

OMISSION

Pages 270 - 756

A. Keith Baker

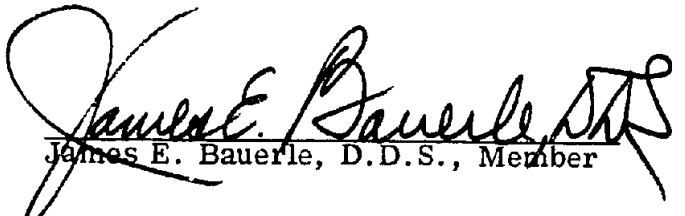
SIGNATURE OF OPERATOR

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 (September 16, 1977) to be reflected in the Minutes.


Signed this the 16th day of September A.D. 1977.


Allan Shivers, Chairman

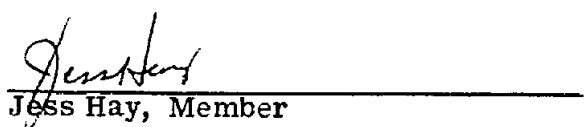

Dan C. Williams, Vice-Chairman


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



Mrs. Roland K. Blumberg, Member


Edward Clark, Member


Sterling H. Fly, Jr., M.D., Member


Jess Hay, Member


Thos. H. Law, Member


Walter G. Sterling, Member

Meeting No. 748
THE MINUTES OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

Pages 1 - 269

September 16, 1977

Austin, Texas

SEP 16 1977

2

MEETING NO. 748

FRIDAY, SEPTEMBER 16, 1977.--The members of the Board of Regents of The University of Texas System convened in regular session at 9:00 a. m. on Friday, September 16, 1977, in the Regents' Meeting Room on the ninth floor of Ashbel Smith Hall, Austin, Texas, with the following in attendance and Chairman Shivers presiding:

ATTENDANCE.--

Present

Chairman Shivers, presiding
Vice-Chairman Williams
Regent Bauerle
Regent (Mrs.) Blumberg
Regent Clark
Regent Fly
Regent Hay
Regent Law
Regent Sterling

Absent

Secretary Thedford

Chancellor LeMaistre
President Walker

BOARD OF REGENTS: APPROVAL OF MINUTES OF REGULAR MEETING ON JULY 29, 1977.--Upon motion of Regent Bauerle, seconded by Regent Sterling, the Minutes of the meeting of the Board of Regents of The University of Texas System held on July 29, 1977, in Austin, Texas, were approved without objection as circulated by Secretary Thedford. The official copy is recorded in the Permanent Minutes, Volume XXIV, Pages 3982-4457.

INTRODUCTION OF VISITORS.--At the request of Chairman Shivers, at this time and during the course of the meeting, the following students and other visitors were introduced.

U. T. Austin - Mr. Dan Malone, Editor of The Daily Texan introduced:

Karen Hastings, Reporter, The Daily Texan
Marcie Gugenheim, Reporter, The Daily Texan
Danny Cunningham, Reporter, The Daily Texan
Gary Fendler, Assistant Editor, The Daily Texan
John Craddock, Student in Humanities
Joe Montalbano, Student in Communication

U. T. Arlington - President Nedderman introduced:

Tim Matheus, President, Student Congress
Mark Henderson, Student Congressman
Linda Ponce, Reporter, the Shorthorn

U. T. San Antonio - President Flawn introduced:

Steve Linahan, President, Student Representative Assembly

SEP 16 1977

Galveston Medical Branch - President Levin introduced:

Dr. George T. Bryan, Dean of the School of Medicine

Others introduced were:

Mr. W. E. Ferro and Mr. Fred Day, representing the firms of Bernard Johnson, Inc., Houston, Texas, and Jessen Associates, Inc., Austin, Texas, respectively
[These firms had been selected Project Architect for the Texas Department of Corrections Hospital at the Galveston Medical Branch.]

RECESS FOR COMMITTEE MEETINGS AND EXECUTIVE SESSION OF THE COMMITTEE OF THE WHOLE.--Chairman Shivers announced that (1) the Board of Regents would recess (9:10 a.m.) for meetings of the Standing Committees and (2) following the Open Session of the Committee of the Whole, the Board would retire to the Regents' Committee Room and convene as a Committee of the Whole in Executive Session pursuant to Article 6252-17, Sections 2 (e), (f) and (g), V.T.C.S. to consider:

- a. Pending or contemplated litigation
- b. Purchase, exchange, lease or value of real property, negotiated contracts for prospective gifts or donations
- c. Personnel matters involving appointment, employment, evaluation, reassignment, duties

RECONVENE.--Immediately after the meeting of the Executive Session of the Committee of the Whole (1:15 p.m.), the Board of Regents reconvened in the Regents' Meeting Room.

REPORTS OF STANDING COMMITTEES

Chairman Shivers called for the reports of the Standing Committees. With the exception of the Executive Session of the Committee of the Whole, all meetings had been conducted in open session in the Regents' Meeting Room on the ninth floor of Ashbel Smith Hall.

REPORT OF SYSTEM ADMINISTRATION COMMITTEE (Pages 3-7). -- Vice-Chairman Williams, Chairman of the System Administration Committee, presented the following report and stated that all actions had been taken in open session. There being no objection, the report was adopted:

Report

In open session this morning, the System Administration Committee approved after discussion but without objection each of the following recommendations of the administration and submits them to the Board of Regents for formal approval:

1. U. T. System: Establishment of Guidelines for Administration of Special Item Appropriation Scholarships (Tuition Scholarships) (Appropriations Bill, Section 15, 65th Leg., R.S., 1977)(1-CW-78). -- Section 15 of the Appropriations Bill, 65th Leg., R. S., 1977, provides that copies of the rules and regulations adopted by the governing board concerning the award of tuition scholarships shall be filed with the Comptroller prior to disbursement of funds. In compliance therewith, it is recommended by System Administration that the following be adopted for implementation at all component institutions of The University of Texas System:

CRITERIA FOR AWARDING TUITION SCHOLARSHIPS

- a. Grants are to be made only to students who have been accepted for enrollment and who actually enroll in the term or terms for which the grant is awarded.
- b. Grants are to be awarded by the Office of Student Financial Aid on the basis either of the financial need of the applicant or on the academic merit of the applicant.
- c. Financial need is to be determined by use of accepted "need analysis" procedures generally in use in other "needs based" financial assistance programs. Merit is to be determined on the basis of demonstrated or potential academic excellence.
- d. No more than 10% of total scholarship funds awarded through the program in a fiscal year shall be awarded to nonresident students.
- e. No award shall be made to aliens. For purposes of this program, an alien is a person who is neither a citizen, a national, nor a permanent resident of the United States.
- f. No awards from this fund will exceed the actual tuition charges paid by the student recipient.

These guidelines were discussed in detail. Prior to final approval Regent Fly requested a definition of the term "permanent resident" in Section "e" of the above regulations. Later in the meeting, Attorney Shultz reported that "permanent resident" has a special meaning

under the regulations of the Immigration and Naturalization Service. This term applies to aliens who have been granted permission to remain in the country permanently. They are issued what is commonly known as a "green card." An alien in this category may apply for naturalization after five years, or if he marries a U. S. citizen he may apply for naturalization after three years.

2. U. T. Austin: Ratification of Employment of Mrs. Janet Brown in Longhorn Age Group Competitive Swimming and Diving Program--Regents' Rules and Regulations, Part One, Chapter III, Section 5.32 (Nepotism)(2-CW-78). --It is recommended by President Rogers, concurred in by System Administration, that the System Administration Committee ratify the employment of Mrs. Janet Brown as coach in the Longhorn Age Group Competitive Swimming and Diving Program at The University of Texas at Austin on a 75 percent part-time basis for the period June 1 through August 31, 1977. Mrs. Brown's husband is the project administrator; therefore her employment requires an exception to the Regents' Rules and Regulations, Part One, Chapter III, Section 5.32 concerning nepotism.
3. U. T. Arlington, U. T. Austin, Galveston Medical Branch (Galveston Hospitals) and San Antonio Health Science Center: Amendments to 1976-77 Budgets (15-B-77 and 16-B-77). --The appropriate chief administrative officers, concurred in by System Administration, recommend that their respective 1976-77 Operating Budgets be amended as indicated on the pages set out below:

The University of Texas at Arlington, Page 5
The University of Texas at Austin, Pages 5, 6
The University of Texas Medical Branch at Galveston
(Galveston Hospitals), Page 7
The University of Texas Health Science Center at
San Antonio, Page 7

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

THE UNIVERSITY OF TEXAS AT ARLINGTON

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
11.	Plant Funds			
	Transfer of Funds	From: Unappropriated Plant Funds - Interest on Bond Proceeds	To: Furniture and Equipment Purchases	
			Bookstore	\$ 150,000
			Geoscience Building	100,000
			Purchase of Land	300,000
	Amount of Transfer	\$ 550,000		<u>\$ 550,000</u> ---

THE UNIVERSITY OF TEXAS AT AUSTIN

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
47.	Auxiliary Enterprises - Intercollegiate Athletics for Men			
	Transfer of Funds	From: Intercollegiate Athletics for Men Unappropriated Balances	To: Intercollegiate Athletics for Men -	
			Other Expenses	\$ 59,800
			Remodeling in Belmont Hall	40,000
			Resurfacing of Running Track	100,000
	Amount of Transfer	\$ 199,800		<u>\$ 199,800</u> ---

"Other Expenses" listed above in the amount of \$59,800 will be allocated as follows:

- Basketball - Hotel, Meals & Travel \$6,200
- Utilities - \$35,000
- Repairs and Maintenance - \$10,000
- Sundry - \$1,100
- Departmental Dining Hall - \$5,000
- Athletics Council Cars - \$2,500

SEP 16 1977

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Item No.	Explanation	Present Status	Proposed Status	Effective Dates
48.	Auxiliary Enterprises - The University of Texas Press - Texas Press Journals			
	Transfer of Funds	From: Texas Press Journals Unappropriated Balance via Estimated Income	To: Texas Press Journals - Other Expenses	
	Amount of Transfer	\$ 23,978	\$ 23,978	---
49.	Auxiliary Enterprises - Division of Recreational Sports			
	Transfer of Funds	From: Recreational Sports Unappropriated Balance via Estimated Income	To: Recreational Sports - Other Expenses	
	Amount of Transfer	\$ 9,912	\$ 9,912	---
50.	Auxiliary Enterprises - Jester Center Store			
	Transfer of Funds	From: Jester Center Store Unappropriated Balance via Estimated Income	To: Jester Center Store - Other Expenses	
	Amount of Transfer	\$ 36,000	\$ 36,000	---
51.	Auxiliary Enterprises - Cultural Entertainment Committee			
	Transfer of Funds	From: Cultural Entertainment Committee Unappropriated Balance via Estimated Income	To: Cultural Entertainment Committee - Other Expenses	
	Amount of Transfer	\$ 32,695	\$ 32,695	---
52.	Auxiliary Enterprises - Intercollegiate Athletics for Men			
	Transfer of Funds	From: Intercollegiate Athletics for Men Unappropriated Balance	To: Intercollegiate Athletics for Men - Other Expenses	
	Amount of Transfer	\$ 70,000	\$ 70,000	---

- 9 -

SEP 18 1977

3

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
9.	Medical Branch Hospitals			
	Transfer of Funds	From: Unappropriated Balance via Estimated Hospital Income	To: Medical Branch Hospitals:	
			Hospital Equipment \$1,000,000	
			Hospital Area Renovations 500,000	
			Project Allocation 784,000	
			Water Storage Facility 156,000	
			Chronic Home Dialysis 200,000	
			Surgical Operating Suite 300,000	
			Renal Transplant Center 25,000	
			Artificial Kidney Center 10,000	
			Office of Patient Finance 25,000	
	Amount of Transfer	\$3,000,000	<u>\$3,000,000</u>	---

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
12.	Plant Funds			
	Transfer of Funds	From: Unappropriated Balance - General Funds	To: Unexpended Plant Funds	
	Amount of Transfer	\$ 1,100,000	\$ 1,100,000	---

Transfer Unappropriated General Funds to Unexpended Plant Funds in order to provide funds for additional equipment purchases, necessary renovation of spaces to be reassigned to other departments, and to perform work necessary to complete the expansion program now under construction in the Medical School. All work to be performed with these funds will be reviewed and approved by the Office of Facilities Planning and Construction and other appropriate officials of System Administration. Details of the projects will be presented in routine through the Buildings and Grounds Committee for consideration by the Board of Regents.

REPORT OF ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE (Pages 8-10). --Committee Chairman Sterling stated that all matters of the Academic and Developmental Affairs Committee were conducted in open session and had been approved without objection unless otherwise indicated. He filed the following report; there being no objection, it was adopted:

U. T. System: Docket No. 1 of the President of the System (Attachment No. 1)(Catalog Change). --Committee Chairman Sterling reported that no exception had been received to Docket No. 1 of the President of the System. At the meeting no objections were offered during the consideration of the Docket, and the Docket was unanimously approved in the form distributed by the Secretary. It is attached (Attachment No. 1) following Page 269 and made a part of these Minutes.

It was ordered that any item included in this Docket that is normally published in the catalogs of the various institutions be reflected in the next catalogs printed by the respective institutions.

U. T. Arlington: Authorization to Seek Permission from Coordinating Board to Establish Program Leading to Bachelor of Arts Degree in History of Art (Catalog Change). --President Nedderman recommended, and System Administration concurred, that a Bachelor of Arts Degree with a major in History of Art at The University of Texas at Arlington be established.

The program is projected to be self-supporting under formula generated funds. Since the courses necessary currently exist, the present faculty and the library holdings are adequate to initiate the program. Depending on the enrollment in the program, additional faculty members will be needed in subsequent years as will significant additional slide collections in the library.

Without objection, the Academic and Developmental Affairs Committee approved the establishment of this program and authorized its submission to the Coordinating Board, Texas College and University System for that commission's consent.

It was further ordered that if this program is approved by the Coordinating Board, the next catalog published by the appropriate school at U. T. Arlington be amended to conform.

3. U. T. Austin: Establishment of Texas Mining and Mineral Resource Research Institute; Commendation of Council on Energy Resources. -- It was reported that the Surface Mining Control and Reclamation Act of 1977 was recently passed by Congress and signed into law by President Carter. Title III, Section 301 (a)(2) provides for the establishment of a Mining and Mineral Resource and Research Institute at a public university in each state to receive Federal funds authorized under Title III of this Act. In the absence of a designation to the contrary by the legislature, the Governor of each state is to designate the public university in the state to establish the State Mining and Mineral Resource and Research Institute. On August 8, 1977, Governor Dolph Briscoe designated The University of Texas at Austin as the public university in Texas to establish the State Mining and Mineral Resource and Research Institute under Title III of this Act.

Committee Chairman Sterling, on behalf of the Academic and Developmental Affairs Committee, thanked Governor Briscoe for designating U. T. Austin as the Texas Mining and Mineral Resource and Research Institute and pledged full support and encouragement for the practical research, demonstration and training programs in the critical mineral resource area as envisioned in Title III of the Surface Mining Control and Reclamation Act of 1977, subject to appropriate Federal funding of the provisions of the Act.

At this point in the meeting Regent Clark took the opportunity to compliment The University of Texas at Austin on its first energy report, "Preliminary Assessment of the President's National Energy Plan," prepared by the Council on Energy Resources (20 faculty members) at U. T. Austin and for the Council's latest energy report entitled "National Energy Policy: Interim Overview." Regent Clark stated that he was convinced, pleased and proud that The University of Texas at Austin had distributed the most distinguished work sent to Washington on the energy question. He commended those twenty faculty members who were responsible for these reports.

4. U. T. Austin: Appointments of (a) Fernando de Szyszlo Visiting Professor for 1977 Fall Semester and (b) Josefina Loraida Vazquez Visiting Professor for 1978 Spring Semester to Edward Larocque Tinker Chair in Latin American Studies. -- Upon the recommendation of President Rogers, concurred in by System Administration, and by unanimous consent, the following individuals were appointed for the semesters indicated to the Edward Larocque Tinker Chair in Latin American Studies at The University of Texas at Austin in accordance with the provisions of the endowment for this chair:

- a. Fernando de Szyszlo Visiting Professor of Art in Latin American Studies for the 1977 Fall Semester. Mr. de Szyszlo is a Professor of Painting at the School of Art in the Catholic University in Lima, Peru, and has an outstanding reputation as an international artist of exceptional quality.
- b. Josefina Loraida Vazquez Visiting Professor of History in Latin American Studies for the 1978 Spring Semester. Professor Vazquez is Director of the Center for Historical Studies at El Colegio de Mexico and has a distinguished record of outstanding achievement in her field of Latin American history.

These appointments have the support of the Tinker Foundation and the Tinker Selection Committee as provided in the conditions of the endowment.

5. U. T. San Antonio: Amendment No. 1 to Constitution of Student Representative Assembly. -- President Flawn reported that the Student Representative Assembly of The University of Texas at San Antonio had adopted six amendments to its constitution and had submitted all six to him for submission to the Board of Regents. He had reviewed these recommendations and approved only one.

Upon recommendation of President Flawn, concurred in by System Administration, and without objection, Amendment No. 1 to the constitution of the Student Representative Assembly at U. T. San Antonio was approved whereby Section 16 of the General Provisions was deleted, and the following was substituted in lieu thereof:

General Provisions

16. The Student Representative Assembly shall meet the first Wednesday at 2:00 p. m. after taking the oath of office to decide upon a regular meeting time.

REPORT OF BUILDINGS AND GROUNDS COMMITTEE (Pages 11-27). -- Committee Chairman Bauerle filed the following Report of the Buildings and Grounds Committee and moved its adoption. He stated that all actions were taken in open session and were approved without objection unless otherwise indicated. Likewise, the report was adopted without objection:

1. U. T. Arlington - (a) Athletic Stadium; (b) Conference Center; and (c) Special Events Center: Reports of Preliminary Studies Received; Proposed Sites and Requests for Appointment of Project Architects and for Additional Appropriations - Postponed. -- Committee Chairman Bauerle submitted for consideration the reports of preliminary studies, proposed sites and requests for appointment of project architects and for additional appropriations for (a) an Athletic Stadium, (b) a Conference Center and (c) a Special Events Center at The University of Texas at Arlington.

President Nedderman presented concisely his justification not only for the need of a multipurpose Athletic Stadium but also for the need for other facilities at U. T. Arlington. Following commendation by the Committee of President Nedderman's splendid report and following a brief discussion by the Committee, consideration of the Athletic Stadium was postponed without objection until the next meeting of the Board upon motion of Regent Hay, seconded by Regents Blumberg and Clark.

After a brief discussion relating to the Conference Center and a presentation by Vice-President Wetsel of sources of funds available for projects at U. T. Arlington, consideration of the proposal relating to a Conference Center was postponed by unanimous consent until the meeting on November 11, 1977, upon motion of Regent Fly, duly seconded.

Likewise, without objection consideration of the proposal relating to the Special Events Center at U. T. Arlington was deferred upon motion of Regent Fly, seconded by Vice-Chairman Williams.

In the discussion it was emphasized that the postponement of the three items in no way was to be construed by President Nedderman as a rejection of the proposals. It was merely the intention of the Committee to take more time for an in-depth study of the projects in relation to funding available for construction at U. T. Arlington.

2. U. T. Arlington - Remodeling of Trinity Hall: Approval of Final Plans and Authorization to Advertise for Bids. -- Upon the recommendation of President Nedderman and System Administration, the final plans and specifications for the Remodeling of Trinity Hall at The University of Texas at Arlington were approved without objection by the Buildings and Grounds Committee as prepared by the Project Architect, Sowden-Kelley-Barfield, at an estimated total project cost of \$1,300,000. The Director of the Office of Facilities Planning and Construction was authorized to advertise for bids for the project subject to final review and to all granting agency clearances should the application for federal funding be approved.

SEP 18 1977

3. U. T. Arlington - University Bookstore: Inscription for Plaque. -- Upon the recommendation of the Administration and without objection, the Buildings and Grounds Committee authorized the following inscription to be arranged appropriately on the plaque of the University Bookstore at The University of Texas at Arlington in accordance with the pattern approved by the Board of Regents on October 1, 1966:

UNIVERSITY BOOKSTORE

1976

BOARD OF REGENTS

Allan Shivers, Chairman
 Dan C. Williams, Vice-Chairman
 James E. Bauerle, D.D.S.
 Edward Clark
 Mrs. Lyndon B. Johnson
 Thos. H. Law
 A. G. McNeese, Jr.
 Joe T. Nelson, M.D.
 Walter G. Sterling

Charles A. LeMaistre, M.D.
 Chancellor, The University
 of Texas System
 Wendell H. Nedderman, President
 The University of Texas
 at Arlington

Lawrence D. White Associates, Inc.
 Project Architect
 Walker Construction Company
 Contractor

4. U. T. Austin - School of Architecture: Authorization for Feasibility Study for Facilities Improvements; Appointment of Thomas-Booziotis & Associates, Dallas, Texas, and Chartier Newton, Austin, Texas, Consultant; and Appropriation Therefor. -- The Administration reported that the School of Architecture at The University of Texas at Austin had outgrown its present building which was constructed in 1933 for a capacity of 250 students. The enrollment was 709 students in 1976-77, and the School occupied 55,842 square feet of space in three locations (the Architecture Building, a small portion of Sutton Hall, and the Architecture Annex). A School of Architecture ad hoc Building Committee had developed, in consultation with the Office of Facilities Planning and Construction, a report outlining a quantitative and qualitative assessment of needs for additional facilities for this School. The report proposed limited new construction together with renovation and utilization of existing building space adjacent to the Architecture Building. However, the U. T. Austin Administration had requested a detailed investigation and feasibility study before a specific project recommendation.

Without objection, and upon the recommendation of President Rogers and System Administration, the Buildings and Grounds Committee:

- a. Authorized a feasibility study by the School of Architecture ad hoc Building Committee and the Office of Facilities Planning and Construction to further define the scope of new and renovated construction, phases of construction, equipment and furnishing needs and cost estimates for the School of Architecture at U. T. Austin
- b. Appropriated \$20,000 from Interest on Bond proceeds for the feasibility study including fees and related expenses

From a list of proposed consultants, the firms of Thomas-Booziotis & Associates, Dallas, Texas, and Chartier Newton, Austin, Texas, were selected to work with the ad hoc Building Committee and the Office of Facilities Planning and Construction in preparing the feasibility study and cost estimate to be submitted to the Board of Regents for consideration at a future meeting.

5. U. T. Austin - Addition to Pharmacy Building: (a) Report of Initial Cost Analysis: Authorization to Increase Project Cost and Additional Appropriation Therefor; (b) Appropriation for Procurement of Institutional Equipment; and (c) Authorization for Project Architect to Prepare Preliminary Plans for Coordinated Design of Utility Extensions to Pharmacy Addition Building Site and Appropriation for Funding. -- In connection with the Addition to the Pharmacy Building at The University of Texas at Austin authorized by the Board of Regents in May 1976, and funds for which were appropriated in December 1976, the Administration presented:
- a. A detailed report with respect to investigations and studies which had been conducted by the Project Architect, The White Bud VanNess Partnership, Houston, Texas, and a U. T. Austin ad hoc building committee.

