying agents shall totally destroy all paid New Series Bonds, and the coupons appertaining thereto, and shall furnish the Board with an appropriate certificate of destruction.

Section 17. That at such times as the aggregate amount of money and investments in the Interest and Sinking Fund and the Reserve Fund are at least equal in market value to (1) the aggregate principal amount of all unpaid (unmatured and matured) outstanding New Series Bonds, plus (2) the aggregate amount of all unpaid (unmatured and matured) outstanding interest coupons appertaining to such New Series Bonds, no further deposits need be made into the Interest and Sinking Fund or Reserve Fund. In determining the amount of such New Series Bonds, and interest coupons appertaining thereto, outstanding at any time, there shall be subtracted and excluded the amount of any such New Series Bonds, and interest coupons appertaining thereto, which shall have been duly called for redemption and for which funds shall have been deposited with the paying agents therefor sufficient for such redemption.

Section 18. That the New Series Bonds, and the interest coupons appertaining thereto, will constitute special obligations of the Board payable solely from the Pledged Revenues, and the holders of the New Series Bonds, and the coupons appertaining thereto, shall never have the right to demand payment out of funds raised or to be raised by taxation.

Section 19. The Board further covenants and agrees that:

(a) It will fix, impose, charge, and collect all Pledged General Tuition; and will faithfully perform at all times any and all covenants, undertakings stipulations, and provisions contained in this Resolution and in each and every New Series Bond; that it will promptly pay or cause to be paid from the Pledged Revenues the principal of and interest on every New Series Bond, on the dates and in the places and manner prescribed in this Resolution and the New Series Bonds; and that it will, at the times and in the manner prescribed, deposit or cause to be deposited from the Pledged Revenues the amounts required to be deposited into the Interest and Sinking Fund and the Reserve Fund; and any holder of the New Series Bonds may require the Board, its officials and employees, and any appropriate official of the State of Texas, to carry out, respect, or enforce the covenants and obligations of this Resolution, by all legal and equitable means, including specifically, but without limitation, the use and filing of mandamus proceedings, in

any court of competent jurisdiction, against the Board, its officials and employees, or any appropriate official of the State of Texas.

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

(c) It lawfully owns and is lawfully possessed of the lands, buildings, and facilities constituting the Established System Institutions and has a good and indefeasible estate in such lands, buildings, and facilities in fee simple, that it warrants that it has, and will defend, the title to all the aforesaid lands, buildings, and facilities, and every part thereof, for the benefit of the holders and owners of the New Series Bonds against the claims and demands of all persons whomsoever, that it is lawfully qualified to pledge the Pledged Revenues to the payment of the New Series Bonds in the manner prescribed herein, and has lawfully exercised such rights.

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

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

(f) That until the New Series Bonds have been paid or retired, or until due provision shall have been made for such payment and retirement, the Board shall not additionally pledge or encumber the Pledged Revenues in any manner whatsoever; provided that any Pledged Revenues remaining in the Revenue Fund, after each semi-annual deposit has been made to the credit of the Reserve Fund and the Interest and Sinking Fund, as required by this Resolution, may be used for any lawful purpose.

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

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

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

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

(k) That the Board covenants to and with the purchasers of the New Series Bonds that it will make no use of the proceeds of the New Series Bonds at any time throughout the terms of the New Series Bonds which, if such use had been reasonably expected on the date of delivery of the New Series Bonds to and payment for the New Series Bonds by the purchasers, would have caused the New Series Bonds to be arbitrage bonds within the meaning of Section 103(d) of the Internal Revenue Code of 1954, as amended, or any regulations or rulings pertaining thereto; and by this covenant the Board is obligated to comply with the requirements of the aforesaid Section 103(d) and all applicable and pertinent Department of the Treasury regulations relating to arbitrage bonds. The Board further covenants that the proceeds of the New Series Bonds will not otherwise be used directly or indirectly so as to cause all or any part of the New Series Bonds to be or become arbitrage bonds within the meaning of the aforesaid Section 103(d), or any regulations or rulings pertaining thereto.

Section 20. That the Chairman of the Board is hereby authorized to have control of the New Series Bonds and all necessary records and proceedings pertaining to the New Series Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the New Series Bonds, said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate printed and endorsed on each of the New Series Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of the New Series Bonds.

Section 21. That the New Series Bonds are hereby sold and shall be delivered to the purchasers hereafter named for cash for the par value thereof and accrued interest thereon to date of delivery:

Bonds Nos. 1 through 40, 501 through 520, and 1001 through 1040, aggregating \$500,000 to
THE AUSTIN NATIONAL BANK OF AUSTIN, AUSTIN, TEXAS;

Bonds Nos. 41 through 90, 521 through 540, and 1041 through 1090, aggregating \$600,000 to
THE CAPITAL NATIONAL BANK IN AUSTIN, AUSTIN, TEXAS;

Bonds Nos. 541 through 560, aggregating \$100,000 to
CITIZENS NATIONAL BANK OF AUSTIN, AUSTIN, TEXAS;

Bonds Nos. 561 through 680, aggregating \$600,000 to
CITY NATIONAL BANK OF AUSTIN, AUSTIN, TEXAS;

Bonds Nos. 1091 through 1415, aggregating \$1,625,000 to
FIRST NATIONAL BANK IN DALLAS, DALLAS, TEXAS;

Bonds Nos. 91 through 140, and 681 through 730, aggregating \$500,000 to
THE FORT WORTH NATIONAL BANK, FORT WORTH, TEXAS;

Bonds Nos. 141 through 170, and 1416 through 1445, aggregating \$300,000 to
FIRST HUTCHINGS-SEALY NATIONAL BANK, GALVESTON, TEXAS;

Bonds Nos. 731 through 760, aggregating \$150,000 to
UNITED STATES NATIONAL BANK, GALVESTON, TEXAS;

Bonds Nos. 171 through 220, and 1446 through 1495, aggregating \$500,000 to
CULLEN CENTER BANK & TRUST, HOUSTON, TEXAS;

Bonds Nos. 221 through 240, and 1496 through 1515, aggregating \$200,000 to
FANNIN BANK, HOUSTON, TEXAS;

Bonds Nos. 241 through 320, 761 through 855, and 1516 through 1600, aggregating \$1,300,000 to
BANK OF THE SOUTHWEST NATIONAL ASSOCIATION, HOUSTON, HOUSTON, TEXAS;

Bonds Nos. 321 through 500, and 856 through 1000, aggregating \$1,625,000 to
TEXAS COMMERCE BANK NATIONAL ASSOCIATION, HOUSTON, TEXAS.

RECESS. --The Board of Regents recessed at 9:15 a. m. in order for the Standing Committees and the Committee of the Whole to meet.

* * *

2:00 P. M., MARCH 5, 1973. --The Board of Regents reassembled in the Embassy Room at 2:00 p. m. with the same attendance as the morning session to receive the reports of the Standing Committee and the Committee of the Whole.

3-05-73

REPORTS OF STANDING COMMITTEES

The meetings of the Standing Committees were conducted in open session, and the reports thereof are set out below:

REPORT OF SYSTEM ADMINISTRATION COMMITTEE (Pages 16-17). -- Committee Chairman Williams presented the following report of the System Administration Committee and moved its adoption. The motion was duly seconded and prevailed by unanimous vote.

Since the last report of the System Administration Committee on January 26, 1973, the following recommendations of the Administration were circulated to the members of the System Administration Committee and no exceptions were registered. These recommendations were formally approved by the System Administration Committee today and are herewith submitted for ratification:

1. U. T. Austin: Amendment to the Operating Budget for Student Publications (1-M-73). -- It is recommended by President Spurr, concurred in by Chancellor LeMaistre, that approval be given to the action taken on November 14, 1972, by the Board of Operating Trustees of student publications at The University of Texas at Austin regarding a budgetary matter in Motion No. 4, as quoted below:

"Motion No. 4. Moore moved, and it was seconded, that the Executive Committee's recommendations on budget changes be accepted. These changes caused the new total estimated income to be \$724,500.00 and expenses to be \$698,200.00 with excess income of \$26,300.00 to be transferred to the reserve account for equipment replacement. This motion passed with unanimous (sic) approval."

2. U. T. Austin, U. T. Dallas, Dallas Health Science Center (Dallas Medical School) and San Antonio Health Science Center (San Antonio Medical School): Amendments to the 1972-73 Budgets (2-B-73). -- It is recommended by the appropriate institutional heads, concurred in by System Administration, that approval be given to the amendments to the 1972-73 budgets for The University of Texas at Austin, The University of Texas at Dallas, The University of Texas Health Science Center at Dallas (Dallas Medical School) and The University of Texas Health Science Center at San Antonio (San Antonio Medical School), as set out on Page 17.

Unless otherwise indicated, the sources of funds for these amendments are departmental appropriations.

All rates 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	Explanation	Present Status	Proposed Status	Effective Dates
1.	Extension Teaching and Field Service Bureau Transfer of Funds	From: Unappropriated Balance via Estimated Income	To: Extension Classes and Consultant Services	
	Amount of Transfer	\$ 500,000	\$ 500,000	---

The University of Texas at Dallas

1.	General Institutional Expense - Conferences, Lectures, and Seminars Transfer of Funds	From: Unappropriated Balance - General Funds	To: Conferences, Lectures, and Seminars	
	Amount of Transfer	\$ 5,000	\$ 5,000	---

The University of Texas Health Science Center at Dallas
(Dallas Medical School)

1.	Clair W. Goldsmith (Non-tenure) Medical Computing Resources Center	Assistant Professor	Assistant Professor	
	Salary Rate	\$ 15,000	\$ 18,000	1/1/73

The University of Texas Health Science Center at San Antonio
(San Antonio Medical School)

1.	David P. Green (Tenure) Surgery	Associate Professor	Associate Professor	
	Salary Rate	\$ 18,500	\$ 21,500	1/1/73
	Source of Funds: Unallocated Faculty Salaries			
2.	John P. Wissinger (Tenure) Surgery	Associate Professor	Associate Professor	
	Salary Rate	\$ 19,500	\$ 23,500	1/1/73
	Source of Funds: Unallocated Faculty Salaries			

REPORT OF ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE
(Pages 18 - 23). --In the absence of Committee Chairman (Mrs.) Johnson,
Chairman McNeese filed the following report of the Academic and Develop-
mental Affairs Committee which was unanimously adopted:

1. U. T. System: Chancellor's Docket No. 62. --The Chancellor's responses to the exceptions to the docket that were filed with the Secretary were acceptable, and Chancellor's Docket No. 62 was approved in the form distributed by the Secretary prior to the meeting. It is attached (Attachment No. 1) following Page 73 and made a part of these Minutes.
2. U. T. Austin: Establishment of Henry W. Strasburger Lectures in Trial Advocacy in School of Law (Endowed by Firm of Strasburger, Price, Kelton, Martin and Unis of Dallas, Texas). --Authorization was given to establish through the Law School Foundation an annual lecture series to be entitled "Henry W. Strasburger Lectures in Trial Advocacy" at the Law School of The University of Texas at Austin. This lecture series is to be funded by income from a gift from the firm of Strasburger, Price, Kelton, Martin and Unis of Dallas to the Law School Foundation. The Chairman of the Board of Regents was authorized to join the President of the Law School Foundation in the execution of the letter of acceptance from Mark Martin indicating acceptance of the gift and the conditions thereof outlined therein.
3. U. T. Austin: Rates for Residence Halls, Married Student Housing and Student Cooperative Units for 1973-74. --Upon recommendation of President Spurr, concurred in by System Administration, the 1973-74 rates for residence halls, married student housing and student cooperative units at The University of Texas at Austin were authorized as follows:

The University of Texas at Austin

RATE SCHEDULE FOR 1973-74

I. University Residence Halls

<u>Double Rooms</u>	<u>Long Session Rate</u>		
	<u>Room</u>	<u>Board</u>	<u>Total</u>
Jester Community bath	\$576	\$624	\$1200
Connecting bath	690	624	1314

<u>Double Rooms</u>	<u>Long Session Rate</u>		
	<u>Room</u>	<u>Board</u>	<u>Total</u>
Kinsolving-South and Blanton	472	624	1096
Kinsolving-North	586	624	1210
Andrews, Carothers and Littlefield	314	624	938
Moore-Hill and Simkins	472		472
Brackenridge-Roberts-Prather	314		314
San Jacinto	174		174

Special, Administrative, and Exception Notes to Above Rates

- a. Plus 5% sales tax on board portion of rate
- b. These rates include a telephone in each room (except San Jacinto), weekly maid service, bed linens furnished and laundered and twenty meals per week where board is included.
- c. The use of the Long Session application deposit of \$50 will be expanded to cover Summer Session. The deposit for summer is now \$20. The deposit for San Jacinto will remain at \$20. A \$10 processing fee will be deducted from all deposit refunds for applicants who do not move into the residence halls excluding those who are denied admission to the University.
- d. Payment procedures will be as follows:

All persons holding residence hall contracts will make the first Long Session room rent payment by July 15 (approximately 20%) with 50% of this amount refundable if cancellation is received by August 15. Persons cancelling after August 15 will not be eligible for refund. For new residents in the Spring Semester, the advance room rent payment (10% for one semester) will be payable by December 1 with no refunds for cancellation after December 15 (50% refundable if cancellation is received by December 15).

Following the initial July 15 payment, the following payment plans will be available:

- Plan A - pay balance in eight equal installments
September through April
- Plan B - pay balance for the Fall semester in
September and balance for the Spring semester
in January
- Plan C - pay balance for the Long Session in
September

e. Other Rates for Special Situations

1. Single room rate and double rented as a single -
1 2/3 times the double rate
2. Summer Session rates - 1/3 of semester rate for
each six weeks term
3. Guest rates - overnight \$1.00; breakfast \$1.00;
 lunch \$1.50; dinner \$1.75;
 Sunday noon \$2.00

f. Short-term, orientation and conference rates

1. Short-term rates are for individuals or small
groups assigned in vacant areas in regular student
space for short periods of a few days to several
weeks. These rates include the student menu,
towels, soap, blankets, bed linens and maid service.
2. Orientation rates are used for incoming freshmen
attending Summer Orientation assigned in space
opened for these groups each summer. The rates
include the student menu, towels, soap, blankets,
bed linens and maid service.
3. Conference rates are used for adult and youth
groups assigned in space opened for specific
conference use each summer. The rates include an
expanded menu, towels, soap, blankets, bed linens,
maid service and meeting rooms if desired.