Based upon the report including increased cost factors and upon the recommendation of President Rogers and System Administration, without objection:

- (1) The total project cost for the Addition to the Pharmacy Building for 40,456 square feet net assignable space within a gross area of 65,000 square feet was authorized increased from \$7,000,000 to \$7,820,000. This will include necessary existing building remodeling and utility extensions to a point five feet from the exterior wall line of the building.
 - (2) An additional amount of \$820,000 was appropriated from Interest on Bond proceeds to cover the increased project cost, \$7,000,000 having been previously appropriated (\$6,945,000 from Permanent University Fund Bond proceeds and \$55,000 from Interest on Bond proceeds).
- b. A report that Instructional and Teaching Equipment requirements had been identified and tabulated in an amount currently estimated at approximately \$535,000 for the Addition to the Pharmacy Building and upgrading of existing facilities in the College of Pharmacy. Realizing that the early placement of teaching equipment orders for this project could save escalation costs on manufactured items, the Administration recommended that \$535,000 be appropriated from the Available University Fund Allocation for operations and capital improvements for the procurement of institutional teaching equipment needed.

This recommendation was approved without objection by the Buildings and Grounds Committee.

c. The following recommendations with respect to a coordinated utilities project to provide utility extensions in the area including the site of the College of Pharmacy:

- (1) That a campus utilities project be authorized at an estimated total project cost of \$523,000 to provide coordinated utility extensions to the site of the College of Pharmacy as well as some existing buildings in the area.
- (2) That the Project Architect, The White Budd Van Ness Partnership, Houston, Texas, be authorized to prepare preliminary plans for utility extensions as a coordinated design with the Addition to the Pharmacy Building.
- (3) That \$523,000 be appropriated from Interest on Bond proceeds to cover the estimated total project cost of the utilities expansion.

The recommendations were approved without objection by the Buildings and Grounds Committee.

6. U. T. Austin - Robert Lee Moore Hall - Fusion Research Center - the Texas Experimental Tokamak (TEXT) Project - Subject to Federal Grant from Energy Research and Development Administration: (a) Authorization for Project; (b) Approval of Site; (c) Appointment of Bovay Engineers, Inc., Austin, Texas, Project Engineer for Preparation of Preliminary Plans and Equipment Consultation; and (d) Appropriation Therefor. -- The Administration reported that The University of Texas at Austin is the recipient of a Federal Grant from the Energy Research and Development Administration (ERDA) for the design, construction, equipment and operation of the Texas Experimental Tokamak project of the U. T. Austin Fusion Research Center in Robert Lee Moore Hall. This grant and the new facility will make possible expanded and significant experimental studies in the vital energy field of fusion research.

After a discussion of what the project involves and subject to execution of the Federal Grant Award Agreement by ERDA (Energy Research and Development Administration), the following recommendations of President Rogers and System Administration were approved:

- a. That the location of the Texas Experimental Tokamak of the Fusion Research Center be in the existing underground laboratory facility of Robert Lee Moore Hall
- b. That the U. T. Austin Administration, the Staff of U. T. Austin Fusion Research Center and the Project Engineer (appointed in Paragraph c.) in consultation with the Office of Facilities Planning and Construction initiate all planning activities for building modifications and the design and fabrication of technical equipment
- c. That Bovay Engineers, Inc., Austin, Texas, be named Project Engineer with authorization for the preparation

of preliminary plans, equipment consultation and a cost estimate which will be presented to the Board of Regents at a future meeting

- d. That \$60,000 be appropriated for fees and miscellaneous expenses through final plan preparation as an advance from Interest on Construction Funds to be repaid from the future appropriation of Federal Grant Funds to be made to the project
7. U. T. Austin - Special Events Center: Inscription for Plaque. -- Upon the recommendation of the Administration, the Buildings and Grounds Committee approved without objection the following inscription to be arranged appropriately on the plaque of the Special Events Center at The University of Texas at Austin in accordance with the pattern adopted by the Board of Regents on October 1, 1966:

SPECIAL EVENTS CENTER

1974

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 B. Johnson
 Joe T. Nelson, M.D.
 Allan Shivers

Charles A. LeMaistre, M.D.
 Chancellor, The University
 of Texas System
 Stephen H. Spurr, President
 The University of Texas
 at Austin

B. W. Crain, Jr.
 Project Architect
 H. A. Lot, Inc.
 Contractor

8. U. T. Austin - South Parking Lot at Special Events Center: Award of Contract to Austin Road Company, Austin, Texas. -- For the construction of the South Parking Lot of the Special Events Center at The University of Texas at Austin at an estimated total project cost of \$408,000, a contract was awarded to the lowest responsible bidder, Austin Road Company, Austin, Texas, in the amount of the base bid of \$322,000. The total project cost will cover the contract award, landscaping, fees and miscellaneous expenses for the construction of this parking lot.
9. U. T. Dallas - Phase II Buildings [Eugene McDermott Library; Cecil H. Green Center; Erik Jonsson Center; Physical Instruction Building], Site Development and Utility Distribution System: Report of Hearing Officer on Contractor's Claim; Claim Denied. -- The Administration submitted the following "Findings of Facts" in the Hearing Officer's Report of August 1, 1977, with respect to the claim of Fischback & Moore, Inc., a subcontractor to Hensel Phelps Construction Company, Greeley, Colorado, the prime contractor for construction of the Phase II Buildings [Eugene McDermott Library; Cecil H. Green Center; Erik Jonsson Center

and Physical Instruction Building], Site Development and Utility Distribution System at The University of Texas at Dallas. Fischback & Moore's claim is in the amount of \$89,821 in added costs, excluding general contractor's markup, and extension of the contract time for 416 days, which allegedly arose from delay, disruption and impact associated with providing and installing certain light fixtures alleged to be beyond the scope of the contract:

Findings of Facts

"The Contractor, Hensel Phelps, and its Subcontractor, Fischback and Moore, whether submitting evidence separately or jointly, or for one or for the other, or for both have each and both failed to prove by a preponderance of the evidence that a directed or sole procurement of the light fixtures in question was intended or required by the provisions of the Contract here involved or by the requirements or instructions of the Owner or The University of Texas System.

"The University of Texas System has proved by a preponderance of the evidence that the procurement of the light fixtures in question was intended to be based upon quality and in open competition but in accordance with Contract specifications and Contract drawings.

"The University of Texas System has proved by a preponderance of the evidence that the Contractor, Hensel Phelps, and its Subcontractor, Fischback and Moore, are not justified in receiving any amount of money as extra compensation for costs in procurement of the light fixtures in question or in receiving any extension in Contract time.

"The evidence adduced before the undersigned Hearing Officer is not adequate and is not sufficient to support the claim of the Contractor, Hensel Phelps and its Subcontractor, Fischback and Moore. The weight of the evidence is contrary to the approval of such claim."

A complete copy of the Hearing Officer's Report had been mailed to each Regent on September 8, 1977, in sufficient time for review.

Upon motion of Regent Law, seconded by Vice-Chairman Williams and Regent Clark, the findings of the Hearing Officer were approved and the claim was denied.

10. U. T. El Paso - Liberal Arts Building: Authorization for Elevator to Meet Federal Requirements for Handicapped (Improvements to Liberal Arts Building Legislative Appropriation); Authorization to Advertise for Bids; and Appropriation Therefor. --In order to meet the standards required by federal statute and the regulations by the U. S. Department of Health, Education and Welfare for the handicapped, the Buildings and Grounds Committee approved without objection the following recommendations of President Templeton and System Administration:
- a. That, in order to provide access for the physically handicapped, a passenger elevator be installed to all four levels of the Liberal Arts Building at The University of Texas at El Paso at an estimated total project cost of

\$100,000 and that the \$100,000 made available by the 65th Legislature for improvements to the Liberal Arts Building be appropriated for this purpose

- b. That the Office of Facilities Planning and Construction be authorized to prepare contract documents and advertise for bids for the project to be presented to the Board of Regents for consideration at a future meeting

11. U. T. El Paso - Library Annex: Report of Committee to Award Contracts for Furniture and Furnishings and Ratification of Contract Awards to Abel Contract Furniture & Equipment Co., Inc., Austin, Texas; Estey Corporation, Red Bank, New Jersey; Educational Media Co., Albuquerque, New Mexico; and San Antonio Floor Finishers, Inc., San Antonio, Texas. --Without objection the following report of the committee to award contracts for furniture and furnishings for the Library Annex at The University of Texas at El Paso was adopted and the actions therein ratified and confirmed:

August 12, 1977

TO THE BOARD OF REGENTS
OF THE UNIVERSITY OF TEXAS SYSTEM:

The Special Committee appointed at the Regents' meeting held July 29, 1977, has awarded contracts for Furniture and Furnishings for the Library Annex at The University of Texas at El Paso, to the low bidders as follows:

Abel Contract Furniture & Equipment
Co., Inc., Austin, Texas

Base Bid "A" (General Furniture)	\$47,998.00
Base Bid "B" (Library Tech. Furn.)	40,979.00
Base Bid "G" (Lounge Chairs)	2,639.00

Total Contract Award to Abel
Contract Furniture &
Equipment Co., Inc.

\$ 91,616.00

Estey Corporation, Red Bank, New Jersey

Alternate to Base Bid "D" (Library
Stacks)

48,361.00

Educational Media Co., Albuquerque,
New Mexico

Base Bid "E" (Book Security System)

6,940.00

San Antonio Floor Finishers, Inc.,
San Antonio, Texas

Base Bid "F" (Carpet)


29,000.00

GRAND TOTAL RECOMMENDED CONTRACT AWARDS

\$175,917.00

Evaluation of Gaylord Bros., Inc.'s bid on Base Proposal E (\$6,755.00), the apparent low bid on this proposal, was determined to be non-responsive to the call for bids in that it includes unapproved substitute items which are not compatible with and do not meet the technical requirements for adding to the existing electromagnetic book control system.

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


Arleigh B. Templeton

R. S. Kristoferson


Graves W. Landrum

E. D. Walker

James E. Bauerle

Allan Shivers

Each member of the Board was furnished a tabulation of the bids on which the awards were made.

12. U. T. El Paso - Modifications of Thermal Energy Plant (Formerly Central Energy Plant): Report of Revised Rate Structure and Lease Agreement with Lone Star Energy Company. --The Administration reported that in accordance with authorization granted by the Board of Regents on April 24, 1973, System President Walker had successfully negotiated with Lone Star Energy Company for: (a) modifications to its thermal energy plant [formerly called Central Energy Plant] equipment at The University of Texas at El Paso to use fuel oil as an alternate source of fuel; (b) a lease agreement for land required for the installation of underground fuel oil storage tanks; and (c) revised utility rate structure to pay for the capital costs involved in the modifications. The latter (revised utility rates) is in effect.

The Chairman of the Board of Regents was authorized to execute the revised lease agreement with Lone Star Energy Company covering land for installation of underground fuel oil storage tanks.

13. U. T. San Antonio - Phase I Site Development (Including Parking Areas, Campus Entrance and Service Roads, Walks and Plazas, Outdoor Recreation Facilities, Landscaping, Etc.) - Third Segment: Award of Contract to Kunz Construction Company, Inc., San Antonio, Texas, and Appropriation Therefor. --With respect to the Phase I Site Development (Including Parking Areas, Campus Entrance and Service Roads, Walks and Plazas, Outdoor Recreation Facilities, Landscaping, Etc.) at The University of Texas at San Antonio and upon recommendation of President Flawn and System Administration, a contract was awarded for the Third Segment of Phase I to the lowest responsible bidder Kunz Construction Company, Inc., San Antonio, Texas, as set out below:

Base Bid	\$ 730, 613
Additive Alternates:	
1A- Chevron No. 440 Track Surface	153, 500
2A- Chevron Laykold Tennis Surface	50, 039
4 - Communication Duct	<u>34, 946</u>
Total Contract Award	<u>\$ 969, 098</u>

Also upon the recommendation of President Flawn and System Administration, a total project cost of \$1,100,000 was authorized for this project to cover the construction contract award, equipment, landscaping fees and miscellaneous expenses; and funds in this amount were appropriated from Student Use Fee Income.

It was pointed out that this Third Segment of the Phase I Site Development provides ten outdoor lighted championship standard tennis courts, a playing field with 400 meter running track, central plaza fountain and an additional segment of the underground communication duct system.

14. Dallas Health Science Center - Skillern Student Union Building - Alterations and Expansion (Service Building) - Phase I Expansion for Service and Support Facilities: Inscription for Plaque. -- Without objection the Buildings and Grounds Committee authorized the following inscription to be arranged appropriately on the plaque for the Expansion of the Skillern Student Union Building at The University of Texas Health Science Center at Dallas (Alterations and Expansion - Phase I Expansion for Service and Support Facilities) in accordance with the pattern approved by the Board of Regents on October 1, 1966:

SERVICE BUILDING

1977

BOARD OF REGENTS

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

Charles A. LeMaistre, M.D.
 Chancellor, The University
 of Texas System
 Charles C. Sprague, M.D.
 President, The University
 of Texas Health Science
 Center at Dallas

Fisher and Spillman, Inc.
 Project Architect
 Wm. S. Baker, Inc. General
 Contractors
 Contractor

15. Dallas Health Science Center - Landscaping, Irrigation and Site Development - Phase III: Approval of Final Plans and Specifications and Authorization to Advertise for Bids. -- Upon the recommendation of President Sprague and System Administration and without objection, the Buildings and Grounds Committee approved the final plans and specifications for the Landscaping, Irrigation and Site Development - Phase III project at The University of Texas Health Science Center at Dallas at an estimated total project cost of \$85,000. The Director of the Office of Facilities Planning and Construction was authorized to advertise for bids to be presented to the Board of Regents for consideration at a future meeting.

These plans and specifications provide for additional tree planting, irrigation and other landscaping improvements within the Clinical Science Building courtyard and parking lot area and the corner property at Inwood Road and Medical Center Drive which were not included in prior landscaping projects at the Dallas Health Science Center.

16. Dallas Health Science Center - Parking Structure II: Presentation of Final Plans and Request for Authorization to Advertise for Bids - Consideration Postponed. -- Upon motion of Vice-Chairman Williams, duly seconded, consideration of the final plans and the request for authorization to advertise for bids on Parking Structure II at The University of Texas Health Science Center at Dallas was postponed until the November 11, 1977, meeting.
17. Dallas Health Science Center, Galveston Medical Branch, Houston Health Science Center, San Antonio Health Science Center, University Cancer Center and Tyler Health Center: Report on Long Range Development Plans and Request for Authorization to Submit to Coordinating Board, Texas College and University System - Deferred. -- Without objection in response to Committee Chairman Bauerle's request, the reports for submission to the Coordinating Board, Texas College and University System on Long Range Development Plans for The University of Texas Health Science Center at Dallas, The University of Texas Medical Branch at Galveston, The University of Texas Health Science Center at Houston, The University of Texas Health Science Center at San Antonio, The University of Texas System Cancer Center and The University of Texas Health Center at Tyler were deferred until the meeting on November 11, 1977.

18. Galveston Medical Branch (Galveston Medical School) - Libbie Moody Thompson Basic Science Building - Alterations and Additions to Basic Science Teaching and Research Facilities (Enclosure of First Level): Approval of Final Plans and Specifications and Authorization to Advertise for Bids. -- The final plans and specifications to enclose the first level of the Libbie Moody Thompson Basic Science Building (Alterations and Additions to Basic Science Teaching and Research Facilities) at the Galveston Medical School of The University of Texas Medical Branch at Galveston were approved as prepared by the Project Architect, Louis Lloyd Oliver and Tibor Beerman, Galveston, Texas, at an estimated total project cost of \$500,000 upon the recommendation of President Levin and System Administration. Also the Director of the Office of Facilities Planning and Construction was authorized to advertise for bids for this project to be submitted to the Board of Regents for consideration at a future meeting.

This enclosure will convert an additional 7,500 square feet of space for offices that are now occupying valuable laboratory space on the upper floors.

SEP 10 1977

19. Galveston Medical Branch (Galveston Hospitals) - Addition to John Sealy Hospital: Inscription for Plaque. -- Upon the recommendation of the Administration and without objection, the Buildings and Grounds Committee approved the following inscription to be arranged appropriately on the plaque to be placed on the Addition to the John Sealy Hospital at The University of Texas Medical Branch at Galveston in accordance with the pattern approved by the Board of Regents on October 1, 1966:

JOHN SEALY HOSPITAL

1973

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 B. Johnson
 Joe T. Nelson, M.D.
 Allan Shivers

Charles A. LeMaistre, M.D.
 Chancellor, The University
 of Texas System
 Truman G. Blocker, Jr., M.D.
 President, The University
 of Texas Medical Branch
 at Galveston
 V. E. Thompson, Vice President
 for Business and Hospital
 Affairs and Chairman of
 Building Committee, The
 University of Texas Medical
 Branch at Galveston

Pierce, Goodwin, Flanagan
 Architect-Engineers-Planners
 Project Architect
 Thomas Construction Company, Inc
 of Missouri
 Contractor

In response to Regent Clark, President Levin replied that the hospital would be ready for occupancy in March. He expressed the hope that a meeting of the Board of Regents would be scheduled in Galveston in the Spring of 1978 at which time dedicatory services could be planned for the addition to the hospital and the Child Health Center.

20. Galveston Medical Branch (Galveston Hospitals) - Texas Department of Corrections Hospital: Approval of Site and Authorization for Koetter, Tharp, Cowell and Bartlett, Houston, Texas, to Make Feasibility Study to Determine Possible Relocation of Functions in Facilities to be Demolished (Old Physical Plant Paint Shop, Hendrix Psycho Building and Randall Pavilion). -- After reviewing a plat showing the proposed site location for the construction of the Texas Department of Corrections Hospital at The University of Texas Medical Branch at Galveston, the Committee approved a site near the rear emergency entrance of the John Sealy Hospital just off Strand Boulevard on which there are presently located an old physical plant paint shop, Hendrix Psycho Building and Randall Pavilion.

The buildings on this site would have to be demolished. However, it was pointed out by the Administration that (a) the functions presently housed in the paint shop and Hendrix Psycho Building could be housed elsewhere and (b) the cost of the remodeling of the Randall Pavilion to bring it up to federal standards would be more than a new structure to house the functions occupying this building.

Whereupon, the firm of Koetter, Tharp, Cowell and Bartlett, Houston, Texas (Project Architect for the Renovation of Graves Hospital) was authorized to make a feasibility study as to the relocation of the functions now housed in the three buildings presently on this site. This study will be reported to the Board of Regents at a future meeting.

In the discussion all agreed with Regent Clark that there was a need for strict security measures in the operation of a facility of this type.

21. Galveston Medical Branch (Galveston Hospitals), Houston Health Science Center, and University Cancer Center (M. D. Anderson) -- Central Food Service Facility: Inscription for Plaque. -- Upon the recommendation of the Administration, the following inscription was approved without objection by the Buildings and Grounds Committee to be arranged appropriately on the plaque of the Central Food Service Facility at Houston in accordance with the pattern adopted by the Board of Regents at its October 1, 1966 meeting. This facility serves hospitals of The University of Texas System Cancer Center, Galveston Medical Branch and Houston Health Science Center:

CENTRAL FOOD SERVICE FACILITY

1976

BOARD OF REGENTS

Allan Shivers, Chairman
 Dan C. Williams, Vice-Chairman
 James E. Bauerle, D.D.S.
 Edward Clark
 Mrs. Lyndon B. Johnson
 Thos. H. Law
 A. G. McNeese, Jr.
 Joe T. Nelson, M.D.
 Walter G. Sterling

Charles A. LeMaistre, M.D.
 Chancellor, The University
 of Texas System
 R. Lee Clark, M.D.
 President, The University
 of Texas System Cancer Center

Bernard Johnson, Inc.
 Project Architect
 George A. Fuller Company
 Division of Northrop Corporation
 Contractor

This project was activated by the University Cancer Center with participation by other U. T. System components.

22. Houston Health Science Center - Central Data Acquisition System for Equipment Monitoring Security Control (Project Previously Included as Part of Buildings): Authorization for Project to Include Dental Branch Building, Speech and Hearing Institute Building and Phase I Building of Public Health School: Authorization to Secure Proposals: and Appropriation. -- System Administration pointed out that with the more recently constructed buildings at The University of Texas Health Science Center at Houston there was a need to increase the scope of the Central Data Acquisition System (CDAS) and further that the 1977-78 Operating Budget for the Houston Health Science Center included the following funds:

Dental Branch Building	\$ 319,000
Speech and Hearing Institute Building	88,000
Phase I Building, School of Public Health	<u>115,500</u>
	\$ <u>522,500</u>

SEP 16 1977

Following a discussion, the committee:

- a. Authorized an increase in the scope of the Central Data Acquisition System at the Houston Health Science Center to include the Dental Branch Building, the Speech and Hearing Institute Building and the Phase I Building of the Public Health School not now being served
 - b. Authorized the Houston Health Science Center Administration and the Office of Facilities Planning and Construction to:
 - (1) Evaluate the most advantageous alternative to installing Central Data Acquisition System in these additional buildings
 - (2) Secure proposals and recommend contract awards to the Board at a future meeting
 - c. Authorized that the \$522,500 appropriated in the 1977-78 Operating Budget and set out above be used for this project
23. Houston Health Science Center (Houston Medical School) - John H. Freeman Building (Phase I) and Phases II and III Buildings: Easement to City of Houston for Water Lines Along South and East Side of Houston Medical School Site; Abandonment of Easements in Ross Sterling Avenue Under Phases II and III Buildings and Easement Along East Side of John H. Freeman Building (Phase I). -- Upon recommendation of Acting President Blocker and System Administration, and at the request of the City of Houston, a new 10-foot wide easement along the south and east side of the Houston Medical School site of The University of Texas Health Science Center at Houston was granted to the City of Houston for water lines. Chairman Shivers was authorized to execute this easement after it had been approved as to content by System President Walker and as to legal form by an attorney in the Office of General Counsel.
- As consideration for the granting of this easement, the City of Houston will abandon easements now in effect in Ross Sterling Avenue under Phases II and III Buildings and an easement along the east side of the John H. Freeman Building (Phase I).
24. Houston Health Science Center - Houston Dental Branch Building and Dental Science Institute: Authorization for Feasibility Study for Facilities Improvements; Appointment of Mackie and Kamrath, Houston, Texas, Consultant; and Appropriation Therefor. -- Realizing the need for additional space at the Houston Dental Branch of The University of Texas Health Science Center at Houston, Acting President Blocker suggested:
- a. Relocation of the Dental Science Institute from the present off-campus location in an antiquated building to a new facility adjacent to the Dental Branch Building in the Texas Medical Center
 - b. Increased clinical and laboratory space for the Post-graduate School of Dentistry and Continuing Education

- c. Provision of space for the recently created Department of Oncology
- d. Additional support and faculty space for both the undergraduate and postgraduate programs

Based on these suggestions, the following recommendations of Acting President Blocker and System Administration were approved without objection:

- a. That there be authorized a feasibility study for facilities improvements for the Dental Branch Building and the Dental Science Institute at the Houston Health Science Center
- b. That there be appropriated \$25,000 from Interest on Permanent University Fund Bond proceeds for the feasibility study including fees and related expenses

From a list of recommended consultants presented at the meeting, and upon motion of Regent Sterling, seconded by Regent Law, the firm of Mackie and Kamrath, Houston, Texas, was named Consultant to work with the Dental Branch Administration and the Office of Facilities Planning and Construction in preparing a feasibility study and cost estimate, with recommendations to be submitted to the Board at a future meeting.

25. Houston Health Science Center and University Cancer Center: Concurrence with Texas Medical Center, Inc., in Adoption of Restrictions for Flood Prevention; Minor Flood Protection Projects. -- The committee concurred with the Texas Medical Center, Inc., in the adoption of the following resolution relating to flood restrictions:

"RESOLVED, that the Board amend the Restrictions Governing the Texas Medical Center dated as of December 21, 1948, and recorded in Volume 1931, Page 664, Deed Records of Harris County, Texas, by adding to each referred to Paragraph as a new Paragraph 2d (1) and a new paragraph 3e (1) the following:

' From and after June 1, 1976, erect no building or other improvement, and make no alteration, extension or improvements to existing building or buildings that does not provide, in such manner and to such extent as may be deemed appropriate and proper by the Trustees of Texas Medical Center, Inc. or a suitable committee or authority designated by such Board of Trustees to approve the design and plans in connection with such building or other improvement or such alteration, extension or improvement to existing building or buildings (with such Trustees or such committee or authority so designated having the power to grant and approve exceptions or deviations deemed appropriate by such Trustees or such committee or authority due to extenuating circumstances justifying in the judgment and discretion of such Trustees or such committee or authority in the particular instance

such deviations or exceptions), for protection against flood waters to a level of 47.5 feet above mean sea level with appropriate steps taken to provide for protection against flooding within tunnels;'

"BE IT FURTHER RESOLVED, that a new sentence be added to Paragraph 5 of the Restrictions as follows:

' Each owner of premises in said tract shall further take appropriate steps to provide for protection against flood water or other waters flowing through tunnels at the property line of the owner's premises into a building or tunnel of other owners including, without limitation installation of such flood gates and other appropriate equipment to prevent the escape of said water at the said boundary lines in any tunnel (pedestrian or otherwise) maintained by any owner, all in such manner and to such extent as may be deemed appropriate and proper by the Trustees of Texas Medical Center, Inc. or a suitable committee or authority designated by such Board of Trustees to approve the design and plans in connection with such matter of flood protection (with such Trustees or such committee or authority so designated to have the power and authority with respect to granting deviations and exceptions as specified in Paragraph 2d (1) and Paragraph 3e (1) hereof. '

"AND BE IT FURTHER RESOLVED, that a new sentence be added to Paragraph 9 of the Restrictions as follows:

'Each owner will cooperate with other institutions within the Texas Medical Center and conform to all reasonable rules and regulations established by the Trustees of Texas Medical Center, Inc., in order to decrease the hazard of flooding within the Texas Medical Center tract. The Trustees of Texas Medical Center, Inc. and any committee or authority designated by such Trustees shall not be liable or responsible to any person, firm or corporation under or on account of any determination made by such Trustees or such committee or authority including, without limitation, the grant of any deviation or exception with respect to protection against flood waters, etc., in the absence of bad faith by such Trustees or such committee or authority. ' "

It was noted that all necessary minor flood protection projects will be performed by Physical Plant forces or by contract for the U. T. institutions located in the Texas Medical Center (Houston Health Science Center and University Cancer Center) within funds authorized to meet the requirements (included in Phase III Expansion project at the Houston Medical School).

26. San Antonio Health Science Center - Expansion of Basic Science Teaching Space: (a) Report on Interface with Phase IV Construction; (b) Authorization to (1) Prepare Final Plans and (2) Negotiate Change Order with Kunz Construction Company, Inc., San Antonio, Texas, for Adding Shell for Levels 3, 4 and 5 and Such Mechanical Equipment Required to Make Usable Lower Floors of Phase IV Expansion; and (c) Appointment of Committee to Award Construction by Change Order. --Below is an outline of a status report by System Administration on the Expansion project by phases at The University of Texas Health Science Center at San Antonio (San Antonio Medical School and San Antonio Dental School):
- a. Expansion was initiated in May 1974.
The progress of this project has been governed by availability of funds.
 - b. Phases I and II (San Antonio Medical School) and Phase III (San Antonio Dental School) were combined.
These are now approximately fifty percent complete with completion anticipated in December 1978.
 - c. Construction contract award in April 1977 to Kunz Construction Company, Inc., San Antonio, Texas, Phase IV (Addition to Animal Facilities and Related Laboratory and Office Space for Basic Science Departments).
Completion anticipated in July 1979.
 - d. July 1977 authorization to expand Basic Science Teaching Space by adding three floors above Phase IV Expansion on west side of the Medical School/Dental School Buildings.
Project Architect: Phelps & Simmons & Garza and Bartlett Cocks & Associates, Inc., San Antonio, Texas, to prepare preliminary plans, outline specifications and a cost estimate.

System Administration suggested that before the roof was put on the Phase IV Expansion that the three additional floors (Expansion of Basic Science Teaching Space) could be added with considerable savings if reasonable negotiations could be carried on with the contractor for Phase IV.

Based upon this proposal, the following recommendations of President Harrison and System Administration were approved without objection:

- a. Authorize the Project Architect, Phelps & Simmons & Garza and Bartlett Cocks & Associates, Inc., to proceed with final plans at this time for the Expansion of the Basic Science Teaching Space at the San Antonio Health Science Center
- b. Authorize the Office of Facilities Planning and Construction to (1) negotiate a change order with the General Contractor, Kunz Construction Company, Inc., for adding the shell for Levels 3, 4 and 5 and such mechanical equipment required to make usable the lower floors of the Phase IV Expansion; and
(2) prepare final plans for completion of the shelled space to be presented to the Board of Regents for consideration at a future meeting

- c. Appoint a committee consisting of Board Chairman Shivers, Committee Chairman Bauerle, System President Walker, Vice President Landrum, Director Kristoferson and President Harrison to award construction of the shell for Levels 3, 4 and 5 and necessary mechanical equipment to Kunz Construction Company, Inc., by change order contingent upon completion of successful negotiations within previously appropriated Legislative funds for the Expansion of Basic Science Teaching Space at the San Antonio Health Science Center

It was pointed out that the remainder of the work for this project, finishing the shelled upper three floors, would be accomplished by competitively bid contract; also, the work proposed to be done by change order would be accomplished by competitively bid contract in the event negotiations fail.

The results of negotiations as well as all actions of the special committee will be reported for ratification at a future meeting of the Board.

27. San Antonio Health Science Center - Expansion of Physical Plant Buildings Nos. 1 and 2: Appointment of Committee to Award Contracts for Furniture and Furnishings. -- Upon the recommendation of President Harrison and System Administration, the following committee was appointed without objection to award contracts for the furniture and furnishings for the Expansion of the Physical Plant Buildings Nos. 1 and 2 at The University of Texas Health Science Center at San Antonio prior to the November 11 meeting of the Board:

Chairman Shivers
 Committee Chairman Bauerle
 System President Walker
 Vice President Landrum
 Director Kristoferson
 President Harrison

REPORT OF LAND AND INVESTMENT COMMITTEE (Pages 28-39). -- Committee Chairman Clark submitted the following report of the Land and Investment Committee. He stated that all items were approved in open session without objection unless otherwise indicated. The report was adopted without objection:

Though the Chairman of the Board of Regents has authority to execute any document authorized by the Board, either the Executive Director for Investments, Trusts and Lands or the President of the System may execute, unless otherwise indicated in the report, all necessary instruments authorized in this report when each has been approved as to form by an attorney in the Office of General Counsel and as to content by the appropriate official. These instruments relate to real estate or mineral interests held or controlled by the Board of Regents as a part of the Permanent University Fund or as a part of any Trust and Special Fund.

A. INVESTMENT MATTERS

Report on Clearance of Monies to Permanent University Fund and Available University Fund for June and July 1977 and Report on Oil and Gas Development - July 31, 1977. -- The following reports with respect to (a) certain monies cleared to the Permanent University Fund and Available University Fund for June and July 1977 and (b) Oil and Gas Development - July 30, 1977, were received from the Director, Auditing Oil and Gas Production and made a part of this Committee's report. In addition, Committee Chairman Clark gave the unofficial figures for the year ending August 31, 1977. These figures will be in the report to be submitted at the November meeting:

	June 1977	July 1977	Cumulative This Fiscal Year	Cumulative Previous Fiscal Year (Average)
<u>Permanent University Fund</u>				
Royalty				
Oil	\$3,392,337.73	\$2,762,126.35	\$34,476,270.23	\$32,528,210.22
Gas - Regular	2,306,779.88	2,087,835.07	24,149,858.72	21,373,278.25
- F.P.C.	- 0 -	- 0 -	74,928.15	312,636.83
- Market Value Settlements	574,044.65	636,459.08	7,588,899.83	7,090,779.63
- In Kind Settlements	260,284.01	134,799.60	1,810,081.95	2,422,056.34
Water	14,699.92	16,016.87	143,138.14	174,313.92
Salt Brine	2,592.48	4,033.76	28,771.89	20,171.58
Sulphur	149,117.43	88,487.98	1,216,400.25	391,385.27
Rental on Oil & Gas Leases	29,114.18	23,744.28	926,836.54	542,078.65
Rental on Water Contracts	- 0 -	6,500.00	22,297.96	18,569.70
Rental on Brine Contracts	- 0 -	100.00	400.00	91.63
Rental on Sulphur Contracts	- 0 -	- 0 -	- 0 -	14,080.00
Amendments and Extensions of Mineral Leases	7,207.89	- 0 -	258,279.02	46,977.48
Bonuses, Oil & Gas Lease Sales, (actual)	\$6,736,178.17	\$5,760,102.99	\$70,696,162.65	\$64,934,630.31
Total, Permanent University Fund	<u>\$6,736,178.17</u>	<u>\$5,760,102.99</u>	<u>13,324,000.00</u>	<u>15,328,000.00</u>
<u>Available University Fund</u>				
Rental on Easements	\$ 5,844.29	\$ 5,876.80	\$ 231,867.31	\$ 362,847.45
Interest on Easements and Royalty	3,351.77	(208.44)	30,331.87	3,090.43
Correction Fees - Easements	- 0 -	- 0 -	300.00	239.80
Transfer and Relinquishment Fees	1,353.70	256.00	8,675.85	4,273.55
Total, Available University Fund	<u>\$ 10,549.76</u>	<u>\$ 5,924.36</u>	<u>\$ 271,175.03</u>	<u>\$ 370,451.23</u>
Total, Permanent and Available University Funds	<u>\$6,746,727.93</u>	<u>\$5,766,027.35</u>	<u>\$84,291,337.68</u>	<u>\$80,633,081.49</u>

Oil and Gas Development - July 31, 1977
Acreage Under Lease - 991,576

Number of Producing Acres - 355,582

Number of Producing Leases - 1,565

B. LAND MATTERS

Easements and Surface Leases Nos. 4398-4442, Assignment of Pipe Line Easement No. 3718, Assignment of Surface Lease No. 3719, Material Source Permits Nos. 531-532 and Grazing Lease No. 1179. -- Easements and Surface Leases Nos. 4398-4442, Assignment of Pipe Line Easement No. 3718, Assignment of Surface Lease No. 3719, Material Source Permits Nos. 531-532 and Grazing Lease No. 1179 were approved as set out below. All have been approved as to content by the appropriate officials. Payment has been received in advance unless otherwise indicated, and the documents are on the University's standard forms and are at the standard rates that became effective February 1, 1977:

1. Easements and Surface Leases Nos. 4398-4442

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4398	Amoco Production Company (renewal of 2436)	Pipe Line	Andrews	13	1,796.97 rds. 6 inch	7/1/77- 6/30/87	\$ 4,492.43
4399	El Paso Natural Gas Company (renewal of 2401, 2402 & 2425)	Pipe Line	Andrews	1, 9	638.182 rds. 4½ inch	10/1/77- 9/30/87	1,595.46
4400	El Paso Natural Gas Company (renewal of 2482)	Pipe Line	Reagan	2	356.33 rds. 4½ inch	9/1/77- 8/31/87	890.83
4401	Mobil Pipe Line Company (renewal of 2399)	Pipe Line	Andrews	13	779.21 rds. 8-5/8 inch	6/1/77- 5/31/87	1,948.03
4402	West Texas Utilities Company (renewal of 2519)	Power Line	Crockett	46, 51	1,838.7 rds. H frame	7/1/77- 6/30/87	4,596.75
4403	West Texas Utilities Company (renewal of 2526)	Power Line	Reagan	7, 8, 11	3,810.7 rds. single pole	7/1/77- 6/30/87	3,810.70
4404	West Texas Utilities Company (renewal of 2518)	Power Line	Upton	15	215.6 rds. single pole	7/1/77- 6/30/87	215.60

Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4405	El Paso Natural Gas Company (renewal of 542)	Surface Lease (plant site)	Crockett	46	26.61 acres	10/1/77- 9/30/87	\$ 9,311.75 (full)
4406	Amoco Pipeline Company (renewal of 2558)	Pipe Line	Andrews	13	794.97 rds. 4½ inch	2/1/78- 1/31/88	1,987.43
4407	Amoco Pipeline Company (renewal of 2458)	Pipe Line	Andrews	13	239.333 rds. 4½ inch	8/1/77- 7/31/87	598.33
4408	Texas Electric Service Company (renewal of 2404)	Surface Lease (substation site)	Ector	35	.62 acre	5/1/77- 4/30/87	1,500.00 (full)
4409	Shell Pipe Line Corporation (renewal of 2540)	Pipe Line	Andrews	9	108.8 rds. 4½ inch	12/1/77- 11/30/87	272.00
4410	Shell Pipe Line Corporation (renewal of 2541)	Pipe Line	Andrews	9	205 rds. 4½ inch	12/1/77- 11/30/87	512.50
4411	El Paso Natural Gas Company (renewal of 2478, 2479 & 2481)	Pipe Line	Reagan	2, 58	2,354.62 rds. various size	9/1/77- 8/31/87	5,886.55
4412	Marathon Oil Company	Surface Lease (tank battery)	Reagan	2	4 acres	5/1/77- 4/30/87	1,500.00 (full)
4413	Oasis Pipe Line Company	Pipe Line	Ward	18	137.03 rds. 4 inch	7/1/77- 6/30/87	411.09
4414	Enserch Exploration, Inc. (renewal of 2488)	Pipe Line	Andrews	4	34 rds. 2-3/8 inch	5/1/77- 4/30/87	150.00 (min.)

Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4415	Gulf Oil Corporation	Pipe Line	Ward	17	1,304.55 rds. 6-5/8 inch	7/1/77- 6/30/87	\$ 3,913.65
4416	Southwest Texas Electric Coop., Inc.	Power Line	Crockett	47, 50	144.12 rds. single pole	6/1/77- 5/31/87	150.00 (min.)
4417	Southwest Texas Electric Coop., Inc.	Power Line	Reagan	48	314.32 rds. single pole	6/1/77- 5/31/87	314.32
4418	Southwest Texas Electric Coop., Inc.	Power Line	Crockett	30	80.606 rds. single pole	6/1/77- 5/31/87	150.00 (min.)
4419	Southwest Texas Electric Coop., Inc.	Power Line	Crockett	47	125.1212 rds. single pole	6/1/77- 5/31/87	150.00 (min.)
4420	Rice Engineering & Operating, Inc.	Pipe Line	Andrews	7	69.76 rds. 3 inch	7/1/77- 6/30/87	209.28
4421	Southwest Texas Electric Coop., Inc.	Power Line	Crockett	47, 50	125.1818 rds. single pole	6/1/77- 5/31/87	150.00 (min.)
4422	Marathon Oil Company	Surface Lease (salt water disposal contract)	Reagan	9	1 acre	5/1/77- 4/30/78*	400.00 (annually)
4423	Marathon Oil Company	Pipe Line	Reagan	9	300 rds. 6 inch	5/1/77- 4/30/87	900.00

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

Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4424	Victory III Petroleum Company	Power Line	Andrews	5	155.15 rds. single pole	5/1/77- 4/30/87	\$ 155.15
4425	Gulf Oil Corporation (renewal of 2486)	Pipe Line	Andrews	13	21.9 rds. 3 inch	10/1/77- 9/30/87	150.00 (min.)
4426	Gulf Oil Corporation (renewal of 2529)	Pipe Line	Crane	31	409.9 rds. 4 inch	11/1/77- 10/31/87	1,024.75
4427	Gulf Oil Corporation (renewal of 2483)	Power Line	Crockett	47	77.1 rds. transmission	9/1/77- 8/31/87	150.00 (min.)
4428	Tamplin Tong Rental	Surface Lease (storage site)	Ward	16	less than 1 acre	7/1/77- 6/30/78*	200.00 (annually)
4429	R. Wayne Leveridge	Surface Lease (storage site)	Ward	16	4 acres approximately	12/1/77- 11/30/87	**
4430	Oasis Pipe Line Company	Surface Lease (meter station)	Crockett	29	less than 1 acre	5/1/77- 4/30/87	1,500.00 (full)
4431	Transwestern Pipeline Company	Pipe Line	Winkler	21	37.64 rds. 6-5/8 inch	7/1/77- 6/30/87	150.00 (min.)
4432	J. L. Davis	Pipe Line	Reagan	2	367.88 rds. 4 inch	8/1/77- 7/31/87	1,103.64

*Renewable from year to year, but not to exceed a period of ten years.

**Lessee, in lieu of monetary consideration for the first five year period of this lease, agrees to re-roof Hangar #296. Roof shall be completed on or before December 1, 1978. Lessee shall pay the Lessor \$1,000.00 per year for the second five year period. The first payment is due on or before December 1, 1982, with an equal amount due and payable on or before December 1, during the remaining term of this lease.

Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4433	Amoco Pipeline Company (renewal of 2527)	Pipe Line	Andrews	13	689.69 rds. 4½ inch	12/1/77- 11/30/87	\$ 1,724.23
4434	Warren Petroleum Company (renewal of 2514)	Pipe Line	Crane	30	153.6 rds. 4 inch	11/1/77- 10/31/87	384.00
4435	Great Plains Water Corporation (renewal of 2431)	Pipe Line	Andrews	13, 14	3,654.2 rds. 22 inch	9/1/77- 8/31/87	12,789.70
4436	Texas-New Mexico Pipe Line Company (renewal of 2476)	Pipe Line	Andrews	14	599.52 rds. 4½ inch	10/1/77- 9/30/87	1,498.80
4437	Texas-New Mexico Pipe Line Company (renewal of 2480)	Pipe Line	Crane	30	112.37 rds. 4½ inch	10/1/77- 9/30/87	280.93
4438	Pioneer Natural Gas Company (renewal of 2565)	Pipe Line	Andrews	14	649 rds. 8-5/8 inch	12/1/77- 11/30/87	1,622.50
4439	West Texas Utilities Company (renewal of 2508)	Power Line	Crane	30	160 rds. single pole	10/1/77- 9/30/87	160.00
4440	Southwestern Bell Telephone Company	Telephone Line	Upton, Crockett	14, 15	3,513 rds. buried telephone	1/1/78- 12/31/87	4,918.20
4441	Wickett Pump Service	Surface Lease (pump shop)	Ward	16	less than 1 acre	7/1/77- 6/30/78*	200.00 (annually)
4442	Gulf Refining Company (renewal of 2472)	Surface Lease (booster station)	Andrews	13	less than 1 acre	9/1/77- 8/31/87	1,500.00 (full)

*Renewable from year to year, but not to exceed a period of ten years.

Land Matters - Continued--

2. Assignment of Pipe Line Easement No. 3718 and Surface Lease No. 3719

No.	Assignor	Assignee	Type of Permit	County	Consideration
3718	Lamar Hunt Trust Estate	Compton Corporation	Pipe Line	Andrews (Block 14)	\$ 150.00*
3719	Lamar Hunt Trust Estate	Compton Corporation	Surface Lease (tank farm & pump station site)	Andrews (Block 14)	150.00*

3. Material Source Permits Nos. 531-532

No.	Grantee	County	Location	Quantity	Consideration
531	Exxon Corporation	Andrews	Block 11	3,660 cubic yards caliche	\$ 1,281.00
532	Jake L. Hamon	Crockett	Block 29	1,428 cubic yards caliche	499.80

4. Grazing Lease No. 1179

The following grazing lease is for the respective five-year term as indicated with the right to extend for an additional five-year period at rental shown provided the Lessees carry out the range conservation and/or ranch improvement and practices specified in Exhibit B of the leases which shall be certified by the University Land Agent. The leases are on the University's standard forms with annual payment of rental on January 1 of each year in the amounts set out in the lease.

No.	Lessee	Location		Acreage	First Five Years			Second Five Years		
		County	Block		Per Acre		Annual Rental	Per Acre		Annual Rental
					G**	H**		G**	H**	
1179	T. E. Bass and Mary West	Cooke	E/2 League 76	86.5	\$3.50	\$.55	\$350.33	\$4.00	\$.86	\$420.39

- * Assignment fee
- **G Grazing Rental
- **H Hunting Rental

II. TRUST AND SPECIAL FUNDS

A. GIFTS, BEQUESTS AND ESTATES

1. U. T. Austin: Acceptance of Gift and Establishment of the C. J. Davidson Scholarship Fund for the Department of Home Economics. --Without objection, the members of the Land and Investment Committee accepted with sincere appreciation a gift of \$3,000 from the Davidson Family Charitable Foundation of Fort Worth, Texas. This gift was added to previous gifts from Mr. C. J. Davidson and the Davidson Family Charitable Foundation for a total of approximately \$11,000, and the C. J. Davidson Scholarship Fund was established for the Department of Home Economics at The University of Texas at Austin.
2. U. T. Austin: Authorization to Establish E. W. Doty Professorship in Fine Arts by Converting E. W. Doty Lectureship in Fine Arts to a Professorship. --The Administration reported that the E. W. Doty Lectureship in Fine Arts at The University of Texas at Austin had reached a total of \$100,149.62. The Administration's recommendation to convert the lectureship to a professorship was approved; and, without objection, the Land and Investment Committee authorized the establishment of the E. W. Doty Professorship in Fine Arts at U. T. Austin with funds from the E. W. Doty Lectureship in Fine Arts. This Professorship is in honor of Professor Emeritus of Music E. W. Doty.
3. U. T. Austin: Establishment of the L. B. (Preach) Meaders Professorship in Engineering. --Upon recommendation of the Administration, and without objection, approval was given to establish the L. B. (Preach) Meaders Professorship in Engineering at The University of Texas at Austin in memory of Mr. L. B. (Preach) Meaders. Mr. Meaders, prior to his retirement and recent death, was Chairman of the Board and Chief Executive Officer of Halliburton Corporation. He was also a member of the Engineering Foundation Advisory Council at U. T. Austin.

Presently gifts and "firm" pledges (including corporate matching gifts) raised by the College of Engineering Foundation for this professorship total \$40,000. It was understood that no appointment would be made to this professorship until the full endowment is available unless the College of Engineering Foundation pledges to provide funds which, with the income from the endowment, will amount to \$5,000 annually.

4. U. T. El Paso: Acceptance of Gift and Establishment of The Rintelen-Ehrlinger Metallurgical Engineering Scholarship Fund. --With an expression of sincere appreciation, and upon the recommendation of the Administration, the Land and Investment Committee accepted a \$2,500 gift from Donald R. and Ann D. McGehee of Houston, Texas, and established The Rintelen-Ehrlinger Metallurgical Engineering Scholarship Fund at The University of Texas at El Paso to honor Dr. Joseph Rintelen and Dr. Henry P. Ehrlinger. Dr. Rintelen is a

retired member of the faculty of the Department of Metallurgical Engineering at U. T. El Paso, and Dr. Ehrlinger (now deceased) was also a member of that Department. In accordance with the wishes of the donors, \$2,000 of this gift will be used to start the endowment fund and \$500 will be awarded as a scholarship; the donors have pledged four additional annual payments of \$2,500 for the same purposes.