	<u>Daily Rate</u> Per Person	<u>Weekly Rate</u> Per Person
<u>Short Term</u>		
Board	\$3.50	\$21.00
Double Room	3.50	21.00
Single Room	4.60	27.60
<u>Orientation</u>		
Board	4.50	
Double Room	4.75	
Single Room	5.75	
<u>Conference</u>		
Board	6.00	
Double Room	7.00	
Single Room	9.00	

(Plus 5% sales tax on board portion of rates)

II. Married Student Housing

	<u>Monthly Rate</u>
Brackenridge-Deep Eddy (unfurnished)	
1 bedroom apartment	\$38
2 bedroom duplex	41
2 bedroom apartment	43
3 bedroom apartment	48
4 bedroom apartment	53
Trailer Park Lot	20
Colorado Apartments	
Unfurnished	
1 bedroom	86
2 Bedroom	96
Furnished	
1 bedroom	96
2 bedroom	106
Gateway Apartments	
Unfurnished	
1 bedroom	102
2 bedroom	112
Furnished	
1 bedroom	112
2 bedroom	122

Rates for Brackenridge-Deep Eddy and Colorado Apartments include gas and water.

Rates for Trailer Park Lots and Gateway Apartments include water.

The student pays his electric bill in all units.

III. Student Cooperative Units

	<u>Number of Students per Co-op</u>	<u>Monthly building rent per student</u>	<u>Monthly rent paid to University</u>
Non air- conditioned	16 (6 co-ops)	\$18	\$288
Air-condi- tioned	17 (2 co-ops)	27	459
	19 (4 co-ops)	27	513

4. U. T. Austin: Appeal of Jack W. Gullahorn with Respect to Operation of Daily Texan and Student Service Fee (Required) - Request for Attorney General's Opinion Authorized; 1973-74 Student Service Fee (Required) and Student Activities Fee (Optional) Deferred Until April 24; Sense of Board to Increase Allocation for Students' Attorney (See Page 73). --Chairman McNeese, acting for Committee Chairman (Mrs.) Johnson, reported that four student representatives had asked to be heard with respect to the recommended 1973-74 Student Service Fee (Required) and the Student Activities Fee (Optional) at The University of Texas at Austin.

Jack W. Gullahorn, a third year law student, presented an appeal which had come through appropriate channels for "the abolition of the mandatory student services (sic) fee to the Daily Texan newspaper at The University of Texas at Austin" and for "the termination of State and University support of the Daily Texan, moving the Texan off campus." In written reports to the Administration, Mr. Gullahorn had indicated that a suit would be filed if action were not taken by April 15.

Dick Benson, President of the Students' Association, and Students' Attorney, Frank Ivy, asked for a 20¢ increase in the amount of mandatory Student Service Fee allotted to the Students' Association in order to provide for another student attorney. At the meeting, President Spurr endorsed this increase. Whereupon, it was moved by Regent Clark, seconded by Regent Shivers, and ordered that the administration be notified that it is the sense of the Board that if possible, the increase be allotted for an additional student attorney as recommended by President Spurr. Regent Garrett voted "No."

Mr. Benson was followed by Edwin Cockrell, President of the Senior Cabinet, who requested that the allocation to the Senior Cabinet and the College Councils be increased to provide an additional \$700 in the estimated income in order to meet the budget requests for that division.

Then Mike Shearn, graduating senior in Plan II, appeared and protested that the Student Service Fee should not be mandatory.

Upon motion of Regent Erwin, duly seconded, it was ordered that an opinion be requested of the Attorney General with respect to the legality of the operation of the Daily Texan on the U. T. Austin campus and the legality of the mandatory fee paid by students for the support of the Texan. (See Page 73.)

Upon motion of Regent Erwin, seconded by Regent Garrett, the recommendations for the 1973-74 Student Service Fee (Required) and the Student Activities Fee (Optional) at The University of Texas at Austin were postponed until the Regents' meeting on April 24, 1973.

The Administration was requested to consider the waiver of the mandatory Student Service Fee for those students whose academic activities require them to be away from the campus for a full semester and to bring a recommendation back to the Board at the next meeting.

5. U. T. Dallas and Dallas Health Science Center: Authorization to Request Coordinating Board to Institute a Master of Science Degree and Doctor of Philosophy Degree in Communication Disorders at U. T. Dallas in Cooperation with Dallas Health Science Center and Callier Hearing and Speech Center at Dallas. --Upon recommendation of President Jordan, concurred in by Chancellor LeMaistre and President Sprague, authorization was given to request the Coordinating Board, Texas College and University System for permission to establish joint Ph. D. and M. S. degree programs in Communication Disorders to be offered at The University of Texas at Dallas in cooperation with The University of Texas Health Science Center at Dallas and the Callier Hearing and Speech Center at Dallas.

It was noted that the initial faculty needed to implement this program includes present faculties at U. T. Dallas and the Dallas Health Science Center with joint appointments for selected staff members of the Callier Hearing and Speech Center as provided under an affiliation agreement approved by the Board of Regents on September 11, 1972.

REPORT OF BUILDINGS AND GROUNDS COMMITTEE (Pages 24-40). --
 Committee Chairman Erwin moved that the following report of the Buildings
 and Grounds Committee be adopted and that the actions therein be ratified.
 This motion was duly seconded and prevailed by unanimous vote:

1. U. T. Arlington, Austin, Dallas, El Paso, Permian Basin and
 San Antonio (Academic Campuses): Authorization for Acquisition
 and Installation of U. S. Higher Education Facilities Act Plaques. --
 The following resolution was adopted:

WHEREAS, The Office of Education, U. S. Department
 of Health, Education and Welfare, has requested each
 institution of higher education that received grants and/or
 loans under the Higher Education Facilities Act to place
 a plaque on each building for which aid has been provided,
 and

WHEREAS, A total of 35 buildings* located on the campuses
 of The University of Texas at Arlington, The University
 of Texas at Austin, The University of Texas at Dallas,
 The University of Texas at El Paso, The University of
 Texas of the Permian Basin and The University of Texas
 at San Antonio (all academic campuses of The University
 of Texas System) have received assistance under the
 Higher Education Facilities Act:

BE IT RESOLVED, That the Office of Facilities Planning
 and Construction be authorized to acquire for each of the
 buildings a bronze plaque, in keeping with University of
 Texas plaques, 4 inches by 13 inches, and supervise the
 installation thereof below The University of Texas plaque
 or at some other appropriate location and that the bronze
 plaque bear the following inscription:

"Constructed with the financial assistance of
 the American people through the Higher
 Education Facilities Act"

It was noted that these plaques will cost approximately \$16 each.

*Buildings constructed with financial assistance from the Higher
 Education Facilities Act:

U. T. Arlington
 Fine Arts Building
 Addition to Library
 Hammond Hall
 Trimble Hall
 Carlisle Hall
 Business - Life Science Building
 University Hall
 E. E. Davis Hall

U. T. Austin

Communication Building
 Engineering Teaching Center No. 1
 Graduate School of Business Building
 College of Education Building
 Geology Building
 Calhoun Hall
 Collections Deposit Library
 Sid Richardson Hall
 Burdine Hall
 Physics - Mathematics - Astronomy Building
 Humanities Research Center

U. T. Dallas

J. Erik Jonsson Center (formerly Liberal Arts Building)
 Physical Instruction Building
 Eugene McDermott Library (formerly Library-Administration Building)
 Cecil H. Green Center (formerly Social and Behavioral Sciences Building)

U. T. El Paso

Fine Arts Complex
 Engineering - Science Complex
 Physical Science Building
 Addition to Library
 Education Building

U. T. Permian Basin

Classroom-Administration Building
 Laboratory Building
 Gymnasium Building

U. T. San Antonio

Science - Education Building
 Humanities-Business Building
 Arts Building
 Library-Administration Building

2. U. T. Arlington: Easement to City of Arlington for Construction of Water, Sewer and Other Public Utilities. --In order to provide improved water service to the campus of The University of Texas at Arlington and surrounding area, the request of the City of Arlington for an easement was granted. The easement is to be 10 feet wide and approximately 460 feet in length, in and across a tract of land in the Owen Medlin Survey conveyed to the State of Texas by deed recorded in Volume 400, Page 343, Deed Records of Tarrant County, Texas. The Chairman of the Board of Regents was authorized to execute this easement when it has been approved as to legal form by a University attorney and as to content by Deputy Chancellor Walker.

3. U. T. Arlington - North-South Mall: Approval of Final Plans and Specifications and Authorization to Advertise for Bids. --With respect to the North-South Mall at The University of Texas at Arlington, the final plans and specifications were approved at an estimated total project cost of \$522,000. The Director of the Office of Facilities Planning and Construction was authorized to advertise for bids to be presented to the Board of Regents at a future meeting.

It was noted that \$30,000 has previously been appropriated from Unallocated Proceeds, Constitutional Tax Bonds, Series 1972.

4. U. T. Arlington: Extension of Utilities Distribution System for Activities Building, Appointment of Leo F. Landauer and Associates, Inc., Engineer, and Appropriation Therefor. --In order to extend the present chilled water, steam and electrical service of the Utilities Distribution System to the site of the Activities Building at The University of Texas at Arlington, the firm of Leo F. Landauer and Associates, Inc., Dallas, Texas, was appointed Engineer with authorization to prepare preliminary plans and specifications and a detailed estimated cost to be presented to the Board of Regents at a later date. It has been estimated that the total project cost for this extension will be \$662,000.

For fees and miscellaneous expenses through the stage of preliminary plans, \$10,000 was appropriated from Combined Fee Revenue Bonds.

5. U. T. Austin - Fuel Oil Storage and Transfer System: Award of Contract to J. C. Evans Construction Company, Inc.; Ratification of Site Preparation, and Appropriation. --For a fuel oil storage and transfer system at The University of Texas at Austin, a contract was awarded to the low bidder, J. C. Evans Construction Company, Inc., Austin, Texas, in the amount of \$145,370. In addition thereto, the actions taken by the U. T. Austin Physical Plant staff and the Office of Facilities Planning and Construction with respect to site preparation and procurement of ten storage tanks, supplies, and equipment at approximately \$122,000 were ratified.

An appropriation of \$331,000, the total project cost, was authorized from Combined Fee Bond proceeds to cover the recommended construction contract award, site excavation, purchase of tanks, pumps, U. T. Austin Physical Plant preparatory work, landscaping, site restoration work, and fees and miscellaneous expenses.

It was noted that this fuel oil storage and transfer system will be located below ground adjacent to the East Mall near San Jacinto Boulevard and will provide a total storage capacity of 420,000 gallons of oil.

6. U. T. Austin: Approval of Preliminary Plans and Outline Specifications for Design of Utilities Extension to Serve College of Education Building, Social Science and Humanities Library Building (Formerly Referred to as General Library and New Library) and Addition to Chemistry Building and Appropriation Therefor. --The preliminary plans and outline specifications for the extension of utilities to serve the College of Education Building, the Social Science and Humanities Library Building (formerly referred to as General Library and New Library) and Addition to the Chemistry Building at The University of Texas at Austin estimated to cost \$1,505,000 were approved. The firm of B. Segall, Jr., and Associates, Project Engineer, was authorized to prepare final plans and specifications for consideration of the Board of Regents at a future meeting.

To cover Engineer's fees and miscellaneous expenses through the preparation of final plans and specifications, \$75,000 was appropriated from Permanent University Fund Bond proceeds. From this same source, there has previously been appropriated \$16,000.

7. U. T. Austin - Building for Central Purchasing, Vouchering, Receiving, and Delivery: Award of Contracts to Abel Contract Furniture and Equipment Company, Inc., Rockford Furniture Associates, and Carpet Engineering Services Company for Furniture and Furnishings. -- For the furniture and furnishings for the Central Purchasing, Vouchering, Receiving and Delivery Building at The University of Texas at Austin, contracts were awarded to the low bidders, as follows:

Base Bid "A" (Furniture)	
Abel Contract Furniture and Equipment Company, Inc., Austin, Texas	\$33,457.49
Base Bid "B" (Steel Storage Racks)	
Rockford Furniture Associates, Austin Texas	9,238.67
Base Bid "C" (Carpet)	
Carpet Engineering Services Company, Dallas, Texas	<u>5,738.00</u>
Total Contract Awards	<u>\$48,434.16</u>

It was noted that the funds needed to make these contract awards are available in the Furniture and Equipment account for this project.

8. U. T. Austin - Communication Building: Award of Contracts to Abel Contract Furniture and Equipment Company, Inc., American Desk Manufacturing Company, Rockford Furniture Associates, Estey Corporation, and Carpet Engineering Services Company for Furniture and Furnishings and Transfer of Funds Therefor. --For furniture and furnishings for the Communication Building at The University of Texas at Austin, contracts were awarded to the low bidders, as follows:

Base Bid "A" (Furniture)	
Abel Contract Furniture and Equipment Company, Inc., Austin, Texas (Base Bid of \$380,598 less deductive alternate No. 2 in amount of \$8,334.14)	\$372,263.86
Base Bid "B" (Auditorium Seating and Classroom Furniture)	
American Desk Manufacturing Company, Temple, Texas	17,107.94
Base Bid "C" (Library Equipment)	
Rockford Furniture Associates, Austin, Texas	13,032.95
Base Bid "D" (Steel Library Shelving)	
Estey Corporation, Red Bank, New Jersey	8,353.00
Base Bid "F" (Carpet)	
Carpet Engineering Services Company, Dallas, Texas	<u>21,300.00</u>
Total Contract Awards	<u>\$432,057.75</u>

It was noted that there were no bids received on Base Bid "E" and this medical examining room equipment will have to be purchased at a later date.