5. Dallas Health Science Center (Dallas Southwestern Medical School): Acceptance of Benefits from Funds Held by Southwestern Medical Foundation for (a) Leland Fikes Scholarship Fund and (b) John A. and Ruth S. Ritter Memorial Fund. -- Upon the recommendation of the Administration and without objection, the Land and Investment Committee accepted benefits from funds held by the Southwestern Medical Foundation for the Dallas Southwestern Medical School of The University of Texas Health Science Center at Dallas as follows:
 - a. Benefits from the Leland Fikes Scholarship Fund for students at Southwestern Medical School. This fund was established with a grant of \$110,000 from the Leland Fikes Foundation of Dallas: \$100,000 for the endowment fund and \$10,000 for current scholarships.
 - b. Benefits from the John A. and Ruth S. Ritter Memorial Fund. This fund was established with a bequest from Mrs. Ruth Spain Ritter of 10% of her net remainder estate to the Foundation with the income from this fund to be used for the "support of actual research in cancerous diseases at The University of Texas Southwestern Medical School at Dallas, Texas, and not at any other institutions." The bequest amounted to approximately \$81,000.
6. Dallas Health Science Center (Dallas Southwestern Medical School): Establishment of The Lawson and Rogers Lacy Research Fund in Cardiovascular Diseases. -- Upon the recommendation of the Administration, The Lawson and Rogers Lacy Research Fund in Cardiovascular Diseases was established at the Dallas Southwestern Medical School of The University of Texas Health Science Center at Dallas with a \$100,000 gift from R. Lacy, Inc., previously accepted by the Board of Regents (Permanent Minutes, Volume XXIV, Page 3827). The income from this endowment is to be used for research in the field of Cardiovascular Diseases at the Dallas Southwestern Medical School.
7. Galveston Medical Branch (Galveston Medical School): Acceptance of Gift and Establishment of the George Henderson Lee Lectureship in Obstetrics and Gynecology. -- The proceeds of an insurance policy in the amount of \$12,623.19 on the life of Howard O. Smith, M.D., of Marlin, Texas, were accepted with gratitude, and the George Henderson Lee Lectureship in Obstetrics and Gynecology was established at the Galveston

Medical School of The University of Texas Medical Branch at Galveston. Dr. Smith graduated from the Galveston Medical School; and Dr. Lee, the father of Mrs. Smith, was a member of the original faculty of the Medical Branch and later Professor of Obstetrics and Gynecology and Chairman of the Department.

It was noted that Dr. Smith named the Medical Branch beneficiary of the life insurance policy in 1971 when the minimum to endow a Lectureship was \$10,000.

8. Houston Health Science Center (Houston Medical School): Establishment of the R. H. Troop Urology Laboratory Fund. --With a \$100,000 gift from Mr. R. H. Troop (accepted by the Board of Regents on July 25, 1975, Permanent Minutes, Volume XXII, Page 5200), the R. H. Troop Urology Laboratory Fund was established at the Houston Medical School of The University of Texas Health Science Center at Houston.
9. University Cancer Center (M. D. Anderson): Acceptance of Bequest of Beulah Lane Meadows, Deceased, for the D. B. Lane Cancer Research Fund. --Upon the recommendation of the Administration, the bequest of Beulah Lane Meadows, Austin, Texas, of her residuary estate was accepted with sincere gratitude, and the D. B. Lane Cancer Research Fund was established at M. D. Anderson of The University of Texas System Cancer Center. The Independent Executor of the Meadows' estate had indicated that the bequest will be in excess of \$100,000. Article VIII of Beulah Lane Meadows' Will sets out the terms of the bequest. (A copy of the Will is in the Secretary's files.)
10. University Cancer Center (M. D. Anderson): Acceptance of Bequest Under Will of Ivan Rosenberg. --A bequest of one-fourth of the residuary estate of Ivan Rosenberg, Corsicana, Texas, was accepted with sincere appreciation for M. D. Anderson of The University of Texas System Cancer Center. Mr. Rosenberg died in 1976, and the Independent Executor of his estate, the First National Bank of Corsicana, estimates the bequest will amount to approximately \$40,000 which should be received in the near future. The Will carries no statement as to use or purposes.
11. University Cancer Center (M. D. Anderson): Acceptance of Bequest Under Will of Rex W. Taylor and Approval of Will Contest Settlement. --Upon recommendation of the Administration and with an expression of appreciation, the bequest of Rex W. Taylor of Houston, Texas, of his residuary estate "to The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston, Texas, to be used for the general purposes of said institution" was accepted. Also in connection with this bequest, the Land and Investment Committee approved without objection the settlement of a Will contest filed by a friend and neighbor of Mr. Taylor's which involved principally the ownership of bank and savings and loan accounts allegedly given to the contestant prior to death. The University was represented by the Attorney General and the Office of the General Counsel.

The Texas Commerce Bank, Houston, Texas, Independent Executor of the Estate, estimates the amount of the bequest to M. D. Anderson at approximately \$200,000, which amount will be received in the next few months.

12. University Cancer Center (M. D. Anderson): Acceptance of Gifts and Establishment of Wallace D. Wilson Fund for Urological Education and Teaching. -- Upon the recommendation of the Administration, a gift of 150 shares of Wilson Industries, Inc., common stock valued at \$19,500 and the sum of \$21,780 were accepted with gratitude from Mr. Wallace D. Wilson, Houston, Texas, and the Wallace D. Wilson Fund for Urological Education and Teaching was established at M. D. Anderson of The University of Texas System Cancer Center. The \$21,780 represents one-half of the proceeds of sale of stock that has been given to M. D. Anderson and which stock will be reported in the November Docket of the President of the System.

B. REAL ESTATE MATTERS

1. U. T. Austin - Walter Prescott Webb Chair in History: Extension of Lease to Cothron's Key Center Covering Location in Northfair Shopping Center. -- System Administration reported that the lease to Cothron's Key Center covering a portion of the 2.508 acre tract at North Lamar and Airport Boulevards (120 square feet on parking lot of Northfair Shopping Center) conveyed by C. B. Smith, Sr., for the establishment of the Walter Prescott Webb Chair in History at The University of Texas at Austin had expired.

Due to the fact that there was no meeting of the Board of Regents scheduled, the Administration had extended the lease until September 16, 1977, and recommended that it be further extended for a period ending August 31, 1979. The Land and Investment Committee ratified the action of the Administration, and extended this lease with Cothron's Key Center for a two year period ending August 31, 1979 at a monthly rental of \$200.

2. Galveston Medical Branch (Galveston Medical School) - Granville T. Hall Chair in General Surgery and the Florence and Marie Hall Endowment for Programs of Excellence in Education in the Medical Sciences: Sale of 2,880 Acres in Howard and Glasscock Counties, Texas. -- System Administration reported that under authorization granted at the Board of Regents' meeting held on July 29, 1977, the Office of Investments, Trusts and Lands had advertised for sealed bids for the sale of approximately 2,880 acres in Howard and Glasscock Counties, Texas. This land was conveyed to the Galveston Medical School of The University of Texas Medical Branch at Galveston for the establishment of the Granville T. Hall Chair in General Surgery and the Florence and Marie Hall Endowment Programs of Excellence in Education in Medical Sciences. In accordance with the July 29 authorization, the land had been divided into 7 tracts and sealed bids called for on the individual tracts. A tabulation of the bids was presented.

Committee Chairman Clark commented that the bids came in well above the appraisals on this property, and that Mr. Billy Carr, the University Land Agent, and his associates should be congratulated for this innovative project. [Mr. Carr was recognized and applauded.]

Following Committee Chairman Clark's remarks, and upon the recommendation of President Walker and Executive Director for Investments, Trusts and Lands Lobb, approval was given to sell the 2,880 acres (divided into 7 tracts) in Howard and Glasscock Counties, Texas, to the high bidder on each tract as set out below:

<u>Tract No.</u>	<u>Acres</u>	<u>High Bidder</u>	<u>Amount</u>
1	320	Alfred E. and Jeneane T. Perry	\$ 152,161.21
2	483.23	Thomas H. Romine and Herschel Romine	157,990.80
3	282.73	Thomas H. Romine and Herschel Romine	88,022.33
4	514.03	Gleen and Colleen Holloway	152,500.00
5	320	Robert L. Adkins and Larry J. Adkins	160,758.94
6	320	Thomas H. Romine and Herschel Romine	114,720.20
7	640	William J. Pollard	320,000.00
Total			<u>\$1,146,153.48</u>

III. OTHER MATTERS

Report of Securities Transactions for Permanent University Fund and Trust and Special Funds for June and July 1977. --
The Report of Securities Transactions for the Permanent University Fund and Trust and Special Funds for the months of June and July 1977, submitted by the Office of Investments, Trusts and Lands, was mailed to each Regent by the Secretary on August 25, 1977. No comments were received, and it is attached (Attachment No. 2) following Page HT-2 of Attachment No. 1 and made a part of these Minutes.

REPORT OF MEDICAL AFFAIRS COMMITTEE (Pages 40-47). -- Committee Chairman Law stated that all actions of the Medical Affairs Committee had been taken in open session and had been approved without objection unless otherwise indicated; he submitted the following report. There being no objection, the report was adopted:

1. U. T. Arlington: Affiliation Agreement with Fort Worth Children's Hospital, Fort Worth, Texas (School of Nursing)(Clinical Training of Nursing Students). -- Upon the recommendation of President Nedderman, concurred in by System Administration, unanimous approval was given to the proposed affiliation agreement between the Board of Regents of The University of Texas System for and on behalf of The University of Texas at Arlington School of Nursing and Fort Worth Children's Hospital, Fort Worth, Texas.

This agreement, based on the model affiliation agreement approved July 9, 1976, for the School of Nursing, provides facilities for the clinical training of the nursing students at U. T. Arlington.

The Chairman of the Board of Regents was authorized to execute the agreement when it had been approved as to form by an attorney of the Office of General Counsel and as to content by the President of the System and the Vice President for Academic Affairs.

2. U. T. Austin: Affiliation Agreement with Timberlawn Psychiatric Hospital, Dallas, Texas (School of Social Work)(Clinical Training of Social Work Students). -- Unanimous approval was given to the substance and content of a preliminary draft of an affiliation agreement between the Board of Regents of The University of Texas System for and on behalf of the School of Social Work at The University of Texas at Austin and the Timberlawn Psychiatric Hospital, Dallas, Texas. This agreement was authorized with the understanding that it will contain the hold harmless clause and that it is subject to the final approval as to form by the Office of General Counsel. The agreement provides for students and faculty in the School of Social Work to utilize the facility as a field instruction site and for educational purposes.

The Chairman of the Board of Regents was authorized to execute this agreement when it had been approved as to form by an attorney of the Office of General Counsel and as to content by the President of the System and the Vice President for Academic Affairs.

3. Dallas Health Science Center (Dallas Allied Health Sciences School): Establishment of Certificate Programs for Training of Emergency Medical Technicians. -- President Sprague recommended, and System Administration concurred, that certificate programs for the preparation of emergency medical technicians, basic and advanced, and for defined refresher courses for each category be established in the Dallas Allied Health Sciences School of The University of Texas Health Science Center at Dallas. The Medical Affairs Committee unanimously approved the establishment of these certificate programs which will be conducted by the faculties of the Dallas Southwestern Medical and Allied Health Sciences Schools. No additional faculty will be required, and funding from grant and outside sources will be available for this purpose.

Committee Chairman Law pointed out that it is not necessary to submit programs of this type to the Coordinating Board, Texas College and University System for its consideration.

4. Galveston Medical Branch (Galveston Medical School): Appointment of Dr. Phillip L. Poffenbarger Initial Recipient of Raymond L. Gregory Professorship in Medicine. -- President Levin recommended and System Administration concurred that effective immediately Dr. Phillip L. Poffenbarger be appointed to the Raymond L. Gregory Professorship in Medicine at the Galveston Medical School of The University of Texas Medical Branch at Galveston. The Medical Affairs Committee unanimously approved this recommendation.

Dr. Poffenbarger is the initial recipient of this professorship which was established July 19, 1974.

5. Houston Health Science Center (Houston Medical School): Redesignation of Josey Professorship in Community Health Sciences to Josey Professorship in Dermatology. -- Upon the recommendation of Acting President Blocker, concurred in by System Administration, and at the request of former Regent Jack S. Josey, unanimous approval was given to redesignate the Josey Professorship in Community Health Sciences to the Josey Professorship in Dermatology at the Houston Medical School of The University of Texas Health Science Center at Houston. This professorship was established on June 5, 1975.

6. Houston Health Science Center (Houston Dental Branch): Report of Special Committee and Ratification of Affiliation Agreement with Goodwill Industries, Inc., Houston, Texas. -- A report was received from the Special Committee (Chairman Shivers, Committee Chairman Law, Regent Fly, System President Walker, Acting President Blocker and Dean Olson) appointed at the Regents' meeting on April 15, 1977, to the effect (a) that an affiliation agreement had been negotiated between the Board of Regents of The University of Texas System, for and on behalf of The University of Texas Health Science Center at Houston and its dental branch at Houston, and Goodwill Industries, Inc., Houston, Texas, for the establishment of a teaching dental clinic at Goodwill Industries, Inc., to develop a family practice dental program; and (b) that the agreement as set out below had been fully executed (Pages 41-47).

Without objection, the report of the Special Committee was adopted, and the actions therein were ratified and in all things confirmed:

STATE OF TEXAS	X	
	X	<u>AFFILIATION AGREEMENT</u>
COUNTY OF HARRIS	X	

This AFFILIATION AGREEMENT executed on the 5th day of August, 1977, by and between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of The University of Texas Health Science Center at Houston and its Dental Branch at Houston, hereinafter referred to as "Dental Branch", and GOODWILL INDUSTRIES, INC., of Houston, a non-profit corporation authorized to do business in the State of Texas, with its principal office in Houston, Texas, located at 5200 Jensen, hereinafter referred to as "Goodwill";

W I T N E S S E T H :

WHEREAS, Goodwill proposes to establish a dental clinic to be located at 5200 Jensen Drive in Houston, where dental care is to be provided for persons working for Goodwill and for residents with a per capita income at or below the poverty level (as defined by the United States Department of Labor's Bureau of Labor Statistics), which residents are to reside in areas immediately adjacent to the proposed Goodwill Clinic and in no event more than five miles therefrom; and

WHEREAS, it is mutually recognized that Goodwill and Dental Branch have certain mutual objectives, including but not limited to, the advancement of dental care for patients by high quality professional personnel, by and through the education and training of students, for the promotion of programs of excellence in dental education through affiliated operations;

NOW, THEREFORE, for and in consideration of the foregoing, as stated more specifically hereinafter, Dental Branch and Goodwill agree as follows:

1. Dental Branch shall provide clinical training for students duly enrolled at Dental Branch, and such training shall be at an offsite location from the premises of Dental Branch, said location to be the dental clinic facilities to be provided by Goodwill. As part of the overall program hereunder Dental Branch and Goodwill shall endeavor to emphasize to the dental students who receive clinical training hereunder of the special needs of handicapped persons and of persons otherwise unable to obtain proper medical and dental care, and to promote education for such persons with regard to proper medical and dental care. The type of clinical training to be provided hereunder is intended to be included in the development by Dental Branch of a family practice program to be included in its curriculum, and such program is to

be the dental care to be provided at the clinic to be established by Goodwill at the premises stated above.

2. In accordance therewith Goodwill hereby agrees, at its sole cost and expense:

- a. To furnish the necessary building space for the dental clinic, as such need is determined by Dental Branch.
- b. To provide necessary personnel and equipment in order properly to maintain the clinic area on conditions acceptable to Dental Branch.
- c. Upon initiation of the family practice program by Dental Branch, including commencement of the clinic facilities stated in subparagraphs 3.d and 3.g, hereinafter, to provide all instruments and supplies as may be necessary for proper operations, as determined by Dental Branch, within the approved budget.
- d. To determine the eligibility of patients for the program, with fees to be collected by Goodwill for the dental service which is to be rendered, provided said fees are established by Dental Branch and included in the approved budget.
- e. To provide all funds for the expenses of the dental laboratory which may be incurred by Dental Branch in rendering prosthetic services to patients.
- f. To employ nine dental assistants, duly certified in accordance with definitions promulgated by the Texas State Board of Dental Examiners.
- g. To employ all necessary clerical staff.

- h. To maintain records on all applicants and patients, in accordance with standards established by Dental Branch.
3. In accordance with paragraph numbered one, Dental Branch agrees:
- a. To develop and administer the proposed dental program, which shall be coordinated through the Department of Community Dentistry at Dental Branch.
 - b. To provide the faculty to implement and supervise in all respects the proposed program and the acts of students of Dental Branch under such program.
 - c. To maintain in all respects the applicable standards of quality for professional dental care, to be established and maintained solely by the faculty and staff of Dental Branch.
 - d. To provide all the dental instruments and supplies as may be necessary to initiate the proposed program at the Goodwill Clinic, but not to provide any other such supplies.
 - e. To develop and administer an inventory control system which shall otherwise be subject to the maintenance and security to be provided by Goodwill, provided the faculty advisor of Dental Branch with primary responsibility for the Goodwill Clinic shall order such supplies as may be necessary within the approved budget.
 - f. To assign students duly enrolled in the Dental Branch, in order to participate in the proposed program, with the method of assignment and number of students assigned to be determined solely by Dental Branch.

9. To provide the necessary equipment and related items of personal property for nine dental operatories, such x-ray equipment as may be appropriate hereunder and a supporting dental laboratory for the proposed facility in the clinic space to be provided by Goodwill, provided all such property made available by Dental Branch shall be and remain at all times the property of Dental Branch whether affixed or not affixed to real property owned by Goodwill, and provided the selection of such equipment shall be made solely by the faculty of Dental Branch.

4. The parties hereby agree to develop an annual budget sufficient in all respects to provide revenue sufficient to meet expenses for supplies, instruments, facilities and other items as may be the responsibility for Dental Branch of Goodwill hereunder, including depreciation, but exclusive of any buildings space. Goodwill shall, by annual payment, reimburse Dental Branch for all expenses incurred by Dental Branch under the agreed terms of the budget, as approved during the term of this Agreement, but only to the extent income in excess of expenses to Goodwill shall be available from clinic operations, and provided that any losses not recovered shall be assigned to Goodwill. Any excess of income above agreed expense items shall be utilized to reimburse Goodwill for prior losses incurred. Upon termination any excess of income over expenses shall be retained by Goodwill.

5. Any appointments to the dental staff, or faculty, students or dentists, for service under this Agreement at the proposed Goodwill Clinic, shall be made solely by Dental Branch.

6. To the extent, but only to such extent and not in excess thereof, the Dental Branch shall, within the authority granted to it by the Constitution and laws of the State of Texas, hold Goodwill harmless from such liability as may result from use by Dental Branch of the Goodwill Clinic, provided Dental Branch shall not hold Goodwill harmless for the gross or willful negligence of Goodwill, its officers, agents or employees, nor shall Dental Branch hold Goodwill harmless for the action of such representatives of Goodwill or of any third party not subject to the supervision, control or jurisdiction of Dental Branch.

7. This Agreement shall become effective as of the date set forth above. From and after such date, to the extent implemented by binding commitment hereto, this Affiliation Agreement shall continue in force and effect for one year and from year to year thereafter, provided, however, that this Agreement may be terminated at any time by either party by the giving of at least sixty days prior written notice thereof to the other party. Upon such termination, the property of the parties shall be returned, the accounts shall be reconciled as of the termination date, and all other rights and responsibilities intended hereunder shall cease as and between Dental Branch and Goodwill.

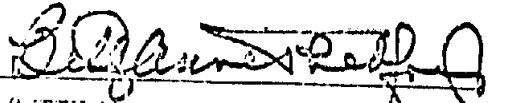
8. This Agreement shall be binding upon and inure to the benefit of the parties hereto, and their respective successors, provided no assignment by one party shall be made except upon sixty days prior notice to the other party. Any amendments hereto shall be effective only by agreement in writing between the parties. To the extent not inconsistent with the above, but only to such extent, either party may enter into other and further agreements. This Agreement shall

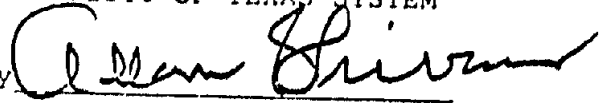
be in all respects suspended during force majeure conditions which shall be any acts by third parties not subject to the control of the parties hereto.

EXECUTED IN DUPLICATE by the parties, as witnessed by their signatures duly affixed hereto, on the day and year first above written.

ATTEST:

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM


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

By 
ALLAN SHIVERS, CHAIRMAN
Board of Regents of
The University of Texas System

Approved as to Content:

Approved as to Form:


Deputy Chancellor

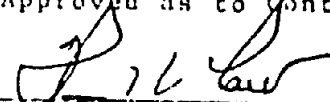

University Attorney

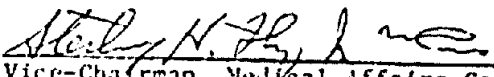
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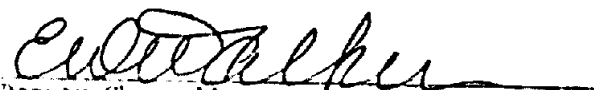
GOODWILL INDUSTRIES, INC.
OF HOUSTON, TEXAS

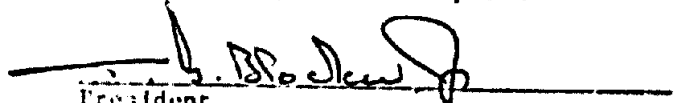
By 


Approved as to Content:


Chairman, Medical Affairs Committee
Board of Regents
The University of Texas System


Vice-Chairman, Medical Affairs Committee
Board of Regents
The University of Texas System


Deputy Chancellor
The University of Texas System


President
The University of Texas
Health Science Center at Houston


Dean
The University of Texas
Health Science Center at Houston
Dental Branch

REPORT OF BOARD FOR LEASE OF UNIVERSITY LANDS

Vice-Chairman Williams, who is also Vice-Chairman of the Board for Lease of University Lands, reported that the Board for Lease of University Lands had scheduled a routine meeting on even date, and that another Public Auction of Oil and Gas Leases had been scheduled to be held in Midland on December 7, 1977. He commented that it was anticipated this would be another good sale.

REPORTS OF SPECIAL COMMITTEES
(Pages 48-69)

REPORT OF SPECIAL COMMITTEE TO STUDY PROPOSALS BY REGENT HAY AND ADOPTION OF FOUR RESOLUTIONS RELATING TO MEETINGS OF THE BOARD OF REGENTS. --Regent Hay distributed to each member of the Board of Regents the Report of the Special Committee to Consider Proposals by Regent Hay (Pages 50 - 69). The Committee, consisting of Regent Hay (Chairman), Regent (Mrs.) Blumberg, and Regent Fly, was appointed June 10, 1977. This report had been adopted unanimously by the Committee for submission to the Board of Regents with the recommendation that it be adopted and made a part of the Minutes.

Committee Chairman Hay called attention to the specific resolutions proposed by the Special Committee as set out in Attachment 3 of the Committee's report (Pages 68, 69). On behalf of the Committee, Committee Chairman Hay read the First Resolution and moved its adoption. A discussion ensued after which the resolution was adopted by unanimous vote:

First Resolution

RESOLVED, That a meeting of the Buildings and Grounds Committee be held on the day preceding each meeting of the Board of Regents:

- a) for the purpose of affording more time and a better environment for in-depth consideration of all proposed items of construction, rehabilitation, remodeling and other capital expenditures, and
- b) with a view to providing the Regents with sufficient data to evaluate each proposal in terms:
 - i) of the related context of each proposal (i. e., how does it fit into the existing master plan of the proposing institution, what is its impact on that institution, what is its impact on that institution's total investment in plant and facilities, how does the resulting whole relate to established norms, etc. ?);
 - ii) of specific need and possible alternative solutions to that need;

- iii) of cost, unit and total, relative to costs of similar solutions to the addressed need, whatever that might be;
- iv) of priority, related to alternative claims on the System's resources;
- v) of priority, related to other needs of the proposing institution; and
- vi) of source of funding and the impact, if any, of the proposal's approval on the System's or the institution's debt capacity and/or its resources available for our mandated pursuit of 'academic excellence';

FURTHER RESOLVED, That attendance by Regents at such meetings of the Buildings and Grounds Committee shall be voluntary and not mandatory, it being understood that any formal action related to any proposed construction, rehabilitation, remodeling or other capital expenditure shall be taken, in the future as in the past, by the full Board and not by the Buildings and Grounds Committee.