Funds in the amount of \$31,600 were ordered transferred from U. T. Austin Account No. [REDACTED] - Texas Student Publications Printing Equipment - Allotment Account to the Allotment Account for the Texas Student Publications and School of Communication Buildings to cover the cost of the furniture requirements for student publications in the Communication Building (which includes classrooms and laboratories and the Communications Center and its laboratories). Additional funds required to make these contract awards have been previously approved and are available in the Allotment Account for this project.

9. U. T. Austin - Remodeling of Physics Building: Award of Contract to Ricks Construction Company, Inc., and Appropriation Therefor. --
For remodeling the Physics Building at The University of Texas at Austin, approximately 118,000 gross square feet, for Biology, Botany, Home Economics, and Computer Science, a contract was awarded to the low bidder, Ricks Construction Company, Inc., Austin, Texas, as follows:

Base Bid	\$595,711
Add Alternates:	
No. 1 (Add Fume Hoods)	39,000
No. 5 (Add Monitoring System)	<u>36,638</u>
Total Contract Award	<u>\$671,349</u>

The total project cost was authorized at \$805,000 (formerly estimated at \$775,000) to cover the building construction contract award, movable furnishings and equipment, fees and miscellaneous expenses.

Authorization was given to appropriate \$775,000 from proceeds of Combined Fee Bonds to cover the total project. It was noted that \$30,000 had been previously appropriated from Available University Fund.

10. U. T. Austin: Naming of (1) East Wing and West Wing of Northwest Building of Women's Cooperative Housing on Whitis Avenue Katherine Pearce I and II, Respectively, (2) Old Library Building the Battle Hall, and (3) Nike Missile Base the Bee Caves Research Center. --
Upon recommendation of President Spurr, concurred in by System Administration, the following action was taken:

- a. The east wing of the northwest building of the Women's Cooperative Housing Complex (formerly referred to as Units) located on Whitis Avenue on the campus of The University of Texas at Austin was named Katherine Pearce I and the west wing of the same building was named Katherine Pearce II. It was noted that "this assignment of name will apply to the building only and will not affect the names of the cooperative living units housed by the building."

This naming of this building complies with the terms of a gift from the Jack and Katherine Pearce Education Foundation (reported as Item 4, Page A-2 of the docket attached to the Permanent Minutes of January 26, 1973).

- b. The Old Library Building (located on the west mall east of the West Mall Office Building) at The University of Texas at Austin was designated Battle Hall in honor of Dr. William J. Battle who died in 1955. It was noted that Dr. Battle who came to the University as an Associate Professor of Greek in 1893 was a scholar and an administrator on the U. T. Austin campus for 50 years including service as acting President during the years 1914-1916.

- c. The former Nike Missile Base was officially designated the Bee Caves Research Center. This center (deeded to U. T. Austin from the United States of America) is located about seven miles west of Austin on the Bee Caves Road and has been used since 1967 for astronomy teaching and research, electrical engineering research and other research and training activities of The University of Texas at Austin.
11. U. T. Austin: Release of Easement and Authorization for New Easement to Southern Union Gas Company. --The easement for the ten inch high pressure gas line of Southern Union Gas Company authorized at the meeting on January 26, 1973, to be relocated, was released, and an easement was granted to Southern Union Gas Company for the same gas line to be 10 feet in width, in, across and upon a strip of land, same being out of a part of Block 1, Block 2, Block 8, Block, 9 and Block 11 of the Gammel and Taylor Subdivision, recorded in Book 1, Page 77 of the Plat Records of Travis County, Texas, being a portion of the outlet 44, Division "B" in the City of Austin, Texas. The Chairman of the Board of Regents was authorized to execute this easement when it has been approved as to content by Deputy Chancellor Walker and as to legal form by a University attorney.
12. U. T. Dallas - Construction of a Permanent Campus Road from Western Company Building to West Campus Road: Authorization to Prepare Plans and Specifications, Appointment of Raymond L. Goodson, Jr., Inc., Consulting Engineer, Appropriation of Funds and Appointment of Committee to Approve Plans and Specifications, to Take Bids and to Award the Construction Contract. --Upon recommendation of President Jordan, concurred in by System Administration, the Buildings and Grounds Committee:
- a. Authorized the construction of a permanent road from the Western Company Building (which now houses the administration of The University of Texas at Dallas) and the Texas Research Foundation Property with the west campus road that runs north and south on the western boundary of the original campus site of U. T. Dallas.
 - b. Appointed the firm of Raymond L. Goodson, Jr., Inc., Dallas, Texas, Consulting Engineer, to prepare final plans and specifications.
 - c. Appointed a committee consisting of President Jordan, Director Kristoferson, Deputy Chancellor Walker, Vice-Chairman Williams, Board Chairman McNeese and Committee Chairman Erwin to approve the final plans, to authorize the Office of Facilities Planning and Construction to advertise for bids, and to award a contract for construction within an estimated total project cost of \$100,000.
 - d. Appropriated \$100,000 from Tuition Revenue Bond proceeds for this project.

13. U. T. Dallas - J. Erik Jonsson Center (Formerly Referred to as Liberal Arts Building) and Physical Instruction Building and Eugene McDermott Library (Formerly Referred to as Library or Library-Administration Building): Acceptance of Third Revision of Annual Interest Grants Nos. 5-6-00636-0 and 5-6-00637-0. --
The following resolution was adopted:

WHEREAS, At the Regents' meeting on July 30, 1971, Annual Interest Grant No. 5-6-00636-0 was accepted from the U. S. Department of Health, Education and Welfare for the J. Erik Jonsson Center (formerly referred to as Liberal Arts Building) and the Physical Instruction Building at The University of Texas at Dallas in the annual amount of \$42,920 for a period of 30 years, and Annual Interest Grant No. 5-6-00637-0 was accepted for the Eugene McDermott Library (formerly referred to as Library or Library-Administration Building) at U. T. Dallas in the annual amount of \$21,460 for a period of 30 years;

WHEREAS, These grants were for the purpose of paying the difference in the actual interest over and above a 3% interest rate on General Tuition Revenue Bonds to be issued for The University of Texas at Dallas and were figured on an estimated interest rate of 6-1/4% on these bonds;

WHEREAS, On April 29, 1972, revisions to these two Annual Interest Grants were accepted which increased the annual amount of each to \$61,940 for a period of 30-1/2 years on an increased supported loan amount of \$4,000,000;

WHEREAS, On June 9, 1972, reductions of these Annual Interest Grants were accepted which reduced the annual amount of each to \$59,884, and

WHEREAS, The Department of Health, Education and Welfare has issued a third revision to these grants which increases the annual amount of each to \$74,855 on a supported loan amount of \$5,000,000 at an average interest rate of 5.3358% on these bonds:

BE IT RESOLVED, That the revisions of Annual Interest Grant Nos. 5-6-00636-0 and 5-6-00637-0 be accepted.

3-05-73

14. U. T. Dallas - Environmental Science Building: Ratification of Committee Report, Approval of Final Plans and Specifications and Authorization to Advertise for Bids, and Authorization for Committee to Award Contract. --The Buildings and Grounds Committee ratified the action of the special committee appointed at the Regents' meeting on December 8, 1972, to approve preliminary plans and specifications for the Environmental Science Building at The University of Texas at Dallas with authorization to direct the Project Architect to prepare final plans and specifications covering approximately 20,040 gross square feet at a total estimated project cost of \$1,100,000. The committee reported that it had approved the preliminary plans and specifications and had directed the Project Architect, Harwood K. Smith and Partners, to prepare final plans and specifications.

The final plans and specifications were presented and were approved with authorization to the Office of Facilities Planning and Construction to advertise for bids upon completion of final review; and a committee consisting of President Jordan, Director Kristoferson, Deputy Chancellor Walker, Vice-Chairman Williams and Committee Chairman Erwin was authorized to award a construction contract within the total project cost of \$1,100,000.

15. U. T. Dallas, U. T. Permian Basin and U. T. San Antonio - Report of Committee and Ratification of Action Therein With Respect to Contracts for Central Energy Plants: Rejection of All Proposals Previously Received and Authorization to Readvertise. --Pursuant to action taken at the Regents' meeting on January 1, 1973, with respect to the award of contracts for Central Energy Plants to provide chilled water and steam for The University of Texas at Dallas, The University of Texas of the Permian Basin and The University of Texas at San Antonio, the committee to award contracts for these plants continued negotiations with Win-Sam, Inc., and Lone Star Energy Company for the most favorable possible terms for the institutions involved. Committee Chairman Erwin reported the committee had tried but had not been able to negotiate favorable terms and that the committee recommended that the Buildings and Grounds Committee:

- a. Reject all proposals previously received in response to the University's invitation to receive proposals.
- b. Authorize the Office of Facilities Planning and Construction to make necessary modifications in the plans, specifications, and information to bidders.
- c. Readvertise to receive proposals for the bidders to build, own and operate at their own expense Central Energy Plants on leased land at the three campuses with the successful bidders to furnish chilled water and steam at the rates as indicated in their contracts.

The report of this special committee was received and the action therein was ratified.

3-05-73

16. U. T. El Paso - Bell Hall: Approval of Final Plans and Specifications for Remodeling and Authorization to Advertise for Bids. --
 In accordance with authorization given at the Regents' meeting on April 29, 1972, Project Architect, Davis Associates, prepared plans and specifications for the remodeling of Bell Hall at The University of Texas at El Paso. These plans and specifications provide for remodeling approximately 27,948 gross square feet at an estimated total project cost of \$541,000. The Buildings and Grounds Committee approved these plans and authorized the Director of the Office of Facilities Planning and Construction to advertise for bids to be presented to the Board of Regents at a later date.
17. U. T. El Paso - Campus Lighting System (Addition to Phase II Electrical Distribution System): Award of Contract to Callaghan Electric Company, Inc., and Appropriation Therefor. -- For a campus lighting system (addition to Phase II of the Electrical Distribution System) at The University of Texas at El Paso, a construction contract was awarded to the low bidder, Callaghan Electric Company, Inc., El Paso, Texas, as follows:

Base Bid	\$ 92,000
Add Alternates:	
No. 2 (Physical Plant Area Lighting)	7,550
No. 4 (Kidd Field Area Lighting)	6,300
No. 5 (Lighting Fixtures, Type A and B)	15,400
No. 6 (Lighting Fixtures, Type C)	<u>4,500</u>
Total Contract Award	<u>\$125,750</u>

The amount of the contract award is within the estimated total project cost of \$140,000. From Permanent University Fund Bond proceeds, \$134,600 was appropriated to cover the total project cost, \$5,400 having been previously appropriated from U. T. El Paso Account No. 699 - Interest on Time Deposits - Combined Fee Revenue Bonds

3-05-73

18. U. T. Permian Basin - Classroom-Administration Building
(Phase I Construction): Acceptance of Fourth Revision of Annual
Interest Grant No. 5-6-00630-0. --The following resolution was

WHEREAS, At the Regents' meeting on July 30, 1971, Annual Interest Grant No. 5-6-00630-0 was accepted from the U. S. Department of Health, Education and Welfare for the Classroom-Administration Building at The University of Texas of the Permian Basin in the annual amount of \$21,460 for a period of 30 years;

WHEREAS, This grant was for the purpose of paying the difference in the actual interest over and above a 3% interest rate on \$1,000,000 of General Tuition Revenue Bonds to be issued for U. T. Permian Basin and was figured on an estimated interest rate of 6-1/4% on these bonds;

WHEREAS, Three revisions have previously been accepted as set out below:

- a. March 16, 1972 - annual amount increased to \$39,440 for a period of 30-1/2 years on an increased supported loan amount of \$2,547,000
- b. June 9, 1972 - annual amount reduced to \$38,131
- c. September 11, 1972 - annual amount increased to \$45,736 for a period of 30-1/4 years on an increased supported loan amount of \$3,055,000, and

WHEREAS, The U. S. Department of Health, Education and Welfare has issued a fourth revision to this grant which increases the supported loan amount to \$3,626,000 and the annual amount to \$54,285:

BE IT RESOLVED, That the revisions of Annual Interest Grant No. 5-6-00630-0 be accepted.

19. U. T. Permian Basin - Laboratory and Gymnasium Buildings
(Phase I Construction): Acceptance of Third Revision of Annual
Interest Grant No. 5-6-00631-0. --The following resolution was
adopted:

WHEREAS, At the Regents' meeting on July 30, 1971, Annual Interest Grant No. 5-6-00631-0 was accepted from the U. S. Department of Health, Education and Welfare for the Laboratory and Gymnasium Buildings at The University of Texas of the Permian Basin in the annual amount of \$42,920 for a period of 30 years;

WHEREAS, This grant was for the purpose of paying the difference in the actual interest over and above a 3% interest rate on \$2,000,000 of General Tuition Revenue Bonds to be issued for U. T. Permian Basin and was figured on an estimated interest rate of 6-1/4% on these bonds;

WHEREAS, On March 16, 1972, a revision to this grant was accepted which increased the annual amount to \$76,574 for a period of 30-1/2 years on an increased supported loan amount of \$4,945,000;

WHEREAS, On June 9, 1972, a second revision was accepted which reduced the annual amount to \$74,032, and

WHEREAS, The Department of Health, Education and Welfare has issued a third revision to this grant which increases the supported loan amount to \$5,000,000 and the annual amount to \$74,385:

BE IT RESOLVED, That the revisions of Annual Interest Grant No. 5-6-00631-0 be accepted.

20. U. T. San Antonio - Library Surge Facility: Authority to Prepare Final Plans and Specifications and to Employ Consultants to Assist in Design and Appointment of Committee to Select Site. -- Upon the recommendation of President Flawn, concurred in by System Administration, authority was given to the Office of Facilities Planning and Construction to prepare final plans and specifications for a Library Surge Facility of approximately 20,000 square feet at The University of Texas at San Antonio. The purpose of this facility is to process and shelve the books being acquired prior to the completion of the Library-Administration Building.

It was noted that this building will be a single-story, fireproof, temperature and humidity controlled structure, with provision for truck loading and unloading and that after the Library-Administration Building has been completed will be used for other library purposes. The Director of the Office of Facilities Planning and Construction was authorized to employ consultants as necessary to assist in the design of this building.

A committee composed of Committee Chairman Erwin, Regent Bauerle, President Flawn, Deputy Chancellor Walker and Director Kristoferson was appointed to give final approval to the site of the building after further consideration of the utilities available and other pertinent matters relating to construction on the campus.

The cost estimate will be reported to the Board of Regents at a later date.

3-05-73

21. Dallas Health Science Center (Dallas Medical School) - Basic Science Research Building: Authorization for Additional Animal Facilities in Unfinished Ground Floor Space; Appointment of George L. Dahl, Inc., Project Architect; Authorization for Final Plans and Specifications; Authorization to Advertise for Bids; Appointment of Committee to Award Contract, and Appropriation. --
With respect to the completion of the unfinished ground floor space in the Basic Science Research Building now under construction at the Dallas Medical School of The University of Texas Health Science Center at Dallas, the following action was taken:

- a. The space that had been previously authorized for the Centrex Telephone System and which was no longer needed was ordered to be constructed for additional animal facilities.
- b. The firm of George L. Dahl, Inc., Dallas, Texas, was appointed Project Architect with authorization for the preparation of final plans and specifications within an estimated total project cost of \$165,000.
- c. The Office of Facilities Planning and Construction was authorized to advertise for bids after completion of all proper reviews of the final plans and specifications.
- d. A committee consisting of President Sprague, Director Kristoferson, Deputy Chancellor Walker, and Committee Chairman Erwin was appointed to award a contract if bids are within authorized costs, or to authorize the construction work as a change order to the existing construction contract with Lee-Emmert within authorized limits, whichever is found advantageous, to be presented to the Board of Regents at a later date.
- e. An appropriation of \$165,000 was authorized from Dallas Health Science Center Unappropriated Balances of the Animal Resources Center Service Department to cover the cost of the contract or change order, related equipment, Architect's fees, and miscellaneous expenses.

3-05-73

22. Dallas Health Science Center (Dallas Medical School) - Clinical Sciences Building (Including Animal Facilities): Reduction in Scope of Project, Authorization to Revise Final Plans and Specifications, and Appropriation for Architect's Fees. --The following resolution was adopted:

WHEREAS, The final plans and specifications for the Clinical Sciences Building (Including Animal Facilities) at The University of Texas Health Science Center at Dallas for the Dallas Medical School were approved by the Board of Regents on April 29, 1972, for a building of 268,000 gross square feet at a total cost of \$18,625,000;

WHEREAS, A grant application was submitted to the National Institutes of Health in March 1972 but notice was received in July 1972 that the grant was not awarded, and

WHEREAS, There is an urgent need for additional clinical science space and animal facilities in order to have an entering class of 200 students at the Dallas Medical School by 1975:

BE IT RESOLVED, That (1) the final plans and specifications be revised to a project of 145,000 gross square feet at a total project cost of \$9,300,000, (2) for this revision the Project Architects be paid on a time card basis at a cost not to exceed \$256,000, and (3) \$260,000 be appropriated from Permanent University Fund Bond proceeds to cover fees and miscellaneous expenses through the revision of final plans and specifications. (It was noted that previously three appropriations totaling \$695,000 had been made from the same source.)

23. Dallas Health Science Center (Dallas Medical School) - North Texas Regional Computer Center (for Use of U. T. Arlington, U. T. Dallas and Dallas Medical School): Report of Committee and Ratification Thereof (Change Order for Mechanical and Electrical Services to Computer Equipment). --Pursuant to authorization granted by the Board of Regents on July 21, 1972, the committee (consisting of President Sprague, Director Kristoferson, Deputy Chancellor Walker and Committee Chairman Erwin) elected to authorize a change order to the contract with Kugler-Morris, General Contractors, Inc., for the North Texas Regional Computer Center at The University of Texas Health Science Center at Dallas (for the use of U. T. Arlington, U. T. Dallas and Dallas Medical School), in the amount of \$45,635. The purpose of the change order is to provide and install air conditioning equipment and electrical services to the computer equipment. The total project cost for providing and installing these services will be \$57,564 (\$45,635 for the change order plus Architect's fees). The funds are available in the Allotment Account.

The action of the committee was ratified.

3-05-73

24. Galveston Medical Branch (Galveston Medical School) - Linear Accelerator: Award of Contract to Varian Associates. --A report was received from System Administration that only two bids were received for the linear accelerator to be installed at the Galveston Medical School of The University of Texas Medical Branch at Galveston. Upon the recommendation of President Blocker, concurred in by System Administration, approval was given to award the contract for the linear accelerator to the apparent high bidder, Varian Associates, Palo Alto, California, in the amount of \$322,250 plus freight charges. The payment is to be 30% with the order, 60% upon shipment and 10% after installation.

It was noted that the reasons for the recommendation that the contract award be made to the apparent high bidder are as follows:

- a. Varian Associates has been in the business in the United States for about 20 years and has some 200 linear accelerators now in use. The CGR Medical Corporation submitted a bid on a Japanese manufactured Mitsubishi ML-15MII, but there are none of these machines installed and in use in the United States.
- b. The specifications state that the electron beams have an energy of 17.5 MeV. The Japanese machine provides a beam of 15 MeV.
- c. The size of the photon beam is specified as 0-35 cm as measured at 1 meter distance from the focal spot. The Varian machine meets these specifications; the Japanese machine provides a field size of 0-30 cm, and this is a significant difference.
- d. The energy levels of the electron beam specified are 6, 9, 12, 15 and 17.5. The Japanese unit provides levels of 8, 10, 12 and 15, thereby limiting the range of energy of the radiation that could be used. The most severe limitation would fall in the 6 MeV area.
- e. The matter of service and availability of replacement parts would be available from the American manufacturer, but would remain a question mark with the Japanese company since they have no machines in operation in this country at this time.
- f. The cost of constructing the housing required for the CGR machine is greater than the cost of constructing the housing required for the Varian machine, and the difference in construction cost is greater than the difference between the bids on the two machines, thereby making the overall project cost lower with the Varian machine than with the CGR machine.

3-05-73

25. Galveston Medical Branch (Galveston Medical School) - Additions to John Sealy Hospital and Child Health Center (in Some Instances Referred to as Children's Hospital): Award of Contract to R. T. Short Plumbing, Heating, and Air Conditioning, Inc., for Relocation of Utilities. --System Administration reported that in planning the construction of the Child Health Center (in some instances referred to as Children's Hospital) and the Additions to John Sealy Hospital at the Galveston Medical School of The University of Texas Medical Branch at Galveston, it had been found necessary to relocate water mains, gas mains, storm sewers and sanitary sewers. The Physical Plant staff and the administration at the Galveston Medical Branch had worked with the gas supplier and the City of Galveston with respect to the relocation of the several utility services and all agencies had approved the plans for relocation.

It was further reported that bids had been obtained from three bidders for the relocation of these utilities, and it was recommended by System Administration that the contract to do this work be awarded to the low bidder, R. T. Short Plumbing, Heating, and Air Conditioning, Inc., of Galveston, in the amount of \$132,508. It was noted that this relocation of utilities is to be funded from the Medical Branch Unexpended Plant Funds - Utility Distribution Systems.

26. Galveston Medical Branch (Galveston Medical School) - High Rise Parking Facility: Authorization for Preparation of Preliminary Plans, Appointment of Louis Lloyd Oliver and Tibor Beerman, Project Architects, and Appropriation for Preliminary Plans and Miscellaneous Expenses. --Authorization was given for the construction of a high rise parking facility to provide approximately 400 parking spaces at the Galveston Medical School of The University of Texas Medical Branch at Galveston. The firm of Louis Lloyd Oliver and Tibor Beerman was appointed Project Architect with authorization to prepare preliminary plans and specifications and cost estimates for this facility to be located along Market Street between 8th and 9th streets. The preliminary plans and specifications will be presented to the Board of Regents at a later date.

As an advance to cover the cost of preparation of preliminary plans and miscellaneous expenses, \$10,000 was appropriated from Medical Branch Unexpended Institutional Plant Funds.

27. Galveston Medical Branch (Marine Biomedical Institute) - Initial Facility - Extension of Utilities: Award of Contract to Servall Mechanical Contractors, Inc., and Appropriation Therefor. -- For the extension of utilities to the Initial Facility of the Marine Biomedical Institute of The University of Texas Medical Branch at Galveston, a construction contract was awarded to the low bidder, Servall Mechanical Contractors, Inc., Houston, Texas, in the amount of \$227,777.

Authorization was given for a total project cost of \$265,000 (the estimated project cost having been previously reported as \$365,000) to cover the construction contract award, fees and miscellaneous expenses.

To fund this project, an additional \$250,000 was appropriated from Permanent University Bond proceeds. It was noted that previously \$15,000 (\$10,000 and \$5,000) had been appropriated from Galveston Medical Branch Unexpended Plant Funds Project Allocation Account for Engineering fees and miscellaneous expenses.

28. Galveston Medical Branch (Galveston Hospitals), Houston Health Science Center and University Cancer Center (M. D. Anderson) - Central Food Service Facility: Site Selection; Appointment of Bernard Johnson Incorporated, Project Architect; Appropriation, and Authorization to Employ Bond Counsel and Bond Consultant. -- Pursuant to authorization of the Board of Regents on April 23, 1971, System Administration reported that it had developed a program for a Central Food Service Facility to serve the Galveston Hospitals of The University of Texas Medical Branch at Galveston, The University of Texas Health Science Center at Houston and the M. D. Anderson Hospital of The University of Texas System Cancer Center, as well as the Hermann Hospital, which is a teaching hospital for the Houston Medical School. The Buildings and Grounds Committee approved the proposed plan and authorized it to be constructed on the 100 acres donated by the Hermann Foundation.

The firm of Bernard Johnson Incorporated, Houston, Texas, was appointed Project Architect, and \$60,000 was appropriated from Permanent University Fund Bond proceeds as an advance for payment of Architect's fees and miscellaneous expenses through preliminary plans. The advance is to be repaid from the proceeds of a bond issue for the construction and equipping of the Central Food Service Facility.

Upon the recommendation of Deputy Chancellor Walker, authorization was given to employ bond counsel and bond consultant (See Page 63) for a bond issue for this purpose.

REPORT OF MEDICAL AFFAIRS COMMITTEE (Pages 41 - 52). -- Committee Chairman Nelson filed the following report of the Medical Affairs Committee and moved that it be approved. The motion was duly seconded and unanimously prevailed:

1. Dallas Health Science Center (Dallas Allied Health Sciences School):
Affiliation Agreements for the Clinical Training of Allied Health
Students with National Association for Retarded Children, Arlington,
Texas, and Methodist Hospital at Houston, Texas. -- For the clinical training of allied health students at the Dallas Allied Health Sciences School of The University of Texas Health Science Center at Dallas, affiliation agreements were authorized with the facilities listed below and the Chairman of the Board of Regents was authorized to execute these agreements. Each of these agreements is the same as the model agreement approved by the Board of Regents on March 6, 1970, and has been approved as to form by a University attorney and as to content by the Vice-Chancellor for Health Affairs and the Deputy Chancellor for Administration:

<u>Clinical Facility</u>	<u>Specialty</u>
National Association for Retarded Children, Arlington, Texas	General Rehabilitation Sciences
Methodist Hospital, Houston, Texas	General Rehabilitation with Emphasis on Pulmonary and Cardiac Patients

2. Galveston Medical Branch (Galveston Allied Health Sciences School):
Affiliation Agreements for the Clinical Training of Allied Health
Students with (1) Brackenridge Hospital, Austin, Texas, (2) San
Antonio State Hospital, San Antonio, Texas, (3) Sam Houston
Memorial Hospital, Houston, Texas, (4) Harris Hospital, Fort Worth,
Texas, and (5) Baytown Medical Center Hospital, Baytown, Texas. --
 For the clinical training of allied health students at the Galveston Allied Health Sciences School of The University of Texas Medical Branch at Galveston, affiliation agreements were authorized with the facilities listed below and the Chairman of the Board of Regents was authorized to execute these agreements. Each of these agreements is the same as the model agreement approved by the Board of Regents on March 6, 1970, and has been approved as to form by a University attorney and as to content by the Vice-Chancellor for Health Affairs and the Deputy Chancellor for Administration:

<u>Clinical Facility</u>	<u>Specialty</u>
Brackenridge Hospital, Austin, Texas	Physical Therapy and Medical Record Administration
San Antonio State Hospital, San Antonio, Texas	Occupational Therapy
Sam Houston Memorial Hospital, Houston, Texas	Medical Record Administration

Clinical Facility

Specialty

Harris Hospital,
Fort Worth, Texas

Medical Record Administration

Baytown Medical Center Hospital,
Baytown, Texas

Medical Record Administration

3. Galveston Medical Branch (Galveston Medical School): Affiliation Agreement for the Clinical Training of Medical Students, Interns, and Residents in Pediatrics with the Driscoll Foundation Children's Hospital, Corpus Christi, Texas. --Upon recommendation of President Blocker, concurred in by Chancellor LeMaistre, the following affiliation agreement for the clinical training of medical students, interns, and residents in pediatrics between the Board of Regents of The University of Texas System on behalf of the Galveston Medical School of The University of Texas Medical Branch at Galveston, and the Driscoll Foundation Children's Hospital, Corpus Christi, Texas, was approved. The Chairman of the Board of Regents was authorized to execute this agreement which had been approved as to form by a University attorney and as to content by the Vice-Chancellor for Health Affairs and the Deputy Chancellor for Administration.

It was noted that this formal agreement enhances the joint educational programs of both parties and includes medical students, interns and residents. The activities in this agreement are funded via The University of Texas Medical Branch Area Health Education Center Contract for South Texas with Driscoll Children's Hospital as one of the subcontractors.