Committee Chairman Hay on behalf of the Committee then read and moved the adoption of the Second Resolution as set out below:

Second Resolution

RESOLVED, That, except during periods when the Texas Legislature is in session, meetings of the Regents be regularly rotated among the locations of the System's institutions, with a view to meeting on the campus of each institution no less frequently than once every two and one-half years.

Regent Law moved that the motion be amended to read as follows:

RESOLVED, That from time to time meetings of the Board be rotated among the locations of the System's institutions, with a view to meeting on the campus of each institution no less frequently than once every two and one-half years.

The Committee accepted the amendment to the original motion. The vote recurred on the original motion as amended and was adopted without objection.

On behalf of the Committee, Committee Chairman Hay read and moved the adoption of the Third Resolution which was approved without objection:

Third Resolution

RESOLVED, That approximately one hour at each meeting of the Regents be devoted to an extensive report from one of the System's institutions, such reports to be scheduled on a revolving basis designed to afford each institution an opportunity to present a summary of its mission, activities and current emphases to the Regents at least once every two years.

Committee Chairman Hay, on behalf of the Committee, then moved the adoption of the Fourth Resolution. Vice-Chairman Williams seconded the motion.

Fourth Resolution

RESOLVED, That the Board of Regents extend to the elected head of each faculty senate (or comparable body) of the System's institutions an invitation to attend each meeting of the Board of Regents;

FURTHER RESOLVED, That in cases of those institutions which have no single faculty representative body, the invitations shall be extended on a rotating basis to the elected heads of the several component bodies of the representative faculties.

After a brief discussion the resolution was adopted. Chairman Shivers voted "No."

The report referred to on Page 48 follows on Pages 50-69:

REPORT OF SPECIAL COMMITTEE OF
THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

---oOo---

The Special Committee of the Board of Regents of The University of Texas System is pleased to submit the following report and recommendations:

This committee was appointed by Chairman Allan Shivers on June 16, 1977, in connection with four proposals made by Regent Jess Hay at the June 10 meeting of the Board of Regents. The committee's membership consists of:

Regent Jess Hay (Chairman);
Regent Jane Blumberg; and
Regent Sterling Fly.

Specifically, the committee was charged with evaluating and recommending Board action on the following proposals:

- 1) A proposal that a meeting of the building and grounds committee be held on the day preceding each meeting of the Board of Regents:
 - a) for the purpose of affording more time and a better environment for in-depth consideration of all proposed items of construction, rehabilitation, remodeling and other capital expenditures, and
 - b) with a view to providing the Regents with sufficient data to evaluate each proposal in terms:
 - i) of the related context of each proposal (i.e., how does it fit into the existing master plan of the proposing institution, what is its impact on that institution, what is its impact on that institution's

total investment in plant and facilities, how does the resulting whole relate to established norms, etc.?)

- ii) of specific need and possible alternative solutions to that need;
 - iii) of cost, unit and total, relative to costs of similar solutions to the addressed need, whatever that might be;
 - iv) of priority, related to alternative claims on the System's resources;
 - v) of priority, related to other needs of the proposing institution; and
 - vi) of source of funding and the impact, if any, of the proposal's approval on the System's debt capacity and/or its resources available for our mandated pursuit of 'academic excellence.'
- 2) A proposal that approximately one hour at each meeting of the Regents be devoted to an extensive report from one of the System's institutions, such reports to be scheduled on a revolving basis designed to afford each institution an opportunity to present a summary of its mission, activities and current emphases to the Regents at least once every two years.
 - 3) A proposal to invite each Faculty Senate (or comparable body) of the System's institutions to send a representative to each meeting of the Board of Regents.
 - 4) A proposal that, except during periods when the Texas Legislature is in session, meetings of the Regents be regularly rotated among the locations of the System's institutions, with a view to meeting on the campus of each institution no less frequently than once every two years.

In general, the committee's purpose was to determine (i) whether the suggested changes would be constructive to The University of Texas System, and (ii) whether the proposals in fact would contribute significantly to the following objectives:

- To provide a means through which the Regents -- acting as a body -- might better execute their responsibilities related to allocation of the System's resources, particularly with respect to capital expenditures;
- To consistently and effectively relate actions by and meetings of the Regents to the System's mission;
- To evidence to the faculties of each of the System's institutions that the Regents recognize them as major and significant constituencies which -- within appropriate procedural and management guidelines -- should have direct access to the Regents; and
- To symbolically emphasize our nature as the governing board of a "system of universities," by rotating our meeting locations.

On Monday, July 18, at 10:00 a.m., the committee met in open session in the Regents' room of Ashbel Smith Hall. In addition to the three regular

members of the committee, we were honored to have with us Regent Edward Clark who remained for the full four hours and forty-five minutes of the meeting and who contributed greatly to our deliberations.

Invited to participate and to submit their views on the proposals through written statements and, if possible, personal observations, were the presidents of the eleven component institutions plus a faculty leader from each institution -- where applicable, the president of the faculty senate. In all, we received detailed input from ten presidents, plus the representative of the eleventh, and from faculty representatives from eight of the eleven institutions. In addition, we received written comments from Chancellor LeMaistre, and a detailed report from Deputy Chancellor Walker and availed ourselves of his expertise throughout the meeting. In brief form, here is a summary of the various views expressed on each of the proposals:

Proposal No. 1 -- that a meeting of the building and grounds committee be held on the day preceding each meeting of the Board of Regents. In general, the presidents felt that this was an internal matter -- a matter for the Regents to decide. However, they indicated that they would be pleased to be present at any building and grounds meeting at which a project proposed for their campus was being discussed.

While the faculty representatives generally held the same view, a few of them expressed strong support for the proposal for these reasons:

- 1) It would formalize the process by which the Board of Regents could set priorities for the use of available funds; and
- 2) It might give faculty members an opportunity to have more input in the choice of those priorities.

Regent Clark, however, was very strong in his support of the proposal. He said that it was his feeling that in the past, too many decisions in the area of construction were made with too little deliberation. "If it were my own money, I would want longer meetings," he said. "I believe that our duty requires it."

It should be noted that Regent Law and others cautioned against the possibility that some might misread our intentions and that we would be open to the charge that

the Board of Regents is spending a disproportionate amount of its time on bricks and mortar--at the expense of academic excellence.

But just the opposite is true. Only by making sure that our construction funds are wisely spent can we assure ourselves of adequate funds for equally important activities.

Proposal No. 2 -- that approximately one hour at each meeting of the Regents be devoted to an extensive report from one of the System's institutions, such reports to be scheduled on a revolving basis designed to afford each institution an opportunity to present a summary of its mission, activities and current emphases to the Regents at least once every two years.

While there was no out-and-out opposition to this proposal, the degree of enthusiasm was split almost uniformly along administration/faculty lines. Generally, the presidents supported the proposal and welcomed the opportunity to brief the Regents on the status, goals, and problems of their individual institutions. Most of them felt, however, that the briefings should take place in conjunction with Proposal 4 -- that is, on the campus where the Regents' meeting was being held. There was also some sentiment among the presidents for including a physical tour of the campus as part of the agenda.

Several presidents felt that one hour would not be long enough to go into a thorough, detailed briefing. Several others were concerned, lest the briefings deteriorate into a competitive media show among the institutions. Several others indicated that they would like to include faculty and students in the briefing process.

The faculty representatives were less enthusiastic about the proposal. While some of them viewed it as an opportunity to broaden communications between the institutions and the Board of Regents, others felt that the briefings would be "canned" and "predictable." Several faculty representatives indicated they would have no objection to the briefings, but stressed that the briefings should include presentations by faculty representatives as well.

Proposal No. 3 -- to invite each faculty senate (or comparable body) of the System's institutions to send a representative to each meeting of the Board of Regents.

As expected, this was the most controversial proposal. The faculty representatives being strongly in favor of it, and the institutional presidents -- if not opposed to it outright -- shared grave concerns about it.

However, most of the opposition to the proposal stemmed from a misconception of what the proposal would really do. There was a general feeling among the presidents that we were advocating a system to give faculty representatives direct access to the Board of Regents, similar to the access enjoyed by the institutional presidents. This the presidents strongly opposed. They said it would undermine their authority. They said it would diminish their prestige. They said it would increase the paperwork load on the Regents. They said it would put the Regents in direct line of fire during campus controversies -- and there might come a time when the Regents wished they hadn't gotten into faculty representation. They said that it is the president's job to represent the faculty to the Board of the Regents and if they're not doing it they shouldn't be president. (It should be noted that the objections came primarily from presidents of general academic institutions. The health-related institutions do not have faculty senates and it was conceded that the faculties and the administration are on much closer terms in these institutions.)

Faculty representatives were uniformly enthusiastic about being invited to attend meetings of the Board of Regents. They felt it would help to open lines of communication, to keep the campuses generally informed about the regental actions, and most of all they felt that it would give them an opportunity to have strong input into the deliberations of the Board of Regents. They felt that since student body presidents already are invited to attend Regents' meetings, faculty senate presidents ought to be accorded the same privilege. As to the question of whether the institutional presidents do an

effective job of representing the faculty, one faculty member put it this way: "Institutional heads do represent their institutions and the faculty, too. However, institutional heads do not always do it very well...."

He continued: "There is no reason for there to be an adversary relationship. This is not a competition, but a diversity of experience and views."

It should be noted, however, that once the distinction was drawn between inviting faculty representatives to participate in meetings of the Board of Regents and inviting them merely to be present as observers, much of the presidential opposition was muted. That is not to say that any of the presidents ever became enthusiastic over the proposal, but most of them indicated that they could live with it. Proposal No. 4 -- that, except during periods when the Texas Legislature is in session, meetings of the Regents be regularly rotated among the locations of the System's institutions, with a view to meeting on the campus of each institution no less frequently than once every two years.

Of all the proposals, this was the one unanimously endorsed by presidents and faculty representatives alike. Everyone felt that it would help build a sense of community throughout the UT System. Everyone felt it would give the Regents first-hand knowledge of what was going on at each campus. And everyone felt that it would add to the prestige of each campus in its own community to have the Board of Regents meeting there. It becomes a matter of civic importance.

Finally, everyone felt that rotating the meetings would keep the public and the Legislature aware of the broad-based structure of the UT System.

RECOMMENDATIONS

Based on these hearings -- and our subsequent discussions -- the special committee makes the following recommendation:

First: The committee recommends the adoption of a proposal that a meeting of the building and grounds committee be held on the day preceding each meeting of the Board of Regents.

While attendance at such a meeting need not be mandatory, we do believe that Regents should be given the opportunity to make an in-depth study of all proposed items of construction, rehabilitation, remodeling and other capital expenditures. Since last January alone, the Board of Regents has taken action on 48 separate projects that have an estimated total cost of \$151.3 million, as seen by the following list:

UT System	\$ 192,830.00
UT Arlington	7,873,200.00
UT Austin	13,991,215.00
UT Dallas	4,466,700.00
UT El Paso	3,062,000.00
UT Permian Basin	-0-
UT San Antonio	13,646,532.00
Dallas Health Science Center	3,360,000.00
Galveston Medical Branch	52,115,000.00
Houston Health Science Center	5,318,043.00
San Antonio Health Science Center	14,138,331.00
System Cancer Center	15,898,043.00
Tyler Health Center	17,238,369.00

We believe that when expenditures of such magnitude are being authorized, they must be considered in the context of total System needs, alternative claims on the System's resources, the existing master plan of the proposing institution, and the impact on the System's debt capacity.

We also believe that future expenditures must be evaluated in the light of diminishing resources. The days of unlimited money for higher education are clearly over. In the mid-1960s, we were faced with the challenge of providing quality education -- and adequate educational resources -- to more and more Texans, and particularly to minorities. We met that challenge by building one of the finest systems of higher education in the nation. In the past decade, expenditures for higher education in Texas have increased over 400 percent. During this period, Texas ranked third of the 50 states in the amount spent for higher education.

But now, as enrollments begin to level off and as the birth rate continues to decline, the era of rapid expansion is over. The days of large budget surpluses are probably over, as well. And, as we look to the future, we know that state revenues from oil and gas taxes must certainly begin to decline as we begin to run out of our natural resources.

It is obvious that competition for available state revenues is going to be keen. It is obvious that the Legislature is going to be scrutinizing our every expenditure as it has never done before. It is obvious that the taxpayers of this state are going to expect us to be fully accountable as to how we spend our money.

In such a climate, the Board of Regents has both a practical and a moral responsibility to nurture its resources and to spend them carefully and wisely.

This proposal is made toward that end.

Second: The committee recommends the adoption of a proposal that, except during periods when the Texas Legislature is in session, meetings of the Regents be regularly rotated among the locations of the System's institutions, with a view to meeting on the campus of each institution no less frequently than once every two and one-half years.

Although the University of Texas System has become one of the nation's largest and most respected systems of higher education -- having added seven new institutions in the past decade -- the public still looks upon most of the institutions as branches of the "main" campus in Austin. Very few Texans understand that the System is made up of free-standing institutions, each with its own president, its own budget, and its own traditions.

Part of this problem, of course, stems from the fact that we are a new System, and UT Austin -- with its size, its reputation, its athletic teams and its roots -- remains the most visible and best known of our components.

Part of the problem stems from the fact that System Administration is headquartered in Austin.

And part of the problem stems from the fact that, until this year, the Board of Regents met regularly on the campus at UT Austin, and even now meet mostly in Austin at System Administration. In fact, of the 23 meetings the Board of Regents held since September, 1974 -- three years ago -- only four were held outside of Austin:

MEETINGS OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM
September 1974 - September 1977

<u>Meeting No.</u>	<u>Dates</u>	<u>Place</u>
725	September 20, 1974	Austin
726#	September 25, 1974	Austin
727	November 1, 1974	Austin
728	December 13, 1974	Austin
729#	January 17, 1975	Austin
730	January 31, 1975	Austin
731	March 14, 1975	Austin
732	April 28, 1975	Dallas
733	June 5, 1975	Austin
734	July 25, 1975	San Antonio
735	September 12, 1975	Austin
736	October 24, 1975	Austin
737	December 12, 1975	Houston
738	February 13, 1976	Austin
739	March 26, 1976	Austin
740	May 14, 1976	Austin
741	July 9, 1976	Austin
742	October 1, 1976	Houston
743	December 10, 1976	Austin
744	February 11, 1977	Austin
745	April 15, 1977	Austin
746	June 10, 1977	Austin
747	July 29, 1977	Austin

- Emergency Meeting

We certainly would not want to do anything to detract from the reputation of The University of Texas at Austin -- and we certainly can't do anything about the physical location of System Administration.

But we can do something about where the Regents meet. And we think we should.

We believe that our physical presence on each of our campuses -- on a regular basis -- would be tangible evidence to students, faculty and local citizens alike of our commitment to make that institution one of the nation's best.

Third: The committee recommends the adoption of a proposal that approximately one hour at each meeting of the Regents be devoted to an extensive report from one of the System's institutions, such reports to be scheduled on a revolving basis designed to afford each institution an opportunity to present a summary of its mission, activities and current emphases to the Regents at least once every two years.

While the committee did not want to set a rigid schedule for these reports, it felt that to the extent possible, the reporting institution at each meeting should be the host institution for that particular meeting, assuming the adoption of recommendation number two.

The committee was also reluctant to set a rigid format for the presentations -- for either time or content. The idea was not to set up formalized, competing presentations among the UT institutions. Just the opposite. We wanted to give each institution the opportunity to keep the Regents abreast of its needs, its goals, its accomplishments, and its strengths and weaknesses.

We feel that these presentations would become a valuable tool for keeping the Board of Regents abreast of the latest developments within the UT System and would represent an important outlet for the institutions themselves.

To put it in very basic terms: The Regents need to know what is going on, and the presidents need a forum to express their problems and needs. At present, there is no formal procedure to accomplish either of those goals.

Fourth: The committee recommends that the Board of Regents extend to the elected head of each Faculty Senate (or comparable body) of the System's institutions an invitation to attend each meeting of the Board of Regents. In the cases of those institutions which have no single faculty representative

SEP 16 1977

body, the invitations should be extended on a rotating basis to the elected heads of the several component bodies of the respective faculties.

It should be clear that the committee is not recommending an active role for faculty representatives at Board of Regents meetings. We are satisfied that the Regents' Rules provide students and faculty members alike ample access to the Board -- to express their positions on current issues or to bring specific grievances before the Board.

We feel strongly that those procedures should be followed under any circumstances. We do not wish to undermine the authority of any institutional president nor short-circuit the current chain of command.

But we do feel that an invitation to faculty leaders to be present at Regents meetings and to observe our proceedings would be a tangible expression of our respect for the faculty and a recognition of faculty members as important members of our constituency. We see no reason why faculty leaders should not be extended the same courtesy as we currently extend to student body leaders.

* * * * *

In making these recommendations, the committee takes special note of the issue raised by Regent Law whether several of these proposals would require amendments to the Regents' Rules.

In a subsequent letter (attachment 1), Mr. Law concludes that these proposals "could be put in practice either by amending the Rules or by simply adopting policies and procedures within the framework of the existing Rules." He notes that "If the latter procedure were adopted, there of course would be less assurance of continuity but greater room for flexibility."

In a separate opinion, Mr. James Fitzpatrick, System General Counsel, comes to the same conclusion (attachment 2). "It is my opinion," he writes, "that none of the proposals enumerated therein (as I understand them) require amendment to the Rules and Regulations of the Board of Regents to become effective."

We therefore do not present these recommendations as amendments to the Regents' Rules and Regulations, but rather as policy matters to be approved

by the Board within the authority of the current Rules and Regulations.

The specific resolutions proposed by the Special Committee for adoption by the Board of Regents are appended as Attachment 3.

ADOPTED AND EXECUTED this 15th day of September, 1977.

Jane Weinert Blumberg
JANE BLUMBERG

Sterling H. Fly, Jr.
DR. STERLING FLY, JR.

Jess Hay
JESS HAY



BOARD OF REGENTS
of
THE UNIVERSITY OF TEXAS SYSTEM

Attachment 1

THOS H LAW
2500 FORT WORTH NATIONAL BANK BUILDING
FORT WORTH, TEXAS 76102

July 15, 1977

Mr. Jess Hay
P. O. Box 5644
Dallas, Texas 75222

Dear Jess:

As I have heretofore explained to you, sometime ago I made a commitment to be in California for several days beginning July 18, 1977 in connection with an important lawsuit. Therefore I shall not be able to attend the meeting of the Ad Hoc Committee on that date. I regret this conflict, for I have a keen interest in the subject under consideration.

Let me say at the outset that I fully agree with the ends which you are seeking to accomplish. I have some reservation as to the most effective method of accomplishing these ends and I would caution against our adopting inflexible rules

SEP 16 1977

which might be acceptable under given conditions but which otherwise could well be time-consuming and self-defeating. I also have come to the conclusion, after further study of the present Regents Rules, that your proposals could be put in practice either by amending the Rules or by simply adopting policies and procedures within the framework of the existing Rules. (If the latter procedure were adopted, there of course would be less assurance of continuity but greater room for flexibility.)

Now as to the specific proposals.

1. (That a meeting of the Buildings and Grounds Committee be held on the day preceding each meeting of the Board of Regents)

I fully share your concern that we, as members of the Board of Regents, give adequate consideration to the proposals for substantial expenditures for construction and other capital expenditures within the System. "Adequate consideration" should encompass specific need, priorities, alternative solutions, availability and source of funding and all other items listed in your proposal. Speaking for myself only, I am not certain that I always have been able to give "adequate consideration" to proposals for expenditures. I agree that we should seek to remedy the situation. There are, however, two additional points which we should not overlook. First, our concern should deal equally with significant matters besides bricks and mortar which affect the System. If we regularly devote a day or an afternoon to building matters, will we not at least appear to (and probably, actually) be giving emphasis to bricks and mortar to the detriment of adequate consideration for the multitude of other matters of at least equal significance? And second, if we write into the Rules an inflexible requirement for such a meeting preceding each meeting of the Board, will we not find ourselves meeting simply for meetings' sake on occasions when there is really little in the way of building construction on the agenda?

Under the existing Rules, any committee of the Board may meet "at such . . . times as the majority of the members of each committee shall determine" (Chapter I, Section 7.13); regular meetings of the Board "shall be held at such times and places as the Board shall designate" (Chapter I, Section 6.1); and special meetings of the Board "shall be held upon the call of the Chairman, or upon written requests of three members of the Board" (Chapter I, Section 6.21).

If these provisions are deemed insufficient to assure meetings which will allow for adequate consideration and it is desired to give impetus to the call for a meeting of the Buildings and Grounds Committee (or any other committee, for that matter), then I would favor a statement of policy in the form of a Rule which would allow for some flexibility, perhaps similar to the following:

Chapter I, Section 7.13. Time of Meeting of Committees of Board.--The committees of the Board customarily shall meet on the first day of any scheduled Board meeting and at such other times as the majority of the members of each committee shall determine; provided, that when in the opinion of at least three members of the Board it is desirable to afford more time and a better environment for in-depth consideration of proposed items of construction, rehabilitation, remodeling and other capital expenditures, they may call a meeting of the Buildings and Grounds

Committee for the day preceding any scheduled Board meeting, upon notice pursuant to law.
(Proposed amendment underscored.)

2. (That approximately one hour at each meeting be devoted to a report from one of the System's institutions at least once every two years.)

The purpose of the proposal is laudable. In practice, I can foresee some problems. Will the format be fixed, or left to the discretion of each institution? If the latter (which seems reasonable) will it result in unhealthy competition and undue effort to outdo the others, perhaps with audio-visual presentations? Will such effort be purely superficial? Is it practical to expect the institution, in an hour or so, to "present a summary of its mission, activities, and current emphases," when these involve a multitude of diverse disciplines?

I would think that, perhaps without setting a Rule in concrete, we might simply have a policy of inviting each institution to make a presentation at the time the Board meets on its campus. Further - while this does not directly answer the proposal - I would commend to every Regent the marvelous opportunity of paying a visit of one or two days to each institution for a firsthand insight of its mission, its facilities and its needs. Many have availed themselves of this opportunity, to their own advantage as well as that of the individual institutions.

3. (That each Faculty Senate - or comparable body - of the System's institutions send a representative to each meeting of the Board.)

It is this proposal which gives me mixed feelings. I favor democratic representation and a reasonable voice for the faculty. (Who would not?) I favor reasonable authority for the institutional heads, who must bear the responsibility. (Who would not?) Are the two in conflict? I would hope not.

The presidents, if I hear them correctly, feel that they represent the faculty at meetings of the Board, being members of the faculty, themselves and being the institutional heads. I am not certain the faculties agree. The presidents are concerned that an avenue might be opened which would virtually invite dissident members of the faculty to go around them to the Regents. I am not certain that such might not be the case, but then I am not certain that members of the faculty are wrong when some of them assert that there is not presently an adequate procedure by which concerns of the Faculty Senate, or comparable body, are brought to the attention of the Board. Parenthetically, I must add that in my opinion, such faculty members are in the minority - many do not want any change and do not seek representation at Board of Regents' meetings. Furthermore, it will be difficult to arrive at a formula for representation where there is more than a single faculty organization. Such is the case at the Health Science institutions. In any event, whether or not those seeking direct representation are in the minority, they are vocal.