AGREEMENT

THE STATE OF TEXAS |

COUNTY OF GALVESTON |

This AGREEMENT is executed on _____ 197__.

between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of The University of Texas Medical Branch at Galveston, and the Department of Pediatrics, School of Medicine, sometimes referred to as "Department" in this agreement, and Driscoll Foundation Children's Hospital, 3533 South Alameda, Corpus Christi 78411, sometimes referred to as "Hospital" in this agreement,

WITNESSETH:

WHEREAS, the Department and the Hospital have the following common objectives: (1) to provide clinical pediatric educational experiences in terms of

patient and related instruction for medical and other students of the Department and the University of Texas Medical Branch; (2) to enhance the overall educational program of the Hospital by providing additional opportunities for learning experiences for the pediatric interns and residents of the hospital; (3) to increase contacts between the University of Texas Medical Branch faculty and the hospital medical staff for fullest utilization of available teaching facilities and expertise; and (4) to establish and operate a Clinical Education Program in medical pediatrics of the first rank:

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

(1) GENERAL INFORMATION

(a) The affiliation between the hospital and the department is for educational programs in medical pediatrics. Affiliations of the hospital with other institutions in areas other than medical pediatrics are not precluded; however, the hospital will have medical pediatrics affiliations with no other institution, except the program with Memorial Medical Center to provide pediatric training for their medical education program and the training of Driscoll residents in the Memorial Medical Center newborn nursery.

(b) Decisions as to referrals of the hospital's patients remain the prerogative of the medical staff of the hospital. The department shall follow the referral policies established by the University of Texas System Board of Regents.

(c) The calendar for the Clinical Education Program will be consistent with the academic calendar for the Department.

(d) The period of time for each student's clinical education will be mutually agreed upon at least one month before the beginning of the Clinical Education Program.

(c) The number of students eligible to participate in the Clinical Education Program will be mutually determined by agreement of the parties and may be altered by mutual agreement.

(2) RESPONSIBILITIES OF THE DEPARTMENT

(a) The Department will send the name, and biographical data of each student to the Hospital at least five weeks before the beginning date of the Clinical Education Program.

(b) The Department is responsible for supplying teaching staff and materials to augment the educational programs of the hospital subject to the terms of an annually negotiated contract.

(c) The Department shall assist in the maintenance of accreditation of the hospitals educational programs.

(d) The Department will offer clinical faculty appointments to those members of the hospital medical staff recommended by a joint committee of hospital medical staff and department faculty.

(e) The Department will enforce rules and regulations governing students that are mutually agreed upon by the Department and the Hospital.

(f) The Department will encourage eligible students to participate in the Clinical Education Program at Driscoll Foundation Children's Hospital.

(3) RESPONSIBILITIES OF THE HOSPITAL

(a) The Hospital shall provide a jointly-planned, supervised program of clinical educational experiences in medical pediatrics for medical and other students of the Department and the University of Texas Medical Branch, subject to the terms of an annually negotiated contract.

(b) The Hospital shall maintain complete records and reports on each student's performance and provide an evaluation to the Department on forms provided by the Department.

(c) The Hospital may request the Department to withdraw from the Clinical Education Program any student whose performance is unsatisfactory or

whose personal characteristics prevent desirable relationships within the Hospital.

(d) The Hospital shall, on reasonable request, permit the inspection of the clinical facilities, services available for clinical experiences, student records, and such other items pertaining to the Clinical Education Program by the Department or agencies, or by both, charged with the responsibilities for accreditation of the curriculum.

(e) The Hospital shall discuss with the Department the appointment of all house staff and full-time medical staff prior to appointment.

(f) The Hospital shall certify that it subscribes to and will adhere to the letter and spirit of Title 6 of the Civil Rights Act of 1964 in all areas relating to student participation in the Clinical Education Program.

(g) The Hospital shall designate and submit in writing to the School for acceptance the name and professional and academic credentials of a person to be responsible at the hospital for the Clinical Education Program.

(h) The Hospital shall sponsor jointly with UTMB, appropriate continuing education activities utilizing the facilities of the hospital.

(4) RESPONSIBILITY OF THE STUDENT

The student

(a) is responsible for following the administrative policies of the hospital;

(b) is responsible for providing the necessary and appropriate uniforms required but not provided by the hospital;

(c) is responsible for his own transportation and living arrangements;

(d) is responsible for reporting to the hospital on time and following all established regulations during the regularly scheduled operating hours of the hospital; and

(e) will not submit for publication any material relating to the clinical education experience without prior written approval of the hospital and the Department.

(5) TERM OF AGREEMENT, MODIFICATION, TERMINATION

(a) This agreement is for a term of one year and thereafter from year to year unless terminated by either party on thirty days written notice to the other. Except under unusual conditions, such notice shall be submitted before the beginning of a clinical education period.

(b) It is understood and agreed that the parties to this agreement may revise or modify this agreement by written amendment when both parties agree to such amendment.

(c) Financial aspects of this agreement shall be by duly approved contract to be negotiated annually. All items of this agreement requiring either party to expend funds shall be done only within the terms of such a contract.

(d) An advisory committee composed of representatives from the hospital and the University of Texas Medical Branch shall be named to provide planning for the orderly development of the various aspects of this agreement.

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

ATTEST:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

By _____

BETTY ANNE THEDFORD, SECRETARY
Board of Regents of
The University of Texas System

A.G. McNEESE, JR., CHAIRMAN
Board of Regents of
The University of Texas System

ATTEST:

Driscoll Foundation Children's Hospital

Wm. H. Keys
Wm. H. Keys, Trustee

By Floyd H. Buch
Floyd H. Buch, President, Board of Governors
Driscoll Foundation Children's Hospital

Driscoll Foundation Children's Hospital

Approved as to Form:

Approved as to Content:

Sumner Washburn
UNIVERSITY ATTORNEY

Edith D. [Signature]
Deputy Chancellor for
Administration

W. H. [Signature]
Vice-Chancellor for
Health Affairs

4. San Antonio Health Science Center (San Antonio Medical School):
Authorization for Administrative Reorganization and Creation of
a Department of Family Practice Rather Than a Division in the
Department of Medicine and Request to Coordinating Board. --
 Approval was given for the San Antonio Medical School of The University of Texas Health Science Center at San Antonio to change the Division of Family Practice presently in the Department of Medicine to a Department of Family Practice and to request permission from the Coordinating Board, Texas College and University System for the creation of this department.

5. San Antonio Health Science Center (San Antonio Medical School):
Affiliation Agreement with The San Antonio Children's Center. --
 The following affiliation agreement between the Board of Regents of The University of Texas System on behalf of the San Antonio Medical School of The University of Texas Health Science Center at San Antonio and the Board of Directors of The San Antonio Children's Center was approved. The Chairman of the Board of Regents was authorized to execute this affiliation agreement which has already been approved as to form by a University attorney and as to content by the Vice-Chancellor for Health Affairs and the Deputy Chancellor for Administration:

AFFILIATION AGREEMENT

THE STATE OF TEXAS |

COUNTY OF BEXAR |

This AGREEMENT is executed on _____, 1973, by and between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of The University of Texas Medical School at San Antonio, San Antonio, Texas, sometimes referred to as "Medical School" in this agreement, and the BOARD OF DIRECTORS OF THE SAN ANTONIO CHILDREN'S CENTER, a Texas chartiable corporation of San Antonio, Texas, referred to as the "Center" in this agreement, WITNESSETH:

WHEREAS, it is mutually recognized that the Medical School and the Center have certain objectives in common: namely, (1) the advancement of mental health services through excellent professional care of patients; (2) the education and training of medical and ancillary personnel; (3) the advancement of medical knowledge through research; and (4) the promotion of personal and community health, and that each can accomplish these objectives in larger measure and more effectively through certain affiliated operations; and

WHEREAS, it is the desire of both parties that the facilities operated by the Center be available for use by the Medical School as a teaching and training facility and that faculty and students of the Medical School be available for service at the Center to the extent agreed upon by the parties in order that both parties may accomplish their objectives in larger measure and more effectively;

NOW, THEREFORE, with the objectives in mind, and with an intent to develop both institutions to the maximum extent consistent with the interests of each, the Medical School and the Center agree as follows:

(1) PURPOSE OF AFFILIATION

(a) The purpose of this agreement is to establish a broad framework of institutional policies to facilitate cooperation between the Medical School and the Center. It is agreed that the initiative for establishing definitive relationships will be vested in the respective department heads of the departments within institutions of the Medical School and the corresponding departments or divisions of the Center. It is further understood that the individual departments of the agreeing parties may or may not establish affiliations, depending upon the needs and circumstances of the departments and subject to the appropriate action by the respective governing bodies of the institutions.

(2) PROVISIONS FOR FACULTY APPOINTMENT FOR CENTER STAFF MEMBERS

Both parties agree that academic status is a strong inducement for attracting well-qualified individuals for professional staff positions at the Center, and that faculty appointments made by the Medical School for individuals in key positions at the Center should include reasonable assurances of continuation of employment by the Center. Academic appointments, including tenure, will be nominated by the Center or the Medical School and will be granted after mutual departmental agreement on an individual basis, subject to the approval of the person by the Medical School and satisfactory arrangements covering the financial obligations accompanying all appointments in this category. The alternatives for obtaining appointments in this category are:

(a) Guarantee by the Center of future salary costs for appointments made by the Medical School

Under a contract negotiated between the individual physician and the Center, with the approval of the Medical School, the Center will agree to pay to the Medical School the salary plus appropriate fringe benefits for the position authorized in accordance with the terms of the contract. These payments will continue as long as the Medical School is required to maintain these personnel, but not to exceed the term of the contract as negotiated between the parties.

(b) Center Staff with Adjunct Faculty Appointment with or without partial compensation from the Medical School

Mutual agreement between the Center and the Medical School is required for adjunct appointment in either category with definition of adjunct faculty title, duties, amount and source of compensation (if any), and term of appointment (annual, unless otherwise agreed upon).

(3) OTHER PROVISIONS CONCERNING STAFF

(a) Rules and personnel practices established by the Center will be used in the appointment of all staff of the Center who do not receive teaching assignment, faculty designation, or compensation through the Medical School.

(b) Physicians and other mental health personnel employed full time by the Medical School and based at the Center, with academic appointments, will be subject to The University of Texas System Medical Service, Research and Development Plan rules and regulations.

(4) JOINT SPONSORSHIP OF RESEARCH ACTIVITIES

If personnel employed by the Center who have faculty appointments at the Medical School need research facilities they will be made available by the Center provided the regular and continuing activities and programs of the Center will not be adversely affected. When research facilities are needed the need will be explained to the Board of Directors of the Center which will, after considering the specific research program and the current requirements

of the Center for facilities, determine whether the facilities can be made available. Research projects at the Center may be sponsored by the Medical School, the Center, or jointly. When there is joint sponsorship, the extent of the responsibility of each institution in the administration and disposition of research funds, provision of staff and facilities, and ownership of equipment purchased with research funds will be clearly stated in writing.

(5) PROVISION FOR REVIEW OF RELATIONSHIP

Both parties agree that a productive and harmonious relationship between the two institutions depends upon maintaining effective channels of communication. The parties anticipate that routine matters will be handled and decided mutually, through continuous contacts at the departmental level. At least annually, and more frequently, if necessary, a group representing each institution shall review all relationships and policies, and other matters of common concern.

(6) JURISDICTIONAL POWERS

It is agreed that the Board of Directors of the Center shall retain all jurisdictional powers incident to separate ownership, including exclusive jurisdiction over the administration and supervision of its facilities, its general and fiscal policies, the appointment and supervision of its professional staff and employees, and all commitments, agreements or decisions to be made pursuant to this agreement. However, the Center will seek counsel and advice of the Medical School when the exercise of such jurisdiction affects the programs of the teaching and research which it will conduct with the Medical School.

(7) HOLD HARMLESS

Only insofar as authorized by law to do so, the Medical School agrees to hold the Center harmless from and against any and all liability for personal injury, including injury resulting in death, or damage to property, or both, resulting directly or indirectly from the use by the Medical School of the Center facilities and agrees to reimburse the Center for all reasonable expenses, including attorney's fees, incurred by the Center in defending any such claim or claims.

(8) MODIFICATION OF AGREEMENT AND TERMINATION

If any aspect of this agreement becomes unsatisfactory to either party, a joint committee of representatives of both institutions shall be responsible for discussing and resolving difficulties. If a change in the agreement is necessary, the committee shall make recommendations to the authorities of each institution. If problems develop that are sufficiently serious and cannot be resolved, dissolution of the agreement may be indicated. The effective date of such dissolution shall be mutually agreed upon, with adequate time to allow the Medical School and the Center to make necessary arrangements for dissolution in an orderly manner. In the absence of such an agreement the effective date of such dissolution or termination shall be six months after receipt by either party of a written notice from the other party.

(9) PERIOD OF AGREEMENT AND AMENDMENT

This agreement is for a period of five years from its date of execution, unless terminated by either party as hereinabove provided. It may be extended or amended in writing to include such provisions as the parties may agree upon. Employees of the Center or the Medical School, or both, shall have no rights under this agreement that cannot be altered or amended by agreement of the parties or that cannot be amended or terminated upon amendment or termination of this agreement.

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

ATTEST:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

BETTY ANNE THEDFORD, SECRETARY
Board of Regents of
The University of Texas System

By: A.G. McNEESE, JR., CHAIRMAN
Board of Regents of
The University of Texas System

ATTEST:

BOARD OF DIRECTORS OF
THE SAN ANTONIO CHILDREN'S CENTER

Mrs. John B. Cadoucaud
Secretary

By: [Signature]
Chairman

Approved as to Form:

Bunce Wadley
University Attorney

Approved as to Content:

[Signature]
Vice-Chancellor for Health Affairs

[Signature]
Deputy Chancellor for Administration

REPORT OF BOARD FOR LEASE OF UNIVERSITY LANDS. --Regent Garrett presented the following report of the Board for Lease of University Lands:

The Board for Lease of University Lands met at The University of Texas Southwestern Medical School at Dallas on March 1, 1973, with all members of the Board present.

The application of HNG Oil Company for a gas pooling agreement covering all of Section 35, Block 21, University Land Survey, Winkler County, Texas, was approved with the understanding that HNG Oil Company will commence a well within 90 days of the effective date and will drill the well to a depth sufficient to test the pool formation. Should the first well fail to reach the required depth, the company will be permitted to drill one or more substitute wells within 90 days. It was noted that the HNG Oil Company has made a nice discovery at 18,000 feet in the section north of Section 35.

Reports were received on the commingling of production, lease automatic custody transfer systems and cancellation of approval for commingling.