There is not, in my opinion, any ideal solution to this situation. I would favor the right of representation at meetings, if a faculty desires it, but would confine presentations to those which have gone through channels, thus giving the respective president an opportunity to consider the matter and to act thereon.

Perhaps this could be accomplished by adopting an amendment to Chapter 1, Section 8.62 so that it would read somewhat as follows:

". . . provided, however, that the Chief Administrative Officer, or his delegate, a representative of the Faculty Senate (or comparable body) and the president of the Students' Association, or his delegate, of any component institution, without prior notice or request but subject to such time limitation as may be prescribed by the Chairman or a majority of the Board (or by the chairman or a majority of the committee), may appear before the Board or any committee thereof whenever the matter under consideration by the Board or committee directly affects the component institution represented by such person; and provided, further, that the faculty or student representative has theretofore conferred with the respective Chief Administrative Officer concerning the matter under consideration. ~~Chief Administrative Officer and/or student president. -- Whenever time and other circumstances permit, the president of the students' association, or his delegate, of such component institution, shall consult with the Chief Administrative Officer, or his delegate, of such institution regarding said matter under consideration prior to the meeting of the Board or committee.~~ (Additional language underscored. Delete language marked through.)

4. (That, except during periods when the Texas Legislature is in session, meetings of the Regents be regularly rotated among the locations of the System's institutions.)

I believe that nearly everyone is agreed that the advantages of meeting at the different locations of the institutions outweigh the additional complications and expense. Of course, such practice is fully consistent with our present Rule, which reads as follows:

"Chapter I, Section 6.1 - Regular meetings.-- Regular meetings of the Board of Regents shall be held at such times and places as the Board shall designate. Unless otherwise determined in advance by the Board, all regular meetings shall be held in Austin."

As a matter of practice, the Board has frequently rotated its meetings. I would not favor a hard and fast rule that the Board must meet outside of Austin when the legislature is not in session, since there may very well be good and sufficient reason to meet in Austin and reasons which make it impractical to meet elsewhere. If it is the view of the Board that some positive statement should appear in the Rules relative to what already probably is a de facto policy, then I would suggest that we amend Section 6.1 so that it shall read as follows:

"Chapter I, Section 6.1 - Regular meetings.-- Regular meetings of the Board of Regents shall be held at such times and places as the Board shall designate. During periods when the Texas legislature is in session, meetings of the Board normally shall be held in Austin. At other times, such meetings may be rotated at locations which will permit a meeting of the Board on the campus of each component institution no less frequently than once every two years, if practical. (Additional language underscored.)

As I stated to you, Jess, I have no pride of authorship and the foregoing is simply my suggestion as to a reference point for some discussion. I wish I could be present at the meeting of your Committee.

Yours sincerely,



Thos. H. Law

THL:dm

cc: Mrs. Jane Blumberg
Dr. Sterling H. Fly, Jr.
Dr. E. D. Walker



THE UNIVERSITY OF TEXAS SYSTEM
Office of General Counsel
201 WEST 7TH STREET TELEPHONE (512) 471-7565
AUSTIN, TEXAS 78701

Attachment 2

July 12, 1977

Honorable Jess T. Hay
Member, Board of Regents
The University of Texas System
Post Office Box 5644
Dallas, Texas 75222

Dear Mr. Hay:

This is in response to your letter of July 2, 1977, received in this office on July 6, in which you enumerated four proposals under consideration by an ad hoc committee of the Board of Regents, appointed by Governor Shivers, as Chairman of the Board, and composed of Mrs. Roland Blumberg, Dr. Sterling Fly and yourself; and in which you request my advice as to:

"Whether any of the proposals being considered by the committee would require any amendment or amendments to the Rules and Regulations of the Board of Regents of The University of Texas System."

It is my opinion that none of the proposals enumerated therein (as I understand them) require amendment to the Rules and Regulations of the Board of Regents to become effective. On the other hand, there is no legal objection to adoption of such proposals by means of amendment of the Rules and Regulations. If this latter course of action is followed, however, discretion of the Board to take further action with respect to such proposals will be under the constraints of Section 4, Chapter IX, Part II of the Rules and Regulations which requires any proposed amendment to be first filed with the Secretary of the Board, in writing, with copy given each Board member not less than thirty days before the meeting at which the amendment is adopted, or

by required majority vote of the Board at two consecutive meetings; unless the amendment is to Part II of the Rules and Regulations.

Proposal No. 1 [that a meeting of the buildings and grounds committee be held on the day preceding each meeting of the Board of Regents] may be put into effect by majority vote of the Buildings and Grounds Committee, provided that the Committee's action must be referred to the Board, as provided in Section 7, Chapter I, Part I, of the Regents' Rules and Regulations, which reads in part as follows:

"7.1 Standing Committees. -- The following committees shall be appointed to consider policies for the government of all major areas: (a) * * * (c) Buildings and Grounds Committee; * * *.

" * * *

"7.13 Time of Meeting of Committees of Board. - The Committees of the Board customarily shall meet on the first day of any scheduled Board meeting and at such other times as the majority of the members of each committee shall determine.

"7.14 Authority of Standing Committees. -- The authority of standing committees of the Board shall be subject to action of the whole Board and, except in cases where it is necessary for the System Administration Committee to act for the Board * * *, the committee's actions shall be referred to the Board before they shall become effective." [emphasis supplied.]

As provided in subsection 7.19, Section 7, Chapter I, Part I, Regents' Rules and Regulations, the Buildings and Grounds Committee has the following express duties:

"7.191 It shall consider and make recommendations relating to the acquisition and use of land and the construction and use of buildings and other matters involving the physical expansion of The University of Texas System and its component institutions.

"7.192 It shall review, and make recommendations regarding, all proposals for new construction in an amount exceeding \$5,000.00, all proposals for repairs and remodeling of the physical plant which involve proposed expenditures of \$20,000.00 or more, and proposals for extensive improvements of the grounds of The University of Texas System and its component institutions."

The Rules and Regulations express no limitation on the matters which may be considered by the Committee in carrying out its duties, nor do I find any Rules and Regulations which, by implication therefrom, indicate such a limitation. Moreover, the committee was appointed to "consider policies for the government" of, at least, the areas indicated by its duties (see Section 7.1, Chapter I, Part I quoted above); and Subsection 8.61, Section 8, Chapter I, Part II, provides

that "[n]othing herein shall be construed to prevent members of the Board of Regents from informing themselves as to their duties and obligations in such manner as they may deem proper." Accordingly, it is my opinion that the expressed purposes of the meeting in question do not conflict with or otherwise require amendment of the Rules and Regulations, provided they are deemed by the Committee to be reasonably necessary for accomplishing the purposes and duties of the Committee.

As to proposal No. 2 [one hour of each Regents' meeting to be devoted to a report by a System institution], the Regents' Rules and Regulations contain no provisions pertaining to the duration of any presentation by any person invited to appear before the Board, or restricting the Boards' authority to invite a report from a System institution. (Indeed, Subsection 8.62, Section 8, Chapter I, Part II, Regents' Rules and Regulations, contemplates invitations to appear before the Board.)

Proposal No. 3 [to invite each Faculty Senate, or comparable body, to send a representative to each meeting of the Board] would not require amendment of the Rules and Regulations so long as the intended result of the proposal is nothing more than (1) an invitation to be present, or (2) an invitation to appear before the Board with respect to a matter other than changes in policies or procedures, or faculty legislation, or (3) an invitation to appear before the Board with respect to changes in policies or procedures, or faculty legislation, after the particular subject matter has been considered by institutional officials, institutional heads, and the Deputy Chancellor.

The Board has the general authority to invite persons to appear before it. (See Secs. 8.61, 8.62, Chapter I, Part I). However, the Rules and Regulations specifically provide for the institutional officers, institutional heads, Deputy Chancellor, and the Board - in that order - to consider faculty member proposals for changes in policies and procedures, and legislation adopted by an institutional faculty, or legislative body. (Sec. 10, Chap. III, Part I; Sec. 2.2, Chap. IV, Part I). Thus, under the rule of construction that general provisions are controlled or limited by special provisions dealing with the same subject, and the doctrine of expressio unis, etc., it is my opinion that the foregoing special, express provisions limit the general authority of the Board, as indicated in the immediately preceding paragraph above.

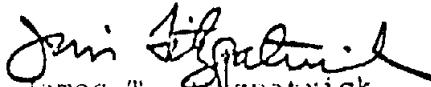
Accordingly, if it is intended by the proposal to invite faculty representatives to appear before the Board, with respect to the matters covered by such special provisions, prior to their consideration by the institutional officials, institutional heads and the Deputy Chancellor, then amendments to the Rules and Regulations are required.

With respect to proposal No. 4 [to rotate Regents' meetings among locations of the System institutions], Section 6, Chapter I, Part I, of the Regents' Rules and Regulations provides, in part:

"6.1 Regular Meetings. -- Regular meetings of the Board of Regents shall be held at such times and places as the Board shall designate. Unless otherwise determined in advance by the Board, all regular meetings shall be held in Austin."

This proposal can, therefore, be made effective without amendment of the Rules and Regulations.

Respectfully,


James T. Fitzpatrick

JTF:o'd

xc: Mrs. Roland Blumberg
Dr. Sterling Fly, Jr.
Mr. E. D. Walker

FORM OF RESOLUTIONS PROPOSED FOR
ADOPTION BY THE BOARD OF REGENTS
OF THE UNIVERSITY OF TEXAS SYSTEM

Attachment 3

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FIRST RESOLUTION

RESOLVED, that a meeting of the building and grounds committee be held on the day preceding each meeting of the Board of Regents:

- a) for the purpose of affording more time and a better environment for in-depth consideration of all proposed items of construction, rehabilitation, remodeling and other capital expenditures, and
- b) with a view to providing the Regents with sufficient data to evaluate each proposal in terms:
 - i) of the related context of each proposal (i.e., how does it fit into the existing master plan of the proposing institution, what is its impact on that institution, what is its impact on that institution's total investment in plant and facilities, how does the resulting whole relate to established norms, etc.);
 - ii) of specific need and possible alternative solutions to that need;
 - iii) of cost, unit and total, relative to costs of similar solutions to the addressed need, whatever that might be;
 - iv) of priority, related to alternative claims on the System's resources;
 - v) of priority, related to other needs of the proposing institution; and
 - vi) of source of funding and the impact, if any, of the proposal's approval on the System's debt capacity and/or its resources available for our mandated pursuit of 'academic excellence';

FURTHER RESOLVED, that attendance by Regents at such meetings of the building and grounds committee shall be voluntary and not mandatory, it being understood that any formal action related to any proposed construction, rehabilitation, remodeling or other capital expenditure shall be taken, in the future as in the past, by the full board and not by the building and grounds committee.

SECOND RESOLUTION

RESOLVED, that, except during periods when the Texas Legislature is in session, meetings of the Regents be regularly rotated among the locations of the System's institutions, with a view to meeting on the campus of each institution no less frequently than once every two and one-half years.

THIRD RESOLUTION

RESOLVED, that approximately one hour at each meeting of the Regents be devoted to an extensive report from one of the System's institutions, such reports to be scheduled on a revolving basis designed to afford each institution an opportunity to present a summary of its mission, activities and current emphases to the Regents at least once every two years.

FOURTH RESOLUTION

RESOLVED, that the Board of Regents extend to the elected head of each faculty senate (or comparable body) of the System's institutions an invitation to attend each meeting of the Board of Regents;

FURTHER RESOLVED, that in cases of those institutions which have no single faculty representative body, the invitations shall be extended on a rotating basis to the elected heads of the several component bodies of the representative faculties.

[End of Report]

REPORT OF SPECIAL COMMITTEE TO APPOINT OUTSIDE CONSULTANT TO STUDY OIL, GAS AND MINERAL TRANSACTIONS. -- Committee Chairman Clark reported that the Special Committee to Appoint an Outside Consultant to Study Oil, Gas and Mineral Transactions held an organizational meeting and discussed those things the committee had in mind for the proposed study. The committee was in accord with a limited overview of the land transactions--leases, records, and provision of information to the Board of Regents more expeditiously than had been previously received. The committee instructed System President Walker to proceed with consideration of a qualified consultant and to submit his recommendation to the committee for its approval. It is hoped that the committee will receive his recommendation in time to submit a report at the Regents' meeting on November 11, 1977.

COMMITTEE OF THE WHOLE - EXECUTIVE SESSION

HOUSTON HEALTH SCIENCE CENTER: REPORT OF SPECIAL COMMITTEE TO APPROVE SALE OF PRESIDENT'S HOME (10814 RIVERVIEW, HOUSTON, HARRIS COUNTY, TEXAS); BIDS REJECTED. --Chairman Shivers called attention to the fact that the next report of the Special Committee to Approve the Sale of the President's Home (10814 River-view, Houston, Harris County, Texas) at The University of Texas Health Science Center at Houston had been discussed in the Executive Session of the Committee of the Whole pursuant to Article 6252-17, Section 2(f), V.T.C.S. The committee reported to the Executive Session that the bids called for on this property had been rejected by the Special Committee and that new bids were being called for.

COMMITTEE OF THE WHOLE
(Pages 70 - 269)

Chairman Shivers filed the following report of the Committee of the Whole; all action of which had been taken in open session. This report was adopted without objection:

BOARD OF REGENTS: REVISION OF REGENTS' RULES AND REGULATIONS, PARTS ONE AND TWO TO CONFORM TO 1977-78 OPERATING BUDGET AND TO LEGISLATION RELATING TO UNIVERSITY ENACTED BY 65TH LEGISLATURE, R.S., 1977. --In accordance with authorization granted at the July 29, 1977, meeting of the Board of Regents, the Regents' Rules and Regulations, Parts One and Two had been revised by the General Counsel under the direction and supervision of the President of the System, and copies had been circulated to members of the Board of Regents by the Secretary prior to the meeting.

At the request of Chairman Shivers, System President Walker explained the changes in the proposed revision. With two or three exceptions, the changes conform the Rules and Regulations to the 1977-78 Operating Budget adopted at the meeting on July 29, 1977, and to legislation relating to the University that was enacted by the 65th Legislature, R.S., 1977.

Regent Clark moved, seconded by Regent Bauerle, that the revised Regents' Rules and Regulations, Parts One (Pages 70-158) and Two (Pages 159-230) be substituted for the current Rules and Regulations originally adopted in January 1960 and amended periodically thereafter.

After a discussion, the motion prevailed by unanimous vote, and without objection the necessary rules were waived and the revised Rules and Regulations became effective immediately.

RULES AND REGULATIONS
OF THE
BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM
FOR THE GOVERNMENT OF
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Adopted by the Board of Regents on September 16, 1977

Explanatory Statement

The Rules and Regulations contained in this volume are those which are adopted by the Board of Regents and which apply generally to the entire University of Texas System. They are to be known as the Regents' Rules and Regulations to distinguish them from each component institution's rules and regulations which are promulgated by the chief administrative officers of the component institutions and which are published in separate volumes and entitled Handbook of Operating Procedures for (name of the institution).

These Rules and Regulations are published in loose-leaf form to facilitate their being kept current. As promptly as possible after an amendment is approved, the Secretary will distribute new pages bearing the amended text.

SEP 16 1977

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CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

Explanatory Statement

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TABLE OF CONTENTS

<u>Chapter</u>		<u>Page</u>
I.	The Board of Regents	
1.	Authority	I-1
2.	Composition	I-1
3.	Chairman	I-1
4.	Vice-Chairman	I-2
5.	Secretary	I-2
6.	Meetings	I-3
7.	Committees	I-4
8.	Procedure	I-6
9.	Executive Associate for Economic Affairs	I-10
II.	Administration	
1.	General Provisions	II-1
2.	Officers of System Administration	II-1
2.1	Chancellor Emeritus	II-1
2.2	Principal Officers	II-1
2.3	Administrative Officers	II-2
2.4	Appointment and Tenure of Administrative Officers	
2.5	Staff and Line Functions of Officers Other than the Chancellor, President of the System, Executive Assistant to the Chancellor and Director for Development	II-2
3.	Administrative Authority, Duties and Responsibilities of Officers of System Administration	II-3
3.1	Chancellor	II-3
3.2	Executive Assistant to the Chancellor	II-3
3.3	Director for Development	II-4
3.4	President of the System	II-5
3.43	The University Development Council	II-7
3.44	The Council of Academic Institutions	II-7
3.45	Council of Health Institutions	II-7
3.46	Business Management Council	II-7
3.5	Vice President for Academic Affairs	II-7
3.6	Vice President for Health Affairs	II-8
3.7	Executive Director for Investments, Trusts and Lands	II-10
3.8	Vice President for Operations	II-11
3.9	Vice President for Administration	II-12
3.(10)	Director for Public Affairs	II-13
3.(11)	Director of Facilities Planning and Construction	II-13
3.(12)	Comptroller	II-14
3.(13)	Budget Director	II-15
3.(14)	Vice President and General Counsel for the System	
3.(15)	System Personnel Director	II-16
3.(16)	Director of Accounting of The University of Texas at Austin	II-17
3.(17)	Director of Police	II-19
3.(18)	Vice President for Business Affairs	II-19
3.(19)	Associate General Counsel	II-21
4.	Chief Administrative Officers of Component Institutions	II-21
5.	Appointment of Other Administrative Officers	II-22
III.	Personnel	
1.	Appointments	III-1
2.	Classified Personnel Systems	III-5
3.	Employment of Aliens	III-5
4.	Code of Ethics	III-5

5.	Appointment of Relatives (Nepotism Rule).....	III-8
6.	Tenure, Promotion, and Termination of Employment	III-8
7.	Rights and Responsibilities as a Citizen and as a Teacher ...	III-17
8.	The Greater Duties of a Member of the Teaching Staff	III-19
9.	Acquaintance with, Conformity to, and Improvement of University Regulations.....	III-19
10.	Communications, Appeals, and Hearings	III-20
11.	Communications with the Legislature and Other State Agencies or Officials	III-21
12.	Office Hours	III-21
13.	Outside Employment	III-21
14.	Holidays	III-23
15.	Vacation	III-23
16.	Leaves of Absence without Pay	III-24
17.	Faculty Development Leaves	III-25
18.	Division of Salaries for Staff Engaged in Teaching and Non-teaching Activities.....	III-25
19.	Sick Leave	III-25
20.	Leave for Jury Duty	III-25
21.	Absence from Usual and Regular Duties	III-25
22.	Authorization to Travel	III-26
23.	Compensation for Correspondence and Extension Teaching of Full-time Staff Members	III-26
24.	Textbooks and Other Materials Prescribed for the Use of Students	III-26
25.	Sectarian Courses Prohibited	III-27
26.	Acceptance of Money from Students	III-27
27.	Power to Authorize Expenditures out of System Funds	III-27
28.	Indebtedness to the System or the State.....	III-28
29.	Power to Bind the System in Fixing Its Policies	III-28
30.	Institutional Employees as Students	III-28
31.	Retirement and Modified Service	III-29
32.	Staff Benefits	III-33
IV.	Faculty Organization	IV-1
1.	Educational Policy	IV-1
2.	Institutional, College, School, and Departmental Faculties and Legislative Bodies	IV-1
V.	Graduate Education in the System	V-1
VI.	Student Services and Activities	VI-1
1.	General Provisions	VI-2
2.	The Dean of Students and His Staff	VI-2
3.	Student Conduct and Discipline	VI-12
4.	Student Organizations	VI-14
5.	Participation in Student Government	VI-16
6.	Use of University-Owned Facilities	VI-22
7.	Speech and Assembly	VI-24
8.	Off-Campus Student Housing	VI-24
9.	University Policy in Regard to Debts of Students	VI-25
10.	Anonymous Publications	VI-25
11.	Other Regulations Concerning Student Affairs Reported in the <u>Rules and Regulations of the Board of Regents</u>	VI-25
VII.	The System Private-Fund Development and Foundations	VII-1
1.	The System Private-Fund Development	VII-1

2.	The Development Board of a Component Institution for Private-Fund Development	VII-3
3.	Foundations	VII-6
VIII. Miscellaneous		
1.	Naming of Buildings and Other Facilities	VIII-1
2.	Flags at Half Mast	VIII-1
3.	Medical and Hospital Services	VIII-1
4.	Institutions and Entities Composing the System	VIII-1
IX. Enactment and Amendment		
1.	Repeal of Existing Rules in Conflict Herewith	IX-1
2.	Format for Rules	IX-1
3.	Official Copies	IX-1
4.	Amendment of <u>Rules and Regulations</u>	IX-1
5.	Distribution of <u>Amendments</u>	IX-2
6.	Endowment of Academic Positions	IX-2
7.	Acceptance of Small Gifts	IX-3

CHAPTER I

BOARD OF REGENTS

Sec. 1. Authority. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10, of the Texas Constitution, has delegated the power and authority to administer The University of Texas System to the Board of Regents in broad terms. (See Sections 65.11 et. seq. Texas Education Code.) Texas cases construing these statutes have held that the Board of Regents has wide discretion in exercising its power and authority and that the rules adopted by the Board of Regents have the same force as statutes. Foley v. Benedict, 122 Tex. 193, 55 S.W. 2d 805 (1932) Rainey v. Malone, 141 S.W. 2d 713 (Tex. Civ.App., 1940, no writ history); Morris v. Nowotny, 323 S.W. 2d 301 (Tex. Civ.App., 1959, writ refused, n.r.e.; cer. den., 361 U.S. 889, 80 S.Ct. 164, 4 L.Ed. 2d 124). The System's lands and buildings are state property subject to the control of the Board of Regents as the state's agent. Splawn v. Woodard, 287 S.W. 677 (Tex.Civ.App., 1926, no writ history); Walsh v. University of Texas, 169 S.W. 2d 993 (Tex.Civ.App., 1942, writ refused).

Sec. 2. Composition. --The Board of Regents (hereinafter sometimes referred to as "Board") is composed of nine members appointed by the Governor, with the advice and consent of the Senate, for staggered terms of six years each, the terms of three members expiring on January 10th of odd-numbered years.

Sec. 3. Chairman of the Board.

3.1 Election of Chairman. --The Chairman of the Board shall be elected by the Board from its number, shall serve at the pleasure of the Board, and shall report and be responsible to the Board. In case of the death, resignation, disability, removal, or disqualification of the Chairman, the Board shall elect a successor Chairman as soon as practicable. In no event shall a Board member serve as Chairman for more than 24 consecutive months without submitting his or her resignation as Chairman, but such member shall be eligible for re-election as Chairman.

SEP 16 1977

- 3.2 Duties of the Chairman. --The duties and responsibilities of the Chairman shall include the following:
- 3.21 The Chairman shall preside over the meetings of the Board.
 - 3.22 The Chairman shall be authorized to call special meetings of the Board, as herein provided.
 - 3.23 The Chairman shall appoint the standing and special committees of the Board, as herein provided.
 - 3.24 The Chairman shall be an ex officio member of all committees of the Board.
 - 3.25 The Chairman shall sign, with the Secretary attesting, any bonds, contracts or other documents or instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board to some other officer, official or agent of the System.

Sec. 4. Vice-Chairman of the Board. --The Vice-Chairman of the Board shall be elected by the Board from its number when the Chairman is elected and shall serve at the pleasure of the Board. In case of the absence, death, resignation, disability, removal, or disqualification of the Chairman, the Vice-Chairman shall perform the duties of the Chairman until the Chairman shall resume his or her office or a successor Chairman shall have been elected as herein provided. Upon the death, resignation, disability, or removal of the Vice-Chairman, the Board shall elect a successor Vice-Chairman as soon as practicable.

Sec. 5. Secretary to the Board.