REPORT OF LAND AND INVESTMENT COMMITTEE (Pages 52-63). -- Committee Chairman Garrett filed with the Secretary the following report of the Land and Investment Committee. Committee Chairman Garrett moved that the report be adopted. The motion was seconded and unanimously prevailed:

Unless otherwise indicated in the report, the Associate Deputy Chancellor for Investments, Trusts and Lands under authority of the Regents' Rules and Regulations, Part One, Chapter IX, was authorized to execute all necessary instruments relating to real estate or mineral interest held or controlled by the Board of Regents as a part of the Permanent University Fund or as a part of any Trust or Special Fund when such instruments are approved as to form by a University attorney and as to content by an appropriate official.

I. Permanent University Fund

A. Investment Matters

Permanent University Fund: Report on Clearance of Monies to Permanent University Fund and Available University Fund. --
From the Auditor, Oil and Gas Production the following report with respect to monies cleared by the General Land Office to the Permanent University Fund and the Available University Fund for the current fiscal year through January 1973 was received and made a part of this Committee's report:

	January, 1973	Cumulative This Fiscal Year	Cumulative Preceding Fiscal Year (Averaged)
<u>Permanent University Fund</u>			
Royalty			
Oil	\$ 945,451.23	\$ 5,922,546.98	\$ 6,685,913.70
Gas - Regular	89,238.19	1,257,461.11	1,434,322.10
- F. P. C.	1.07	40,840.68	11,676.85
Water	2,159.26	57,371.59	49,409.25
Salt Brine	1,310.35	5,112.36	5,608.85
Rental on Mineral Leases	2,584.40	168,029.74	141,512.70
Rental on Water Contracts	697.96	2,761.47	10,670.00
Rental on Brine Contracts	- 0 -	- 0 -	83.35
Amendments and Extensions of Mineral Leases	4,805.26	278,846.78	118,929.50
	<u>\$1,046,247.72</u>	<u>\$ 7,732,970.71</u>	<u>\$ 8,458,126.30</u>
Bonuses, Mineral Lease Sales, (actual)	- 0 -	2,475,900.00	4,769,600.00
Total, Permanent University Fund	<u>\$1,046,247.72</u>	<u>\$10,208,870.71</u>	<u>\$13,227,726.30</u>
<u>Available University Fund</u>			
Rental on Easements	4,624.34	32,190.06	99,234.55
Interest on Easements and Royalty	4.30	1,246.29	6,004.40
Correction Fees-Easements	- 0 -	- 0 -	56.45
Transfer and Relinquishment Fees	183.05	555.44	2,847.75
Total, Available University Fund	<u>4,811.69</u>	<u>33,991.79</u>	<u>108,143.15</u>
Total, Permanent and Available University Funds	<u>\$1,051,059.41</u>	<u>\$10,242,862.50</u>	<u>\$13,335,869.45</u>

Oil and Gas Development - January 31, 1973

Acreage Under Lease	591,966
Number of Producing Acres	317,926
Number of Producing Leases	1,407

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B. Land Matters

1. Permanent University Fund: Easements and Surface Leases Nos. 3497-3509 and Amendments to Grazing Leases Nos. 1005 and 1056. --Easements and Surface Leases Nos. 3497-3509 and Amendments to Grazing Leases Nos. 1005 and 1056 were approved as set out below. All are within the policies of the Board of Regents and all have been approved as to form by a University attorney and as to content by an appropriate official:

Easements and Surface Leases (Nos. 3497-3509)

All easements and surface leases are at the standard rate; 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
3497	Texas Electric Service Company	Power Line	Ector	35	641.87 rds. Transmission construction	1/1/73-12/31/82	\$ 738.15
3498	Exxon Pipeline Company (Renewal of 1726)	Pipe Line	Crane	30	105.8 rds. 6-5/8 inch	1/1/73-12/31/82	158.70
3499	Texas-New Mexico Pipe Line Company (Renewal of 1736)	Pipe Line	Crane	30	184.2 rds. 4 1/2 inch	3/1/73-2/28/83	138.15
3500	El Paso Natural Gas Company (Renewal of 1705)	Pipe Line	Upton	3	276.606 rds. 6-5/8 inch	5/1/73-4/30/83	414.91
3501	Fin-Tex Pipe Line Company	Pipe Line	Ward	16	1,550 feet 2 inch	1/1/73-12/31/82	75.00 (Min.)
3502	John McKenzie	Pipe Line	Pecos	21	400 rds. 2 inch	3/1/73-2/28/83	300.00

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Easements and Surface Leases - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
3503	The Nueces Company (Partial renewal of 1697)	Pipe Line	Ward	18	41.7 rds. 3 inch	11/1/72- 10/31/82	\$ 50.00 (Min.)
3504	Mobil Pipe Line Company (Renewal of 1836)	Pipe Line	Andrews	4	329.5 rds. 3 inch	1/1/73- 12/31/82	247.13
3505	Phillips Pipe Line Company (Renewal of 1731)	Pipe Line	Andrews	9	109.2 rds. 4½ inch	5/1/73- 4/30/83	81.20
3506	Phillips Pipe Line Company (Renewal of 1733)	Surface Lease (Oil gathering station site)	Andrews	5	3.02 acres	6/1/73- 5/31/83	694.60 (Full)
3507	The Permian Corporation (Renewal of 1727)	Pipe Line	Reagan	11, 48	2,266.92 rds. 4½ inch	1/1/73- 12/31/82	1,700.18
3508	Phillips Pipe Line Company (Renewal of 1730)	Pipe Line	Andrews	11	434.2 rds. 4½ inch	2/1/73- 1/31/83	325.65
3509	El Paso Natural Gas Company (Renewal of 1706)	Pipe Line	Andrews	1, 9	63.318 rds. 4½ inch 1.25 rds. 3-5/8 inch	5/1/73- 4/30/83	75.00 (Min.)

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Land Matters - Continued--

Amendments to Grazing Leases (Nos. 1005 and 1056)

The following grazing leases have heretofore been granted by the Board of Regents. Each contains a provision that the lessee and the Board of Regents will share equally in any hunting rental. In accordance with the policy adopted by the Board of Regents at its meeting held on December 8, 1972, from and after January 1, 1973, Paragraph 14 of said grazing leases is to be amended so as to provide that a hunting rental as set out below will be due and payable semi-annually in addition to the grazing rental heretofore provided.

Lease No.	Lessee	County	Location Block	Acreage	First Five Years			Second Five Years		
					Per Acre G*	H*	Annual Rental	Per Acre G*	H*	Annual Rental
1005	Burch Woodward	Terrell	37	12,203.6	48¢	8¢	\$ 6,834.00			
1056	Dorothy Henderson Pierce and Joe Sellers Pierce	Crockett	32, 33	2,740	67¢	13¢	2,192.00	80¢	13¢	\$2,548.20

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II. TRUST AND SPECIAL FUNDS

A. Gift, Bequest and Estate Matters

1. U. T. Austin: Acceptance of Bequest of Mrs. Inez Oliver for the Medina Oliver Loan Fund. --The following resolution was adopted:

WHEREAS, Mrs. Inez Oliver died on November 26, 1972, and in her will provided that one-half of her Estate, which one-half amounts to about \$45,000, "is to be given for investment and management to The University of Texas to be known as the Medina Oliver Loan Fund, the income from which is to be used thereafter as a loan in Junior or Senior years to needy, deserving students of marked integrity and high scholastic standing, wishing to finish their degree work in the University of Texas", and

WHEREAS, Mr. Rex G. Baker of Houston, attorney for the Estate of Mrs. Oliver, his sister, has requested that a form of Trust Agreement which he has submitted be executed by the Administrator with Will Annexed of Mrs. Oliver's Estate and on behalf of the University, after approval by the Probate Court, covering the transfer of the bequest to the University:

BE IT RESOLVED, That the bequest of Mrs. Inez Oliver as outlined in the foregoing paragraphs be accepted and that upon approval by the Probate Court the Chairman of the Board of Regents be authorized to execute the Trust Agreement.

2. U. T. Dallas - Cecil H. and Ida M. Green Chair: Acceptance of Gift and Establishment of Honors Chair in the Natural Sciences at The University of Texas at Dallas. --An irrevocable gift from Cecil H. and Ida M. Green to establish a chair at The University of Texas at Dallas to be known as the Cecil H. and Ida M. Green Honors Chair in the Natural Sciences was accepted under the terms outlined in the letter set out on Pages 58-61. The Chairman of the Board of Regents was authorized to execute the letter trust agreement from Cecil H. and Ida M. Green to Dr. LeMaistre.

The Associate Deputy Chancellor for Investments, Trusts and Lands, the Investment Officer, or any Trust Officer was authorized to execute such documents as may be necessary to carry out the Grantor's instructions to invest funds in The Common Fund of New York, New York, including authority to execute an appropriate custodian agreement with the Bank of New York.

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CECIL H. GREEN
13500 NORTH CENTRAL EXPRESSWAY
P. O. BOX 5474
DALLAS, TEXAS 75222

February 2, 1973

Dr. Charles A. LeMaistre, Jr., Chancellor
The University of Texas System
601 Colorado Street
Austin, Texas 78701

Dear Dr. LeMaistre:

Distinguished Chair
University of Texas-Dallas

We hereby irrevocably pledge and commit ourselves to make a gift to the University of Texas System ("System") for the exclusive use and benefit of the University of Texas at Dallas, Texas ("UT-Dallas") which term shall also include its successor(s), if any, in the System. For this purpose, we propose, as requested by you, that the gift be accomplished by transfers to the name of the Board of Regents of the University of Texas System ("Regents"), who, with their successors in office, are authorized by law, as a Board, to accept and administer gifts, grants or donations for use by the System or any of the component institutions of the System.

The gift (which with its proceeds and mutations is hereinafter called the "fund") will consist of marketable securities having an aggregate cash value of not less than \$600,000 on the dates of delivery of the securities for transfer to the Regents. The gift may be made in four installments of approximately equal value on delivery date, one of which is deliverable in each of 1973, 1974, 1975 and 1976 or such earlier dates as we may elect. Income from and corpus of the fund in excess of the original value at the time(s) of delivery of the gift may be used for the purpose of the gift.

The purpose of the gift is to provide a fund for a Distinguished Chair at UT-Dallas to be held by a teacher-scholar who may then be on, or may be recruited to be a member of, the faculty of UT-Dallas, whose work is considered to be in the forefront in a search for important new knowledge and understanding in one or more of the Natural Science disciplines of Biology, Chemistry, Earth Sciences or Physics.

It is our wish that the Chair be awarded to one (a) then a member of the faculty of UT-Dallas to be held for a period not in excess of three years, as a rotating award but subject to renewal for periods, whether successive or not, not in excess of three years each, or (b) recruited to be a member of the faculty of UT-Dallas to be held for a period not in excess of two years. One appointed under (b) may be considered at the end of the two-year period for appointment under (a). It is our further wish that a distinguished visiting committee, knowledgeable of the advanced thought and work in the discipline(s) which is the subject of the work of the appointee, will be named and will consult with the holder of the chair appointed under (a) during each term of the appointment and advise the Regents

or its designated representative(s) of the findings and recommendations of the committee, so that the award will be applied always toward a new and important area of knowledge; and that each recipient of such award under (a) be advised that such review will be made. The significance of a particular area of research or study may change with the advancement of knowledge. A member of the visiting committee might be asked, during a visit of the committee to UT-Dallas, to deliver a lecture in the Natural Sciences under the sponsorship of the committee. The wishes expressed in this paragraph are not conditions of the gift.

The Regents will cause the person holding the chair to be selected from time to time and may also in its discretion cause the holder of the chair to be removed, changed or replaced pursuant to the rules and regulations of the System then in effect. In addition to the procedure for review suggested above, each appointment to the chair is to be reviewed and approved in accordance with established academic policies and procedures of the System as they may exist from time to time; the suggested procedures are not to conflict with such established academic policies and procedures; and the Regents will have the sole discretion with respect to the qualifications of each appointee and the duration of each appointment.

Income from the fund and principal in excess of its original value at the time(s) of delivery may also be used for the expenses of the administration of the fund and for supplementation of the salary and for secretarial, library, equipment, travel and any professional support of the holder of the chair, including assistance in his research, and for remuneration to and expenses of the members of the visiting committee; and the Regents may in its discretion add to or retain in the fund any such income or excess in value of corpus not considered necessary for the above purposes or use any such income or excess for any other purpose deemed by the Regents to be advantageous to research in or study of one or more of such disciplines at UT-Dallas including, but not limited to, the support or participation in support of another chair or chairs at UT-Dallas, or any other purposes connected with the study of one or more of such disciplines.

It is a condition of this gift that the income from the fund and the corpus of the fund in excess of original value at the time or times of gift shall be used to supplement but never to supplant the funds, if any, regularly budgeted for said chair, or UT-Dallas, or the System or any part thereof. It is recognized that the purpose of this gift would be defeated if by act of the government of the State of Texas or other legislative or administrative or governmental body, the Regents or the System or any part thereof any of the fund should be used or employed to supplant instead of supplementing the funds, if any, which would normally be budgeted for said chair, or for the incidental expenses referred to above, or for UT-Dallas. This gift is therefore made upon the condition that if such action by the State of Texas or other legislative or governmental body, or the Regents or the System, or any part thereof, occurs or is attempted, the Regents shall withhold the expenditure of further uncommitted moneys from the fund until there is compliance with the conditions of this gift.

The Regents shall have the following authority and powers with respect to the fund in addition to those hereinabove granted by this letter or by law:

(a) The Regents is empowered to administer the fund in accordance with such uniform rules and regulations as it may from time to time adopt, regardless of whether said rules and regulations contain a specific reference to the fund; or the Regents may administer the fund in such manner as in its sole discretion it deems best, whether in accordance with uniform rules and regulations or not;

(b) The Regents shall have full and complete power and authority to determine and allocate income and other receipts as well as expenses between principal and income, if and to the extent that the Regents deems such allocation advisable in connection with the administration of the fund;

(c) To the extent that any such requirements can be legally waived, neither the Regents nor its members shall ever be required to give any bond in connection with the administration of the fund;

(d) The Regents may acquire or retain any property or create, acquire or retain undivided interests in property for or belonging to the fund, regardless of its non-productivity, or risk or lack of diversification, and without responsibility for production of income or increment to capital;

(e) As soon as the Regents can conveniently do so it will invest the installments of the fund, as received by the Regents, in the Fund (the "Fund of The Common Fund") maintained by The Common Fund, a nonprofit New York corporation, or its successors, subject to withdrawals and disbursements hereby permitted, and continue such investment of the fund for a period of at least five years after the date of commencement of such investment. After the expiration of said five-year period the Regents shall be authorized to continue the investment of the assets and properties belonging to the fund in the Fund of The Common Fund, or to otherwise handle and manage same as provided in Paragraph (f) below, or in accordance with the rules and regulations of the System then in effect, or otherwise according to law;

(f) Subject to (e) above, the Regents may hold in its name or in the name or names of its nominee or nominees, manage, control, exchange, partition, retain, lease, sell, alienate, mortgage, pledge, administer, or otherwise deal with the fund or any part or parts thereof, and invest and reinvest the investments of any kind of the fund or any part or parts thereof in any property or undivided interests in property of any kind, including common trust funds, all on such terms and for such considerations as the Regents deems proper, without being limited by any statute or rule of law concerning investments by trustees or by public or educational or charitable institutions or

other limitations of any kind. The Regents is specifically empowered to employ investment counsel in connection with the fund, or a manager thereof, and to delegate to it or him power in behalf of the fund to select, buy, hold and sell investments, and also to transfer or sell assets to common trust funds in return for cash, other assets or participations in such funds.

The members of the Regents, in the administration of the fund, shall be liable only for their own gross negligence or willful misconduct.

In the administration of the fund, the Regents may act by a quorum or a majority of all its members.

None of the fund shall ever be or become a part of the Permanent University Fund or of income therefrom, nor shall the legislature of the State of Texas have power or be in anywise authorized to change the purpose of the fund or to divert it from the purpose herein set out.

This letter is being signed in quadruplicate originals, and if this gift is acceptable to the Regents upon the terms, provisions and conditions set forth in this letter, please have two copies of this letter signed by its Chairman or Vice Chairman on behalf of the Regents to evidence its acceptance and return two copies to us.

Sincerely,

Accepted:

_____, 1973

Cecil H. Green
Cecil H. Green

Board of Regents of
The University of Texas
System

Ida M. Green
Ida M. Green

By _____

Its _____

3. University Cancer Center (M. D. Anderson): Acceptance of Bequest of D. H. Emerson and Authorization to Join in Sale of Home in Corpus Christi. --Authorization was given to accept the bequest under the will of D. H. Emerson, deceased, the pertinent provisions of the will are as follows:

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"I give, devise and bequeath to my sister-in-law, Mrs. Mary G. Emerson (the wife of my brother, J. H. Emerson), for so long as she shall live, the right of use, possession and enjoyment of the property occupied by me upon which my residence is situated, being Lot 21 and the North one-half (N/2) of Lot 20, Block 1, Saxet Heights No. 1 Addition to the City of Corpus Christi, Nueces County, Texas, together with all improvements thereon and all furniture, fixtures, furnishings and other household effects located in the residence on said property."

III

"I give, devise and bequeath all the rest and residue of my estate of every kind or character, including, but without limitation, the residuary interest in the property described in Article II above, to the University of Texas System Board of Regents as Trustees for the M. D. Anderson Hospital and Tumor Institute of the University of Texas. It is my wish that the proceeds of the devise so made to such institution be used primarily for research having as its purpose the cure of cancer, but the expression of this wish is precatory only and it shall not be deemed to be a restriction on the use of this bequest for any purpose for which said M. D. Anderson Hospital and Tumor Institute of the University of Texas now or hereafter exists."

A report was received from Associate Deputy Chancellor Todd that Mr. Hayden W. Head of Corpus Christi, Independent Executor of the Estate of D.H. Emerson, had forwarded a check for \$105,000, keeping a reserve of about \$2,500 for small State inheritance taxes and other contingencies; that the Estate is entirely liquid except for the home in Corpus Christi and a few scattered nonproducing mineral interests; that Mr. Emerson had no children and that his wife predeceased him; that his only specific bequest is the life estate in the home to Mrs. Mary G. Emerson, his sister-in-law; and that Mrs. Emerson does not wish to occupy the home or rent it and has requested that the University join her in selling the property. The Board of Regents authorized the University to join in the sale of the home and to work out the division with Mrs. Emerson and invest the proceeds with the understanding that when this matter is concluded it will be reported to the Board for ratification.

B. Real Estate Matters

U. T. El Paso - Frank B. Cotton Trust: Ratification of Acceptance of Assignments of Grazing Lease to Tom Bennett, Jr., Tom Murphey and C. B. Caswell. --The following resolution was adopted:

WHEREAS, By instrument dated July 5, 1968, the Board of Regents granted to J. A. Neal a grazing lease for a term of five years covering 6, 100.95 acres in Block 2, GC&SF Ry, Culberson County, Texas;

WHEREAS, The Board of Regents has previously approved assignments of this grazing lease to Home and Business Service Corporation; Roy E Herring, Jr.; and Rail-X Land & Cattle, Inc.;

WHEREAS, As a part of the reorganization of the Rail-X Land & Cattle, Inc., subject grazing lease was assigned to the City Bank and Trust Company of Dallas, Texas, and Dallas Bank and Trust Company and subsequently assigned by the two banks on November 1, 1972, to Tom Bennett, Jr., Tom Murphey and C. B. Caswell, and

WHEREAS, Approval of each of said assignments on behalf of the Board of Regents of The University of Texas System was granted by instruments dated December 7, 1972:

BE IT RESOLVED, That the execution of the consent to the two assignments of subject grazing lease to Tom Bennett, Jr., Tom Murphey and C. B. Caswell be ratified.

C. Bond Matters

Galveston Medical Branch (Galveston Hospitals), Houston Health Science Center and University Cancer Center (M. D. Anderson Hospital): Board of Regents of The University of Texas System Bonds, Series 1973, for Food Facility, and Authorization to Employ Bond Counsel and Bond Consultant. --For the construction and equipment of a Central Food Service Facility to be located in Houston, Texas, to service the Galveston Hospitals of The University of Texas Medical Branch at Galveston, The University of Texas units in The University of Texas Health Science Center at Houston, and the M. D. Anderson Hospital of The University of Texas System Cancer Center, authorization was given to the appropriate official to employ bond counsel and bond consultant to make plans for a bond issue. (See Page 40 .)

III. OTHER MATTERS

Report of Securities Transactions for Permanent University Fund and for Trust and Special Funds for the Months of November and December 1972. --The report of Securities Transactions for Permanent University Fund and for Trust and Special Funds for November and December 1972, submitted by the Associate Deputy Chancellor for Investments, Trusts and Lands was received. It is attached (Attachment No. 2) following Page N-4 of Attachment No. 1 and made a part of these Minutes.

COMMITTEE OF THE WHOLE
(Pages 64 - 73)

Chairman McNeese presented the following report of the Committee of the Whole. Upon motion duly made and seconded, the report and the actions therein were adopted by unanimous vote:

BOARD OF REGENTS, SYSTEM ADMINISTRATION, U. T. AUSTIN AND U. T. EL PASO: AMENDED LIST OF THOSE AUTHORIZED TO NEGOTIATE, EXECUTE AND ADMINISTER CLASSIFIED GOVERNMENT CONTRACTS. --In order to bring up to date the list of officers cleared for access to classified material and to negotiate, execute and administer classified government contracts pursuant to the Security Agreement of The University of Texas System with the United States Department of Defense, the resolution adopted June 9, 1972, was amended to read as follows:

BE IT RESOLVED:

1. That, those persons occupying the following positions among the officers of The University of Texas System shall be known as the Managerial Group as described in the Industrial Security Manual for Safeguarding Classified Information:

Charles LeMaistre, Chancellor, Chief Executive Officer
 E. D. Walker, Deputy Chancellor for Administration
 Robert Lee Anderson, Comptroller
 Betty Anne Thedford, Secretary to the Board of Regents
 A. J. Dusek, Director, Office of Sponsored Projects,
 The University of Texas at Austin, U.T. System
 Security Supervisor
 Stephen H. Spurr, President, The University of Texas
 at Austin
 James H. Colvin, Vice-President for Business Affairs,
 The University of Texas at Austin
 Bobby G. Cook, Business Manager, The University of
 Texas at Austin
 Arleigh B. Templeton, President, The University of
 Texas at El Paso
 Lewis F. Hatch, Vice-President for Academic Affairs,
 The University of Texas at El Paso
 Halbert G. St. Clair, Business Manager, The University
 of Texas at El Paso
 James B. Bacon, Director, Contracts and Grants, and
 Security Officer, The University of Texas at
 El Paso
 Kenneth E. Beasley, Director of Research, The
 University of Texas at El Paso

2. That the Chief Executive and the members of the Managerial Group have been processed, or will be processed, for a personnel clearance for access to classified information, to the level of the facility clearance granted to this institution, as provided for in the aforementioned Industrial Security Manual and all replacements for such positions will be similarly processed for security clearance.

3. That the said Managerial Group is hereby delegated all of the Board's duties and responsibilities pertaining to the protection of classified information under classified contracts of the Department of Defense or User Agencies of its Industrial Security Program awarded to the institutions of The University of Texas System.
4. That the following named members of the Board of Regents shall not require, shall not have, and can be effectively excluded from, access to all classified information in the possession of The University of Texas System and do not occupy positions that would enable them to affect adversely the policies and practices of the institutions of The University of Texas System in the performance of classified contracts for the Department of Defense or User Agencies of its Industrial Security Program, awarded to institutions of The University of Texas System, and need not be processed for a personnel clearance:

MEMBERS OF THE BOARD OF REGENTS:

A. G. McNeese, Jr., Chairman
 Dan C. Williams, Vice-Chairman
 James E. Bauerle, D.D.S.
 Edward Clark
 Frank C. Erwin, Jr.
 Jenkins Garrett
 Mrs. Lyndon Johnson
 Joe T. Nelson, M.D.
 Allan Shivers

U. T. SYSTEM: 1973-74 BUDGET POLICIES AND LIMITATIONS FOR PREPARATION OF GENERAL OPERATING BUDGETS, AUXILIARY ENTERPRISES, CONTRACT AREAS, CURRENT RESTRICTED FUNDS, AND SERVICE AND REVOLVING FUND ACTIVITIES AND CALENDAR THEREFOR. --The following budget policies and limitations for preparation of General Operating Budgets, Auxiliary Enterprises, Contract Areas, Current Restricted Funds, and Service and Revolving Fund Activities for the fiscal year 1973-74 were approved. The chief administrative officers were instructed to write the "first" draft of their operating budgets conservatively in accordance with these policies and to follow the 1973-74 Budget Calendar set out on Page 67 for the preparation of the 1973-74 budgets:

1. Over-all budget totals, including reasonable reserves, must be limited to the funds available for the year from:
 - a. General Revenue Appropriations (based on estimates relating to appropriations being considered by the Sixty-third Legislature),
 - b. Revised estimates of local income, and
 - c. Limited use of institutional Unappropriated Balances.
2. Selective merit salary advances may be provided for the faculty and professional staff. In the case of faculty, merit advances are to be on the basis of teaching effectiveness. This policy relating to faculty salary increases applies to all fund sources.

3. Few, if any, new faculty positions are to be requested, and these are to be based on conservative estimates of enrollment increases. Total faculty staffing should be reviewed in terms of planned increases in work-load.
4. Merit salary advances for classified personnel in accordance with the Personnel Pay Plan policies approved by the Board may be given only to individuals who will have been employed by the institution for at least 6 months as of August 31, 1973.
5. Few, if any, new classified positions are to be requested, and these only where increased work-load justifies.
6. Maintenance, Operation, and Equipment items should be based only on such amounts as are needed. Increases are not to exceed 10% in total over amounts budgeted in 1972-73 except as related to new programs or newly developing institutions.

Justify all increases in Maintenance and Operation and Travel with performance-type data. Prior year expenditures are not to be considered as adequate justification.

7. Travel funds are to be shown as separate line items.
8. All requests for Special Equipment must be supported with detailed descriptions and justification.
9. Unless specific prior approval of the Chancellor is obtained, with appeal to the Board of Regents by the institutional head permitted, no increase in salary may be made for any faculty member or administrator while he is on research leave, on leave without pay, or on assignment outside of the U. T. System institutions.
10. **MAXIMUM SALARY LIMITATIONS (Medical Units - 12 Months Basis) FOR FISCAL YEAR 1973-74**

<u>Rank</u>	<u>Maximum State Salary Rates</u>	<u>Maximum Remuneration</u>
Professor and Chairman	\$ 40,000	\$ 60,000
Professor	38,000	57,000
Associate Professor	34,000	51,000
Assistant Professor	30,000	45,000
Instructor	25,000	37,500

3-05-73

Remuneration may be paid to ranked faculty from multiple fund sources including general budget funds, contract funds, gift funds, etc., subject to maximum limitations approved by the Board of Regents.

Remuneration may include professional income earned and deposited in the institutional trust fund account or other available trust or grant funds. Maximum remuneration in the 1973-74 budget is limited to 50 percent above the maximum State salary rate, by rank, except that in "Exceptional Situations" the limit is not to exceed 75 percent.

1973-74 BUDGET CALENDAR

<u>Time Schedule</u>	<u>Annual Operating Budgets</u>
March 5, 1973	Board approval of policies
May 1	Four Draft copies (including summaries of budget) due from Executive Heads to System Administration
May 14 - 18	Budget Hearings with System Administration
May 31	Thirty copies of adjusted budgets (including adjusted summaries and supplemental data) due from Executive Heads to System Administration
July (or later)	Budgets to Board of Regents
July (or later)	Board Meeting

U. T. ARLINGTON: AUTHORIZATION TO SELL PROPERTY AT 5444 BYERS STREET IN FORT WORTH, TARRANT COUNTY, TEXAS (HARRY C. WEEKS' RESIDENCE). --The Committee of the Whole authorized System Administration to sell the property at 5444 Byers Street, Fort Worth, Tarrant County, Texas, subject to approval by the Board of Regents at a subsequent meeting at which all details of the proposed sale will be submitted. System Administration was further authorized to include the listing of this property with qualified realtors in the City of Fort Worth. (This is the residence of Harry C. Weeks, deceased, who gave the property for the use and benefit of The University of Texas at Arlington with the understanding that he would be permitted to live in the house during his lifetime.)