- 5.1 Appointment. --At the meeting at which the Chairman and Vice-Chairman of the Board are elected, the Board shall elect a Secretary who is not a member of the Board and who shall receive such compensation as may be fixed by the Board. The Secretary shall report and be responsible to the Board. The Secretary shall serve subject to the pleasure of the Board and may be removed by the Board at any time. Upon the death, resignation, disability, removal, or disqualification of the Secretary, the Board shall elect a successor Secretary as soon as practicable.
- 5.2 Duties and Functions. --The duties and functions of the Secretary shall include the following:
 - 5.21 Meetings. --The Secretary shall make preparations for all meetings of the Board.
 - 5.22 The Agenda. --Under the direction of the Chairman of the Board, the Secretary shall prepare and distribute the Agenda and the Material Supporting the Agenda for all meetings of the Board and its committees.
 - 5.23 Open Meetings Act. --Under the direction of the Chairman of the Board, the Secretary shall post notices of all meetings, and the subject matter thereof, as may be required under law.
 - 5.24 Minutes. --The Secretary shall record, prepare, and index the official Minutes of the Board and shall distribute copies thereof, including the annual budgets, to members of the Board and to other persons on the approved list. The official copy of the Minutes shall be kept in the Office of the Secretary, and certified excerpts from these Minutes shall be prepared by the Secretary.
 - 5.25 Documents. --The Secretary shall keep on file in the Office of the Secretary to the Board all official documents, correspondence, and proceedings of the Board.

SEP 16 1977

- 5.26 Seal.--The custody of the official seal of the System shall be with the Secretary. The secretary shall affix such official seal to, and attest, all documents executed in the name of the Board and requiring attestation.
- 5.27 Rules and Regulations.--The Secretary shall be charged with the responsibility of keeping current the Official Copies of the Regents' Rules and Regulations, and furnishing to members of the Board and the administrative officers on the approved list any changes or additions as soon as possible after the meeting at which they are finally adopted.
- 5.28 Reports.--The Secretary shall prepare and distribute such reports and communications as are directed by the Board.
- 5.29 Other Duties.--In addition, the Secretary shall perform such functions and have such other duties and responsibilities as may be assigned to the Secretary by the Board or as are usual and customary to the position of Secretary and which assist the members of the Board in the discharge of their official duties.

Sec. 6. Meetings of the Board.

- 6.1 Regular Meetings.--Regular meetings of the Board shall be held at such times and places as the Board shall designate. Unless otherwise determined in advance by the Board, all regular meetings shall be held in Austin.
- 6.2 Special Meetings.--Special meetings of the Board shall be held upon the call of the Chairman, or upon the written request of three members of the Board. The Chairman shall cause written notification of the time, place, and purposes of any special meeting to be mailed to each member of the Board by the Secretary at least three days before the time of the meeting.
- 6.3 Official Business.--No business other than that placed on the Agenda and noticed as required by law shall be officially transacted at a meeting of the Board or its committees.

Sec. 7. Committees.

- 7.1 Standing Committees.--The following committees shall be standing committees of the Board to consider policies for the government of all major areas: (a) Committee of the Whole; (b) System Administration Committee; (c) Academic and Developmental Affairs Committee; (d) Health Affairs Committee; (e) Buildings and Grounds Committee; (f) Land and Investment Committee.
- 7.11 Appointment and Term of Standing Committees and Authority of Chairman Thereof.--All members of the Board shall be members of each of the standing committees. The Chairman of each standing committee (other than the Committee of the Whole) shall be appointed by the Chairman of the Board shortly after his or her election, by and with the consent of the Board, and shall remain as Chairman of the standing committee (unless a vacancy shall be caused by death, resignation, or refusal of some member of a committee to act) until the succeeding Board Chairman shall have reconstituted the committees. The Chairman of any of the six standing committees may appoint subcommittees on either a standing or ad hoc basis to give special consideration to special problems.

SEP 16 1977

- 7.12 Method of Filling Vacancies in the Chairmanship of Standing Committees.--In case a vacancy shall occur in the chairmanship of any of the standing committees, the Chairman of the Board shall appoint another member of the Board to serve as Chairman of the standing committee by and with the consent of the Board, and, if confirmed, the appointment shall stand until the time for appointment of Chairmen of the standing committees as provided in Subdivision 7.11 of this Chapter.
- 7.13 Time of Meeting of Committees of the Board.--The committees of the Board customarily shall meet on the first day of any scheduled Board meeting and at such other times as the majority of the members of each committee shall determine.
- 7.14 Authority of Standing Committees.--The authority of standing committees of the Board shall be subject to action of the whole Board and, except in cases where it is necessary for the System Administration Committee to act for the Board during the interim periods between Board meetings, the committees' actions shall be referred to the Board before they shall become effective.
- 7.15 Committee of the Whole.--The Chairman of the Board shall serve as Chairman of the Committee of the Whole. The Committee of the Whole shall receive and consider items referred to it by the Chairman of the Board and by other committees of the Board.
- 7.16 Composition and Duties of the System Administration Committee.--The System Administration Committee shall have authority to act for the Board on all matters that require action between meetings of the Board, but at each meeting of the Board, the System Administration Committee shall report in writing (for ratification) all actions taken by it since the last meeting of the Board.
- The System Administration Committee shall in addition thereto:
- 7.161 Consider and make recommendations on all budgetary matters relating to System Administration, including the budgets for all properties occupied by System Administration personnel
- 7.162 Consider and make recommendations on all matters relating to the administrative organization of the System and its component parts.
- 7.163 Consider and make recommendations with respect to the role, operation, and budget of any special function or offices controlled by System Administration.
- 7.17 Duties of the Academic and Developmental Affairs Committee.--The Academic and Developmental Affairs Committee shall:
- 7.171 Consider and make recommendations relating to matters of academic policy and student life in the general academic institutions.
- 7.172 Study and make recommendations relating to developmental matters concerning the general academic institutions.
- 7.173 Consider all matters affecting the growth and usefulness of the libraries of the University.
- 7.18 Duties of the Health Affairs Committee.--The Health Affairs Committee shall consider all matters connected with the health related institutions and schools except those specifically assigned to other committees of the Board.

SEP 16 1977

- 7.19 Duties of the Buildings and Grounds Committee.--The Buildings and Grounds Committee shall have the following duties:
- 7.191 It shall consider and make recommendations relating to the acquisition and use of land and the construction and use of buildings and other matters involving the physical expansion of the System and its component institutions.
- 7.192 It shall review, and make recommendations regarding, all proposals for new construction in an amount exceeding \$5,000.00, all proposals for repairs and remodeling of the physical plant which involve proposed expenditures of \$50,000.00 or more, and proposals for extensive improvements of the grounds of the System and its component institutions.
- 7.1(10) Duties of the Land and Investment Committee.--The Land and Investment Committee shall consider and make recommendations on all matters relating to (a) the investment of the Permanent University Fund and all trusts and special funds, (b) management of the state lands constituting the permanent endowment of the University, (c) the acquisition, management, and sale of trust property and special funds, and (d) the issuance of bonds.
- 7.2 Board for Lease of University Lands.--Two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve on the Board for Lease of University Lands. Neither of such appointees shall be employed either directly or indirectly by any oil or gas company nor shall be an officer or attorney for any oil or gas company.
- 7.3 Special Committees.--The Chairman of the Board shall appoint such special committees of the Board as the Board may authorize.
- c. 8. Procedure.
- 8.1 Rules of Order.--Robert's Rules of Order, when not in conflict with any of the provisions of this chapter, shall be the rules of parliamentary procedure when the Board or any of its committees is in session.
- 8.2 Order of Business.--Customarily the order of business at a regular meeting of the Board shall be as follows:
- 8.21 Correction and approval of Minutes of preceding meeting.
- 8.22 Special items:
- (a) Chancellor
- (b) President of the System
- (c) Chief administrative officers of the component institutions
- (d) Members of the Board
- 8.23 Reports of standing committees.
- 8.24 Reports of special committees.
- 8.25 Report of the Committee of the Whole.
- 8.3 Open and Closed Meetings.--Meetings of the Board shall be open to the press and the public, unless otherwise determined by the Board, in accordance with law.
- 8.4 Matters to be Referred to Committees.--Insofar as it is practicable and desirable, all subjects and matters requiring Board action shall

SEP 16 1977

be referred to the appropriate committee for consideration and recommendation before action is taken thereon by the Board.

8.5

Communications to the Board.

8.51 Nothing herein shall be construed to prevent members of the Board from informing themselves as to their duties and obligations in such manner as they may deem proper. However, the regular channel of communication from members of the Board to the faculty, staff, and administration is through the President of the System and the chief administrative officer of the institution involved, and a copy of any communication sent by a Regent directly to any member of the faculty, staff or administration should be furnished to the President of the System and the chief administrative officer of the institution involved. All staff and faculty proposals that are to be acted upon by the Regents shall be presented to the President of the System in sufficient time to permit him to consider such proposals, make recommendations thereon, and transmit them to the Secretary to the Board no later than seventeen days prior to the next meeting of the Board, in order that the calendar, agenda, and supporting material may be prepared in time to mail to the members of the Board so they will receive it at least five days prior to the meeting. Except where emergency proposals are involved, all such proposals not submitted to the Secretary within the time prescribed shall not be considered by the Board but shall automatically be deferred until the next meeting of the Board.

8.52

Except upon invitation of the Board, the Chairman of the Board, the Chancellor, or the President of the System, no person shall appear before the Board or any committee thereof unless he shall file with the Secretary to the Board a written request for such appearance at least ten days before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request; provided, however, that the chief administrative officer, or his delegate, and/or the president of the students' association, or his delegate, of any component institution, without prior notice or request but subject to such time limitation as may be prescribed by the Chairman or a majority of the Board (or by the chairman or a majority of the committee), may appear before the Board or any committee thereof whenever the matter under consideration by the Board or committee directly affects the component institution represented by such chief administrative officer and/or student president. Whenever time and other circumstances permit, the president of the students' association, or his delegate, of such component institution, shall consult with the chief administrative officer, or his delegate, of such institution regarding said "matter under consideration" prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board pursuant to the ten-day notice provision or without notice pursuant to the provisions of this paragraph shall provide a written statement of the substance of such person's presentation to the Board, and, insofar as possible, such written statement shall be delivered to the Secretary to the Board in sufficient time for copies to be distributed to the Regents prior to the meeting.

SEP 16 1977

- 8.53 All official material to be distributed to the Regents shall be transmitted through the Office of the Secretary to the Board. Copies of all official communications from administrative officers to the Regents shall be sent to the Secretary. Communications from the Chancellor or President of the System shall be exempt from this requirement at their discretion, but in such cases information copies shall be furnished to the Secretary.
- 8.54 A docket, to be entitled "Docket No. ___ of the President of the System," composed of routine matters arising from System Administration and the component institutions, which are required to be reported to and/or approved by the Board in accordance with established policies of the Board, shall be prepared as directed and approved by the President of the System. All docket items from the component institutions must be received in the office of the President of the System not less than twenty-one days prior to the next regular scheduled meeting for inclusion on the docket for that meeting. The Docket of the President of the System shall be distributed by the Secretary to all members of the Board ten days before the Board convenes, together with a ballot to be returned seven days thereafter. The ballot will read: "Approved, except as to the following items:" with space provided for listing the excepted items. All items not excepted by any Regent will be approved by the Board at its next meeting, without detailed consideration. Any excepted item listed by any Regent will be deferred and will be processed through the System Administration Committee for consideration at the first regular meeting of the Board following action on the item by the System Administration Committee.
- 8.55 Except for communications from the Chancellor, the President of the System and the Secretary to the Board, all communications to the Board from members of the faculty and staff should be in writing. The regular channel of communication from the faculty, staff, and administration to the Board is through the chief administrative officer of the institution involved and the President of the System. A copy of any communication sent directly to a Board member should be furnished to the President of the System and to the chief administrative officer of the institution involved. A description of all matters to be considered by the Board at any meeting shall be mailed or delivered to each member of the Board and to the President of the System at least five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to the Regents and the President of the System at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the needs for action thereon, and the recommendations of the President of the System. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the President of the System shall state whether or not they are fully concurred in by any institutional head involved, and if not, the views and

SEP 16 1977

recommendations of the institutional head shall be included. Any matter not sent to the members of the Board, documented as herein provided, at least five days in advance of the meeting at which it is to be considered, shall go over to the next meeting for consideration; provided, however that if sufficient emergency exists requiring immediate action and it appears that the delay was unavoidable, this requirement may be waived by a two-thirds vote of the Board.

- 8.6 Report to Press on Actions of Board. --Matters of public interest will be given as promptly as possible after each meeting to the press by the Vice President for Administration under the direction of the Chairman of the Board or the President of the System.
- 8.7 Political and Otherwise Obviously Controversial Matters. --The Board reserves to itself the responsibility for passing upon matters of a political or obviously controversial nature which represent an official position of the System or any institution or department thereof. Statements on such matters shall be made by the Chairman of the Board, or the President of the System. No Regent, officer, or faculty or staff member shall make or issue any public statement on any political or other subject of an obviously controversial nature which might reasonably be construed as a statement of the official position of the System or any institution or department thereof, without the advance approval of the Board. It is not the intent of this policy statement to stifle the right of freedom of speech of anyone speaking in a personal capacity where he makes it clear that he is not speaking for the System or any of its component institutions. Statements on matters of an emergency nature shall be cleared by the President of the System with the Chairman of the Board, and the President of the System will advise the Chancellor concerning such matters.

Sec. 9. Executive Associate for Economic Affairs

- 9.1 The Executive Associate for Economic Affairs is a staff officer of the System. He is elected by the Board, serves at the pleasure of the Board, reports to and is responsible to the Board, and receives such compensation as may be fixed by the Board.
- 9.2 Duties. --The Executive Associate on a continuing basis conceives and develops long-range plans and studies with respect to the development and management of the economic component institutions, and upon request, consults and advises with the Board and the Executive Director for Investments, Trusts and Lands regarding plans and studies.

CHAPTER II

ADMINISTRATION

Sec. 1. General Provisions.

- 1.1 The "System Administration" is the administration of The University of Texas System.
- 1.2 Component Institutions.
The University of Texas System (herein sometimes called the "System") is composed of those institutions assigned by the Constitution or by

SEP 16 1977

the Legislature to be governed by the Board of Regents of The University of Texas System.

1.3 Location.

The System Administration shall be based at Austin, to benefit from the proximity of state agencies and to take advantage of economies made possible by share use of personnel and facilities with The University of Texas at Austin. System Administration officers shall travel to the other component institutions as their administrative responsibilities require.

2. Officers of System Administration.

2.1 Chancellor Emeritus.

The authority to bestow the title of Chancellor Emeritus shall rest with the Board, and an individual holding this title shall receive such salary and emoluments as are determined by the Board. This title shall be held at the pleasure of the Board. The Chancellor Emeritus shall have such duties and responsibilities as may be delegated or assigned to him by the Board and in these matters he shall report directly to the Board.

2.2 Principal Officers.

The Chancellor is the chief executive officer of the System. The other principal executive and administrative officer of the System is the President and Chief Operating Officer (herein sometimes called "President of the System").

2.3 Administrative Officers.

The other administrative officers of the System are the Executive Assistant to the Chancellor; the Director for Development; the Vice President for Academic Affairs; the Vice President for Administration; the Vice President for Business Affairs; the Vice President and General Counsel; the Vice President for Health Affairs; the Vice President for Operations; the Budget Director; the Comptroller; the Executive Director for Investments, Trusts and Lands; the Associate General Counsel; the Director of Facilities, Planning and Construction; the Director of Police; the Director for Public Affairs; the Director for Special Services; the System Personnel Director; the Director for Accounting

2.4 Appointment and Tenure of Administrative Officers.

2.41 The Chancellor and the President of the System shall each be elected by the affirmative vote of a majority of the Regents in office, and each shall hold office without fixed term, subject to the pleasure of the Board.

2.42 The Executive Assistant to the Chancellor and the Director for Development shall each be appointed by the Board after nomination by the Chancellor. Each of such officers shall hold office without fixed term, subject to the pleasure of the Chancellor, whose actions concerning such officers are subject to review and approval by the Board. Officers so appointed shall not have tenure by virtue of their respective administrative offices.

2.43 All other administrative officers of the System shall be appointed by the Board after nomination by the President of the System. Officers so appointed shall not have tenure by virtue of their respective administrative offices. They shall

SEP 16 1977

hold office without fixed term, subject to the pleasure of the President of the System. His actions concerning administrative officers are in turn subject to review and approval by the Board.

2.5 Staff and Line Functions of Officers Other than the Chancellor, the President of the System, Executive Assistant to the Chancellor and Director for Development.

2.51 Staff Function. Each officer of System Administration, other than the Chancellor, the President of the System, the Executive Assistant to the Chancellor, and the Director for Development, shall be responsible for planning and policy formulation in his particular field as delegated by the officer to whom he reports and shall serve as adviser in his area to the officer to whom he reports. In addition, with the knowledge of the officer to whom he reports, he shall advise and consult with other members of System Administration and with the officials of the component institutions in his particular area of responsibility.

2.52. Duties. Such officers of System Administration shall have such duties as shall be assigned to them by the President of the System, or the officer to whom they report, and as the personal representatives of such officers, they may be assigned specific executive responsibilities for carrying out administrative policies.

c. 3. Administrative Authority, Duties and Responsibilities of Officers of System Administration.

3.1 Chancellor.

The Chancellor is the chief executive officer of the System and shall report to and be responsible to the Board within the policies and the Rules and Regulations of the Board in the areas of development, general policy, and general academic planning for the System and its component institutions. The Chancellor, by delegation from the Board, is authorized to exercise the power and authority possessed by the Board in the governance of the institutions composing the System. He shall:

- 3.11 Advise and counsel with the Board in establishing and promulgating basic policies.
- 3.12 Interpret the academic programs and needs of the System and its component institutions to the general public and other constituencies under policies established by the Board.
- 3.13 Represent the System in the articulation of educational policy concerns at the community, state, regional, and national levels.
- 3.14 Serve as chief executive agent of the Board in establishing policies and procedures for determining and approving developmental needs of the System and in directing efforts to attract private fund support for meeting these needs.
- 3.15 Have direct access to the chief administrative officers as required in the fulfillment of these responsibilities.

3.2 Executive Assistant to the Chancellor.

The Executive Assistant to the Chancellor is an administrative officer of the System, and is the principal assistant to the Chancellor in the

1977

administration of the responsibilities of the Office of the Chancellor. In this regard, the duties of the position include, but are not limited to:

- 3.21 Coordination of all matters between the Office of the Chancellor and the activities and functions in the Office of the President of the System.
- 3.22 Coordination of all matters between the Office of the Chancellor and the Office of the Secretary to the Board.
- 3.23 Ongoing evaluation and coordination of the internal administrative procedures and supporting staff of the Office of the Chancellor.
- 3.24 Such other duties and responsibilities as may be directed by the Chancellor.

3.3 Director for Development.

The Director for Development is an administrative officer of the System.

- 3.31 In carrying out his duties and responsibilities he:
 - 3.311 Serves as executive officer for the System Development Advisory Council.
 - 3.312 Acts under the authority delegated by the Chancellor for private fund development for the System.
 - 3.313 Coordinates policies and activities involving internal foundations and University-related external foundations.
 - 3.314 Coordinates and cooperates with the chief administrative officers of the component institutions in development programs.
 - 3.315 Coordinates efforts of component institution officials to create a favorable climate for philanthropic support among various constituencies, including alumni, foundations, business and industry, associations, parents of students, friends and benefactors.
 - 3.316 Advises component institution administrative officials, deans, and directors on projects involving private gift support, suggests possible granting agencies or benefactors, and assists when needed in the preparation of grant proposals and their presentation.
 - 3.317 Administers procedures for the preparation of gift records, gift processing, gift acknowledgments, and gift docket for the Board.
- 3.32 The Director for Development reports to and is responsible to the Chancellor.

3.4 President of the System.

The President of the System is the chief operations officer of the System and, by delegation from the Board and within the policies of the Board, is authorized to exercise the powers and authorities of the Board in the governance of the System. The chief administrative officer of each component institution in the System, acting in a line capacity for the operation of his institution, reports to and is responsible to the President of the System.

- 3.41 The major tasks of the President of the System include:
 - 3.411 Advising and counseling with the Board with respect to basic policies, and representing the

SEP 16 1977

- System in all respects as he deems proper and required to properly carry out the policies, purposes and goals of the System.
- 3.412 Act as agent of the Board in implementing policies of the Board.
- 3.413 Present to the Board nominations for all officers of System Administration (other than Chancellor, the Executive Assistant to the Chancellor, and the Director for Development) and component institutions as provided in these Rules and Regulations.
- 3.414 With the aid and advice of the Board, represent the System with the Legislature, the Coordinating Board, Texas College and University System, and other state and federal agencies.
- 3.415 Conduct periodic review of the organization of the System and its component institutions. In light of this review, he shall report to the Board recommendations for changes in organization, assignments, and procedures.
- 3.416 Normally act through the chief administrative officer regarding the affairs of any component institution of the System; however, he shall not be precluded from any direct participation and communication with faculty members and groups.
- 3.417 Prepare and approve recommendations for the meetings of the Board and submit such approved recommendations to the Secretary to the Board for consideration by the Chairman of the Board.
- 3.418 Recommend annual operating budgets and biennial legislative submissions of each component institution of the System.
- 3.419 Approve initiation and settlement of claims and lawsuits involving the System with approval of the Board.
- 3.41(10) Develop and implement programs for the most efficient management of personnel resources.
- 3.41(11) Develop and implement programs of long-range planning for academic programs, physical facilities and financial resources.
- 3.41(12) Through the System Administration and the staff of the component institutions develop training programs for personnel in the nonacademic areas.
- 3.41(13) Plan and implement programs for uniform business systems development and management.
- 3.41(14) Have direct administrative authority and responsibility for efficient functioning of the following officers and operations:
- 3.41(14)1 Vice President for Academic Affairs
- 3.41(14)2 Vice President for Health Affairs
- 3.41(14)3 Executive Director for Investments, Trusts and Lands
- 3.41(14)4 Vice President for Operations
- 3.41(14)5 Vice President for Administration
- 3.41(14)6 Director for Public Affairs
- 3.41(14)7 Comptroller

SEP 16 1977

- 3.41(14)8 Budget Director
 3.41(14)9 Vice President and General Counsel
 3.41(14)(10) Vice President for Business Affairs
- 3.42 The President of the System reports to and is directly responsible to the Board of Regents.
- 3.43 The University Development Council. The University Development Council is composed of the Chancellor and the chief administrative officers of all component institutions of the System. The Chancellor shall serve as the chairman, and the Council shall review the development of private gifts and grants for the System and its component institutions.
- 3.44 The Council of Academic Institutions. The Council of Academic Institutions is composed of the President of the System, the Vice President for Academic Affairs, and the chief administrative officers of the general academic institutions of the System. The President shall serve as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented. The Vice President for Academic Affairs shall be the permanent vice-chairman.
- 3.45 Council of Health Institutions. The Council of Health Institutions is composed of the President of the System, the Vice President for Health Affairs, and the chief administrative officers of the component institutions of the System concerned directly with health affairs. The President of the System acts as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented. The Vice President for Health Affairs shall be the permanent vice-chairman.
- 3.46 Business Management Council. The Business Management Council advises the President of the System in the areas of budgeting, business management, data processing, physical plant operations, planning, construction, and accounting systems development. The Council is composed of the chief business officers and the Vice President for Business Affairs (the Chairman), who prepares the agenda.
- 3.5 Vice President for Academic Affairs.
 The Vice President for Academic Affairs is an administrative officer of the System.
- 3.51 Subject to delegation by the President of the System, the Vice President for Academic Affairs has the general assignment of effective coordination of the general academic institutions. Specifically, he:
- 3.511 Submits to the President of the System recommendations on the System programs in education, research, and public service, including general plans and operations of general academic institutions.
- 3.512 Reviews and makes recommendations on proposals from the general academic institutions requiring action by the President of the System.
- 3.513 Works with the general academic institutions to develop general guidelines concerning faculty workload and faculty policies and recommends to the President of the System concerning System policies on these matters.