U. T. ARLINGTON, U. T. AUSTIN AND U. T. EL PASO: REPORT OF COMMITTEE OF EDITORS TO STUDY JOURNALISM TEACHING AND STUDENT PUBLICATIONS AT U. T. EL PASO AND RESOLUTION OF COMMENDATION OF COMMITTEE'S WORK. --Chancellor LeMaistre reported that the Committee of Editors to study journalism teaching and student publications, appointed by Chancellor LeMaistre pursuant to authorization of the Board of Regents on January 29, 1971, had filed its report on student publications and journalism education at The University of Texas at El Paso. The Committee suggests that communication and cooperation be improved among The Prospector, the Department of Journalism, and the officers and members of the Student Publications Board. The specific recommendations of the Committee of Editors are:

1. A salaried business manager with prescribed duties in line with accepted newspaper practices.
2. Department of Journalism representatives on the Student Publications Board.
3. The Prospector serve as a means by which journalism students gain practical experience through production of assigned articles and use of The Prospector facilities which do not interfere with the newspaper's operation.
4. Strengthening of the journalism faculty to give students more guidance and leadership.
5. Increased budget for The Prospector to bring it in line with support of student newspapers at U. T. Arlington.
6. Development of closer working relationship between advertising classes and student publications to increase income and offer practical ad sales planning and experience.

Chancellor LeMaistre reported that he had transmitted the Committee's full report to President Templeton for his consideration and appropriate implementation as soon as practical.

Following this report, Chairman McNeese expressed gratitude to those individuals who had served so well. Whereupon, Regent Garrett moved that the following resolution of commendation (Page 69) to the members of the Committee of Editors be adopted. This motion carried by unanimous vote.

Regent Garrett noted that the members of this Committee served beyond the call of duty and with lasting benefit.

RESOLUTION

WHEREAS, The growth of The University of Texas System in the preceding decade necessitated a review of policies governing student publications at the academic component institutions in the University System; and

WHEREAS, The Board of Regents voted to appoint a blue ribbon committee of newspaper editors and publishers to study student publications at the Arlington, Austin, and El Paso campuses and submit to the Board a report of the Committee's recommendations on the role, organization, governance, relationship to journalism teaching, and such other matters considered to be relevant by the Committee; and

WHEREAS, At its meeting on April 23, 1971, after consultation with the Texas Daily Newspaper Association and the Texas Press Association, the Board of Regents appointed the above-named individual to the 14-member panel of journalists; and

WHEREAS, Since that time, the panel has conducted its studies on each campus in a most exemplary manner and provided advice and counsel of outstanding significance and benefit to the System Administration and the Board of Regents;

NOW, THEREFORE, BE IT RESOLVED: That the members of the Board of Regents express their deep gratitude to each member of the Committee for his untiring efforts in reviewing and making recommendations for improvements in student newspapers and publications and in journalism teaching programs at The University of Texas at Arlington, The University of Texas at Austin, and The University of Texas at El Paso; and

BE IT FURTHER RESOLVED: That the Board recognizes that the Committee's professional skill and experience have brought to the University's journalism programs a broadened scope of understanding among the administration, faculty, and students concerned; and

BE IT FURTHER RESOLVED: That a copy of this resolution be appropriately inscribed and carry the Seal of The University of Texas System and that copies be presented to each member of the Committee.

U. T. AUSTIN: APPOINTMENT OF DR. KARL FOLKERS AND DR. RICARDO GULLON TO ASHBEL SMITH PROFESSORSHIPS. --
Upon recommendation of President Spurr, concurred in by Chancellor LeMaistre, the following professors at The University of Texas at Austin were named Ashbel Smith Professors to be effective immediately:

Dr. Karl Folkers, Professor of Pharmacy and Chemistry
and Director of the Institute for Biomedical
Research

Dr. Ricardo Gullon, Professor Spanish-Portuguese

U. T. AUSTIN - LYNDON BAINES JOHNSON LIBRARY: REPORT ON FAILURE OF TRAVERTINE MARBLE CLADDING; AUTHORIZATION TO DEMAND CONTRACTOR TO REPAIR; IF CONTRACTOR DOES NOT, AUTHORIZATION TO PROSECUTE SUIT AGAINST CONTRACTOR (T. C. BATESON CONSTRUCTION COMPANY, DALLAS, TEXAS), ARCHITECTS (SKIDMORE, OWINGS AND MERRILL, NEW YORK, NEW YORK, AND BROOKS, BARR, GRAEBER AND WHITE, AUSTIN, TEXAS), AND BONDING COMPANY (FEDERAL INSURANCE COMPANY OF NEW YORK). --To determine the cause of the failure of the travertine marble cladding on the Lyndon Baines Johnson Library of The University of Texas at Austin, a consulting committee was engaged by the Office of Facilities Planning and Construction. A summary of conclusions and recommendations of this consulting committee (prepared by Shilstone Engineering Testing Laboratory, Inc., Houston, Texas, in association with John Gibbud, Erlin, Hime Associates, and Frank Bryant & Associates, and with support from A. Stasswender Marble Works) was received by the Board of Regents prior to the meeting. The complete official signed report was distributed to each Regent, and a copy is in the Secretary's files. The report reflected the unanimous opinion of the committee that the applicable drawings and specifications had not been followed for stone fabrication and installation. It was pointed out and emphasized that this condition of the Library makes it dangerous and that it should be remedied at an early date.

It was ordered that a demand be promptly made on the Contractor, T. C. Bateson Construction Company, Dallas, Texas, to perform at his own expense the remedial work relating to the travertine marble distress in accordance with the original plans and specifications and as recommended by the consulting committee.

If the Contractor refuses to perform all of that remedial work at his own expense, it was ordered that the Office of Facilities Planning and Construction immediately prepare the plans for this work and call for bids thereon, with the bids to be reported to the Board of Regents for action, and further that the Attorney General be requested to prosecute the suit heretofore filed against the Contractor (T. C. Bateson Construction Company, Dallas, Texas), the Architects (Skidmore, Owings and Merrill, New York, New York, and Brooks, Barr, Graeber and White, Austin, Texas), and the Bond Company (Federal Insurance Company of New York).

U. T. AUSTIN: INCREASED UTILIZATION OF BALCONES RESEARCH CENTER (LONG-TERM LEASES FOR RESEARCH AND DEVELOPMENT). -- Authorization was given to expand the utilization of the Balcones Research Center of The University of Texas at Austin in program areas of concern and interest to the academic community, private industry and the Federal Government with the understanding that this expansion be accomplished internally within the present organization and finance procedures of U. T. Austin and The University of Texas System. It was ordered that long-term leases of the property at Balcones Research Center be expedited through existing University channels and that the income from such rentals be handled through the Available Fund and/or other designated funds and be disbursed through established budgetary procedures of U. T. Austin.

U. T. AUSTIN: ESTABLISHMENT OF PROFESSORSHIP IN LAW. -- Approval was given to establish a professorship in law at the School of Law of The University of Texas at Austin with the understanding that it is to be funded through the Law School Foundation. The name of the professorship and the name of the donor is being withheld presently at the request of the donor. The Chairman of the Board of Regents was authorized to join with the President of the Law School Foundation, Tom Sealy, in executing the letter of acceptance dated December 28, 1972, from the donor.

U. T. SAN ANTONIO: RECOMMENDATION TO ACQUIRE LAND POSTPONED. --The recommendation of System Administration with respect to the acquisition of land for The University of Texas at San Antonio was passed until a later meeting of the Board of Regents.

GALVESTON MEDICAL BRANCH (GALVESTON MEDICAL SCHOOL): ACCEPTANCE OF GIFT TO ESTABLISH THE HARRIS L. KEMPNER PROFESSORSHIP IN THE HUMANITIES IN MEDICINE. --The Harris L. Kempner Professorship in the Humanities in Medicine was established at the Galveston Medical School of The University of Texas Medical Branch at Galveston to be funded by the income from a gift of \$100,000, payable over a five-year period, from the Trustees of the Harris and Eliza Kempner Fund. The provision of the grant from the Harris and Eliza Kempner Fund specifies that the "payments out the of the \$100,000 grant for this Professorship would not begin until your committee has found the individual who will have the abilities and the desire to direct this program."

GALVESTON MEDICAL BRANCH (GALVESTON MEDICAL SCHOOL): REPORT ON STATUS OF ASHBEL SMITH BUILDING (REFERRED TO AS OLD RED). --At the request of Chairman McNeese, President Blocker briefly reported on the status of the campaign to restore the Ashbel Smith Building (referred to as Old Red) at the Galveston Medical School of The University of Texas Medical Branch at Galveston. At present, \$70,000 has been received but the campaign has not actually been started on drug companies, foundations, and other organizations. This campaign will be carried on with force during the summer of 1973.

HOUSTON HEALTH SCIENCE CENTER (HOUSTON DENTAL BRANCH): APPROVAL AND AFFIRMATION OF DISMISSAL OF OZRO B. WISWELL BY FACULTY COMMITTEE. --The Administration of the Houston Dental Branch of The University of Texas Health Science Center at Houston notified Mr. Ozro B. Wiswell that his employment with that institution would be terminated effective August 31, 1971. Under the Regents' Rules and Regulations, Part One, Chapter III, Subsection 6.3, Mr. Wiswell requested a hearing. On May 19, 1972, a hearing was held before a faculty committee of the Dental Branch and a decision upholding the dismissal of Mr. Wiswell was rendered by the committee on June 21, 1972.

Mr. Stewart M. Nelkin, attorney for Mr. Ozro B. Wiswell, appealed the decision of the faculty committee to the Board of Regents. The appeal was placed on the agenda for the March 5, 1973, meeting and Mr. Nelkin

was notified that he would be entitled to submit a written statement for the consideration of the Board. Mr. Nelkin did not submit such a statement.

In advance of the March 5, 1973, meeting, each member of the Board of Regents was furnished a copy of the complete transcript of the hearing before the faculty committee of the Houston Dental Branch of The University of Texas Health Science Center at Houston that considered the dismissal of Mr. Wiswell. After due consideration of the hearing transcript in the Executive Session of the Committee of the Whole, the Board of Regents denied Mr. Wiswell's appeal and affirmed and ratified the termination of his employment at the Houston Dental Branch, which termination was implemented by the Dean of the Houston Dental Branch, approved by a Houston Dental Branch faculty committee after a hearing, and approved by the Chancellor of The University of Texas System.

HOUSTON HEALTH SCIENCE CENTER: DESIGNATION OF VICE-PRESIDENT FOR BUSINESS AFFAIRS G. C. FRANKLIN AS AGENT FOR TAX-FREE ALCOHOL. --For The University of Texas Health Science Center at Houston, the following resolution was adopted designating an authorized agent to secure tax-free alcohol:

WHEREAS, The University of Texas Health Science Center at Houston is carrying on research programs which require a continuing supply of alcohol for experimental and other scientific purposes:

THEREFORE, BE IT RESOLVED, That Mr. G. C. Franklin, Vice-President for Business Affairs of The University of Texas Health Science Center at Houston, be authorized to have charge of and be responsible for and apply for and sign the "Application and Withdrawal Permit to Procure Spirits Free of Tax" for The University of Texas Health Science Center at Houston, and

BE IT FURTHER RESOLVED, That it shall be the duty of Mr. G. C. Franklin to execute on behalf of The University of Texas Health Science Center at Houston any and all documents required by the Alcohol and Tobacco Tax, Internal Revenue Service.

OTHER MATTERS

HOUSTON HEALTH SCIENCE CENTER: SELECTION COMMITTEE FOR CHIEF ADMINISTRATIVE OFFICER. --Pursuant to the Regents' Rules and Regulations, Part One, Chapter II, Section 4.1, Chairman McNeese

announced the appointment of the Selection Committee for the Chief Administrative Officer of The University of Texas Health Science Center at Houston:

Regents' Committee for Selection of Chief Administrative Officer
for
The University of Texas Health Science Center at Houston

Board of Regents:

Mr. Frank C. Erwin, Jr., Member
Mr. A. G. McNeese, Jr., Chairman
Joe T. Nelson, M. D., Member

The University of Texas System:

Charles A. LeMaistre, M.D., Chancellor (Chairman of this Committee)
Mr. E. D. Walker, Deputy Chancellor for Administration
Vice-Chancellor for Academic Affairs
Dr. William Knisely, Vice-Chancellor for Health Affairs

Chief Administrative Officers of Component Institutions:

Charles C. Sprague, M.D., President of The University of Texas Health Science Center at Dallas
Truman G. Blocker, Jr., M.D., President of The University of Texas Medical Branch at Galveston
R. Lee Clark, M.D., President of The University of Texas System Cancer Center
Frank Harrison, M.D., President of The University of Texas Health Science Center at San Antonio

U. T. AUSTIN: STUDENT SERVICE FEE (REQUIRED) AND STUDENT ACTIVITIES FEE (OPTIONAL) FOR 1973-74 RECONSIDERED. --With respect to instructions that an Attorney General's Opinion be sought regarding the operation of the Daily Texan on The University of Texas at Austin campus and the mandatory fee, Regent Erwin said that he had just been informed that the Attorney General will not render an opinion when litigation is imminent. In view of that new information that was received from the University attorney, Regent Erwin moved that the earlier action taken in the Academic and Developmental Affairs Committee (Page 22) be reconsidered, that the Attorney General's opinion previously authorized be requested, and that if the Attorney General declines to give the requested opinion, there be levied a mandatory fee for Student Publications which will produce \$136,650, the estimated income recommended by President Spurr for 1973-74, and that this fee be mandatory whether it is levied on the per student basis or on the semester credit hour basis. Regent Shivers seconded the motion which was unanimously adopted.

ADJOURNMENT. --There being no further business to come before the Board of Regents, the meeting was duly adjourned at 2:25 p. m.


Betty Anne Thedford
Secretary

March 7, 1973