SEP 16 1977

- 3.514 Prepares and submits to the President of the System long-range and immediate academic plans for the general academic institutions including programs for continuous evaluation of existing academic programs.
- 3.515 Pursuant to governing policies, recommends to the President of the System upon the annual operating budget requests submitted by each general academic institution.
- 3.516 Recommends to the President of the System legislative appropriation requests (and policies for the development of such requests) to be submitted by the System on behalf of the general academic institutions.
- 3.517 Processes all academic matters for the System general academic institutions with the Coordinating Board, and coordinates other academic matters directed to the Coordinating Board.
- 3.518 Coordinates the preparation of the agenda for meetings of the Council of Academic Institutions.
- 3.519 In matters involving joint programs between System general academic institutions and System health institutions, coordinates with the Vice President for Health Affairs.
- 3.52 The Vice President for Academic Affairs reports to and is responsible to the President of the System.

3.6 Vice President for Health Affairs.

The Vice President for Health Affairs is an administrative officer of the System.

- 3.61 Subject to delegation by the President of the System, the Vice President for Health Affairs has the general assignment of effective coordination of those component institutions concerned primarily with health sciences.

Specifically, he:

- 3.611 Submits to the President of the System recommendations on System programs on health science education, research, and public service, including general plans and operations for the health institutions.
- 3.612 Reviews and makes recommendations on proposals from the health institutions requiring action by the President of the System.
- 3.613 Prepares and submits to the President of the System long-range and immediate plans for health science education, research and public service for the health institutions.
- 3.614 Pursuant to governing policies, recommends to the President of the System upon the annual operating budget requests submitted by each health institution.
- 3.615 Recommends to the President of the System legislative appropriation requests (and policies for the development of such requests) to be submitted by the System on behalf of the health institutions.
- 3.616 Processes all matters for the System health institutions with the Coordinating Board, and coordinates other health education matters directed to the Coordinating Board.

SEP 16 1977

- 3.617 Coordinates the preparation of the agenda for meetings of the Council of Health Institutions.
- 3.618 Coordinates the development and implementation of interinstitutional programs to benefit the individual institutions in the achievement of their missions.
- 3.619 Interprets the health institutions' policies and programs to health professional groups at the local, state and national levels, and coordinates efforts with such health professional groups and state and federal regulatory agencies to assist the health institutions in the achievement of their missions.
- 3.61(10) In matters involving joint programs between System academic institutions and System health institutions, coordinates with the Vice President for Academic Affairs.
- 3.62 The Vice President for Health Affairs reports to and is responsible to the President of the System

3.7 Executive Director for Investments, Trusts and Lands.

The Executive Director for Investments, Trusts and Lands is an administrative officer of the System.

- 3.71 Subject to delegation by the President of the System, the Executive Director for Investments, Trusts and Lands implements, when they are approved by the Board, policies and actions with respect to:
 - 3.711 The investment, management, and administration of all endowment funds belonging to the System and its component institutions, including the Permanent University Fund and all trust and special funds.
 - 3.712 The management and administration of the surface of all endowment lands and real estate belonging to the System and its component institutions, except campus properties, but including the West Texas Lands and all trust properties.
 - 3.713 The management and administration of oil, gas, and other mineral exploration and production on all endowment lands and real estate belonging to the System and its component institutions, including the West Texas Lands and all trust properties.
 - 3.714 The issuance, management, and payment of all bonds and other evidences of indebtedness issued by the Board for the System and its component institutions.
 - 3.715 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
 - 3.716 Presenting to the Board through the President of the System periodic reports of the status and prospect of funds for which he has responsibility and that will be available for expenditure by the System and its component institutions.
 - 3.717 Consulting with the Executive Associate for Economic Affairs with respect to the development of long-range plans for the development

SEP 16 1977

- and management of the economic resources of the System and its component institutions.
- 3.718 Supervising the proper operation of the following budgeted activities:
 Office of Investments, Trusts and Lands;
 Board for Lease - University Lands;
 Auditing Oil and Gas Production;
 University Lands - Geology and Surveying;
 Oil Field Supervision and Geophysical Exploration;
 University Lands - Surface Leasing.
- 3.72 The Executive Director for Investments, Trusts and Lands reports to and is responsible to the President of the System.
- 3.8 Vice President for Operations.
 The Vice President for Operations is an administrative officer of the System.
- 3.81 Subject to delegation by the President of the System, the Vice President for Operations is responsible for:
- 3.811 Supervising and directing the operations of the Offices of Facilities Planning and Construction, System Personnel, Special Services, Equal Opportunity and Employee Relations.
- 3.812 Supervising and coordinating the acquisition of all real property at the component institutions.
- 3.813 Direct responsibility for the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the Chancellor and the President of the System and coordination of building services for System buildings.
- 3.814 Representing the President of the System at all meetings of:
 Committee of Governing Boards;
 Council of College Presidents;
 Coordinating Board;
 TASSCUBO;
 Texas Association of Classroom Teachers;
 and such other organizations as the President of the System may designate.
- 3.815 Direct responsibility for the management of the System-wide insurance programs (except the System Plan for Professional Medical Malpractice Self-Insurance), including approval of all policies and coverages, such programs to include:
 Fire and Extended Coverage;
 Liability;
 Health;
 Life;
 Accidental Death and Dismemberment;
 Income Replacement; and
 Retirement.
- 3.816 Special assignments, as delegated or assigned by the President of the System.
- 3.82 The Vice President for Operations reports to and is responsible to the President of the System.

SEP 16 1977

- 3.9** Vice President for Administration.
The Vice President for Administration is an administrative officer of the System.
- 3.91** Subject to delegation by the President of the System, the Vice President for Administration is responsible for:
- 3.911** Representing the System in its relations with federal governmental bodies and units; informing appropriate administrative officers of developments on the National level of significance to the System; recommending System actions and policies responsive to those developments; maintaining and distributing information to, and advising appropriate System Administration and component institution officials, in order to assure proper action by the System with respect to federal governmental programs and activities.
- 3.912** Communicating the activities of the Board and System Administration; coordinating news releases and other public information emanating from the component institutions, which involves the Board and System Administration; coordinating and serving as liaison to System Administration consultants in the area of media relations and public information dissemination; developing a format for the presentation of information about System institutions and activities to the general public; making recommendations to the President of the System regarding budget requests and staffing requirements for the public information services of the component institutions.
- 3.913** Making recommendations to the President of the System in the area of public policy as it affects the relationships of the System with the federal government, the press, and the general public.
- 3.914** Performing other duties and assignments as delegated by the President of the System.
- 3.92** The Vice President for Administration reports to and is responsible to the President of the System.
- 3.(10)** Director for Public Affairs.
The Director for Public Affairs is an administrative officer of the System.
- 3.(10)1** Subject to delegation by the President of the System, the Director for Public Affairs shall:
- 3.(10)11** On the direction of the President of the System represent the System in its relations with state and local legislative bodies and agencies.
- 3.(10)12** Regularly advise the President of the System on relations with state and local legislative bodies and agencies.
- 3.(10)13** Inform appropriate administrative officers of current and long-range developments on the state level, which may affect the System.
- 3.(10)14** Maintain and distribute information on state programs to assure proper action by the System on applications and communications to federal and state agencies and offices.

SEP 16 1977

- 3.(10)15 Assist the Vice President for Administration in monitoring federal activities of significance to the System.
- 3.(10)2 The Director of Public Affairs reports to and is responsible to the President of the System.
- 3.(11) Director of Facilities Planning and Construction.
The Director of Facilities Planning and Construction is an administrative officer of the System.
- 3.(11)1 Subject to delegation by the President of the System through the Vice President for Operations, the Director:
- 3.(11)11 Has direct supervisory responsibility over the administration and general supervision of any new building construction and initial equipping thereof costing in excess of \$5,000; any inside or outside repairs, remodeling, rehabilitation, new construction of improvements other than building, or campus planning costing \$50,000 or more; any preliminary planning, feasibility studies, or investigations which are estimated to ultimately develop into one of the above projects at any component institution of the System; and over consultation, advise and work with the architects and engineers employed by the Board subject to the terms and conditions of the contracts with those architects and engineers.
- 3.(11)12 Serves as ex officio member of all faculty building committees at the component institutions.
- 3.(11)13 Prepares and executes all documents relating to the acquisition and the use of funds received from the federal government and state agencies in connection with construction grant awards.
- 3.(11)14 Coordinates the preparation of and approves all grant applications on approved construction projects filed with governmental agencies.
- 3.(11)15 Coordinates the development of and maintains master plans for all component institutions, including but not limited to land utilization, utility, and landscape plans.
- 3.(11)16 Develops standards for maintenance of all physical facilities at component institutions.
- 3.(11)17 Has direct responsibility for negotiation and approval of all utility contracts.
- 3.(11)2 The Director of Facilities Planning and Construction reports to and is responsible to the Vice President for Operations.
- 3.(12) Comptroller.
The Comptroller is an administrative officer of the System.
- 3.(12)1 Subject to delegation by the President of the System, the Comptroller formulates and recommends procedures to be followed in the business operations of the System:
- 3.(12)11 Accounting, auditing and reporting, and expenditure control.
- 3.(12)12 Receipt, disbursement, and custody of moneys.
- 3.(12)13 Procurement and purchasing.
- 3.(12)14 Management of auxiliary service enterprises.

SEP 16 1977

- 3.(12)15 Data processing systems--including prior approval of equipment acquisitions by purchase or lease.
- 3.(12)16 Accounting and business system development.
- 3.(12)17 Accounting records, forms, procedures, and financial reports, including format for such reports.
- 3.(12)18 Terms of depository agreements with banks.
- 3.(12)19 Lease contracts for building space.
- 3.(12)1(10) Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
- 3.(12)1(11) Supervision of post auditing at each component institution.
- 3.(12)2 The Comptroller is responsible as joint custodian with the Director of Accounting of The University of Texas at Austin for securities owned by the System funds that are not on deposit in the State Treasury.
- 3.(12)3 The Comptroller reports to and is responsible to the President of the System.
- 3.(13) Budget Director.
The Budget Director is an administrative officer of the System.
- 3.(13)1 The Budget Director's primary responsibilities are to plan and develop systems and procedures for uniform budget preparation, budget control and financial reporting.
- 3.(13)2 Subject to delegation by the President of the System, the Budget Director:
- 3.(13)21 Formulates procedures governing the preparation and review of all budgets and development of effective methods of presenting approved budgets to appropriate agencies.
- 3.(13)22 Recommends procedures to be followed, including format, schedules of budget preparation, and effective review of budgets.
- 3.(13)23 Prepares budget-writing instructions.
- 3.(13)24 Conducts budget and other related research studies.
- 3.(13)25 Plans systems and procedures for budgetary control and financial reporting.
- 3.(13)26 Controls and supervises distribution of all budgets, and processes and approves (as delegated) interim budget changes.
- 3.(13)27 Prepares periodic budgetary, financial, and special reports, as appropriate.
- 3.(13)28 Serves as liaison with the staff of the Legislative Budget Board, the Governor's Budget Office, and the Coordinating Board, Texas College and University System.
- 3.(13)3 The Budget Director reports to and is responsible to the President of the System.
- 3.(14) Vice President and General Counsel for the System.
The Vice President and General Counsel for the System is an administrative officer of the System.
- 3.(14)1 Subject to delegation by the President of the System, the Vice President and General Counsel of the System is basically

responsible for providing all legal services required by the System and its personnel to insure the proper protection and advancement of System operations and interests, and to maintain such services at a high level of effectiveness. The regular major tasks of the General Counsel are:

- 3. (14)11 Manages and directs all legal affairs and personnel of the System.
- 3. (14)12 Provides advice, counsel and legal interpretations to System officials and personnel concerning legal matters affecting System operations.
- 3. (14)13 Directs Office of General Counsel (OGC) personnel with respect to work priorities and assignments, standards of performance, and career development, delegates to staff members responsibility for particular legal and OGC administrative tasks; and coordinates and controls OGC budget and personnel levels.
- 3. (14)14 Directs and manages (within applicable limits of authority) all litigation and administrative agency hearings; authorizes and approves the institution of legal proceedings; evaluates, directs and approves action and procedures relative to prosecution or defense of pending litigation and administrative proceedings; employs outside counsel; approves payment of outside counsel fees; and authorizes and approves settlement or appeal of litigation.
- 3. (14)15 Advises, counsels and disseminates information to affected System units relative to the nature, evaluation, progress and results of litigation, administrative proceedings, and other legal matters, and makes recommendations to System officials and other personnel as to future operations and objectives.
- 3. (14)16 Approves as to form all contracts and agreements and all amendments to the Regents' Rules and Regulations; and approves as to both form and content all Institutional Handbooks of Operating Procedures, whether finally approved or not, and all amendments to such handbooks.
- 3. (14)17 Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval.
- 3. (14)18 Identifies and evaluates administrative and functional problems and directs or recommends, as appropriate, course of action for solution.
- 3. (14)19 Represents the System before legal, educational and governmental groups and associations.
- 3. (14)1(10) Acts as administrator of the System Plan for Professional Medical Malpractice Self-Insurance; and System Patent Officer.
- 3. (14)1(11) Works in cooperation with the Attorney General of the State of Texas, State Agency legal counsel, and outside counsel.
- 3. (14)1(12) Assumes responsibility for any other legal, administrative or operational matters delegated by the President of the System.
- 3. (14)2 The Vice President and General Counsel of the System reports to and is responsible to the President of the System.

SEP 16 1977

3. (15) System Personnel Director

The System Personnel Director is an administrative officer of the System.

3. (15)1 The System Personnel Director's primary responsibility is to plan, develop, and coordinate System-wide personnel policies and procedures. Subject to delegation by the President of the System through the Vice President for Operations, the System Personnel Director:

3. (15)11 Acts as liaison between component institution personnel officers and the System offices regarding all personnel matters related to classified personnel, administrative staff, and certain matters relating to teaching and/or academic personnel.
3. (15)12 Advises the System Officers and makes recommendations concerning development of methods and procedures designed to maximize the effectiveness of System Personnel Programs.
3. (15)13 Reviews and recommends all classified personnel pay plans for each component institution, including the establishment of proper classifications and pay scales consistent with needs and System-wide policies and procedures.
3. (15)14 Reviews and recommends the Personnel Office budgets for each component institution.
3. (15)15 Directs administration of the System Personnel Office, including the Workmen's Compensation Insurance section.
3. (15)16 Reviews and recommends to System Officers any rules and regulations or changes thereto that, after proper consultation with officers of component institutions, are considered beneficial or necessary for the proper administration of the System-wide Personnel Program.
3. (15)17 Establishes Employee Development and Training Programs for all component institutions, including particularly Supervisory Training Programs.
3. (15)18 Formulates policies and procedures concerning labor relations and employer-employee relationships.
3. (15)19 Assists in establishing Personnel Data Systems and proper practices and procedures concerning the personnel records of all employees.
3. (15)1(10) Conducts System-wide Wage and Salary Research Studies and formulates data for proper implementation of personnel pay programs.
3. (15)1(11) In consultation with the personnel offices of the component institutions, develops and maintains a System-wide personnel pay plan with uniform titles and account numbers.

3. (15)2 The System Personnel Director reports to and is responsible to the Vice President for Operations.

3. (16) Director of Accounting of The University of Texas at Austin.
The Director of Accounting of The University of Texas at Austin is the accounting officer for both The University of Texas at Austin and for System Administration.

3. (16)1 Subject to delegation by the President of the System through the Vice President for Business Affairs, he shall:

3. (16)11 Have responsibility for custody, accounting,

1977

and reporting of all funds handled by the Director of Accounting's Office for the component institutions outside of Austin, and for System Administration, the Permanent University Fund, the Available University Fund, and trust and special funds.

- 3.(16)12 Have custodianship with the Comptroller of securities owned by the System funds that are not on deposit in the State Treasury.
- 3.(16)13 Maintain a full and complete set of records that accurately reflect the balances and transactions of all financial and property accounts of the System (as contrasted with such accounts of the component institutions).
- 3.(16)2 With respect to System Administration matters, the Director of Accounting of The University of Texas at Austin reports to and is responsible to the Vice President for Business Affairs. With respect to other matters, he reports to the appropriate officers of The University of Texas at Austin.
- 3.(17) Director of Police.
The Director of Police is an administrative officer of the System.
- 3.(17)1 Subject to delegation by the President of the System through the Vice President for Business Affairs, the Director of Police is responsible for:
- 3.(17)11 Approving qualifications for police personnel at the component institutions of the System and approving all applicants to a basic or in-service training school or academy.
- 3.(17)12 Approving the organizational structure for police departments at the component institutions of the System.
- 3.(17)13 Establishing and supervising all training programs for System police, including basic and in-service training, as well as on-the-job training at each component institution of the System.
- 3.(17)14 Conducting the System training in accordance with the standards of the Texas Commission on Law Enforcement Officer Standards and Education, in order to maintain accreditation with this state agency.
- 3.(17)15 Maintaining liaison with The Director of Training, Texas Department of Public Safety, and the Coordinator of Training, Federal Bureau of Investigation, and being aware of new training techniques, procedures, programs, and equipment.
- 3.(17)16 Establishing a uniform reporting and record system for police departments at the component institutions of the System and approving any changes thereto.
- 3.(17)17 Conducting periodic inspections of the police departments of the component institutions of the System and evaluating their performance as police agencies.
- 3.(17)18 Formulating and establishing policies and procedures for police operations on a System-wide basis.
- 3.(17)19 Establishing, maintaining, and supervising on a System-wide basis, a program for police personnel promotion.

- 3.(17)1(10) Reviewing and recommending the pay scale for police personnel throughout the System.
- 3.(17)1(11) Surveying all component institutions of the System for security needs of existing buildings, grounds, and lighting, in order to make the appropriate recommendations to insure the prevention of criminal activities and the protection of life and property.
- 3.(17)1(12) Consulting with the Office of Facilities Planning and Construction on security needs for new construction, including security lighting on the property of the component institutions of the System.
- 3.(17)1(13) Coordinating the use of police throughout the System in emergency situations.
- 3.(17)1(14) Submitting periodic reports to the Vice President for Business Affairs concerning the operations of the police departments of the component institutions of the System.
- 3.(17)2 The Director of Police reports to and is responsible to the Vice President for Business Affairs
- 3.(18) Vice President for Business Affairs.
The Vice President for Business Affairs is an administrative officer of the System.
- 3.(18)1 Subject to delegation by the President of the System, the Vice President for Business Affairs has the general assignment of effective coordination of the business activities of the component institutions in the System.
Specifically, he:
- 3.(18)11 Submits recommendations to the President of the System on business operations of the components of the System.
- 3.(18)12 Reviews and makes recommendations on uniform business systems and management.
- 3.(18)13 Submits recommendations relating to programs for the most efficient management of personnel and resources.
- 3.(18)14 Submits recommendations for program development for training of personnel in nonacademic areas.
- 3.(18)15 Reviews and makes recommendations on programs of long range planning for physical facilities and financial resources.
- 3.(18)16 Reviews and makes recommendations relating to police and security matters within the System.
- 3.(18)17 Has responsibility for coordinating the business affairs of the System with other officers and members of the System Administration staff.
- 3.(18)18 Coordinates activities of Business Administrative Operations of the Component Institutions.
- 3.(18)2 The Vice President for Business Affairs reports to and is responsible to the President of the System.
- 3.(19) Associate General Counsel
The Associate General Counsel is an administrative officer of the System.

16 1977

- 3.(19)1 Subject to delegation by the Vice President and General Counsel for the System, the Associate General Counsel is responsible (within delegated limits of authority) for:
- 3.(19)11 Providing legal counsel and advise to System officers, and their staffs, with respect to legal matters arising from System operations.
 - 3.(19)12 Representing the System in court and before administrative boards and tribunals.
 - 3.(19)13 Preparation, analysis and legal approval of agreements, contracts and various legal documents and instruments; amendments to Regents' Rules and Regulations; and approval as to both form and content of all Institutional Handbooks for Operating Procedures, and all amendments thereto.
 - 3.(19)14 Reviewing, analyzing and providing legal counsel on pending and enacted legislation and governmental regulations, and drafting proposed legislation and regulations.
 - 3.(19)15 Giving functional and administrative direction and guidance to assigned attorneys and staff.
 - 3.(19)16 Substitutes for the General Counsel, as assigned, and otherwise assists the General Counsel with respect to the responsibilities and activities of the Office of General Counsel.
- 3.(19)2 The Associate General Counsel reports to and is responsible to the Vice President and General Counsel for the System.

Chief Administrative Officers of Component Institutions.

- 4.1 The Board selects the chief administrative officer of each component institution.

At all times, the Chancellor of the System and the President of the System shall be looking for promising candidates to whom they may refer the Advisory Committee when it is established.

When it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution, an Advisory Committee, with the Chancellor of the System as Chairman, shall be established as follows to recommend candidates to the Board:

- Chancellor of the System (Chairman)
- President of the System
- Vice President for Health Affairs or Vice President for Academic Affairs (as determined by the President of the System)
- Three Chief Administrative Officers (to be appointed by the Chairman of the Board from three of the component institutions)
- Three Regents (to be appointed by the Chairman of the Board)
- Five Faculty members of the institution involved, at least three of whom shall have the rank of associate professor or higher (method of selection to be determined by the General Faculty of the campus)

One Dean

(for academic institutions to be selected by Dean's Council of the institution involved)
(for health science centers to be the Dean of Medicine of the health science center involved)

Two Students from the institution involved

(method of selection to be determined by the Student Government of the campus involved)

President of the Ex-Students' Association of the campus involved or his designee

(if institution does not have an active alumni organization, then a member of the development board or an interested layman to be appointed by the President or Acting President of the institution involved)

The Advisory Committee shall determine the availability of each candidate selected. To evaluate a candidate, the Advisory Committee shall set up criteria that relate to the needs of the individual component and shall seek advice on the ability of each candidate interviewed including advice from competent sources as to the candidate's administrative and business ability.

Finally, the Advisory Committee shall submit through its Chairman, the Chancellor of the System, its recommendations with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. If none of the names submitted in the report of the Advisory Committee is satisfactory to the Board, then the Board in its discretion may either name a new committee or proceed to select a chief administrative officer under such other procedures as in its discretion it may deem proper and appropriate.

- 4.2 Each chief administrative officer reports to and is responsible to the President of the System, and serves without fixed term, subject to the pleasure of the President of the System and approval by the Board.
- 4.3 Within the policies and regulations of the Board, and under the supervision and direction of the President of the System, the chief administrative officer has general authority and responsibility for the administration of that institution.
- 4.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
- 4.311 Develop and administer plans and policies for the program, organization, and operation of the institution.
- 4.312 Interpret the System policy to the staff, and interpret the institution's program and needs to the President of the System and to the public.
- 4.313 Develop and administer policies relating to students, where applicable, to the proper management of services to patients.
- 4.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
- 4.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.

- 4.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
- 4.317 Serve as presiding officer at official meetings of faculty and staff of the institution, and as ex officio member of each college or school faculty (if any) within the institution.
- 4.318 Appoint all faculty, staff, and student committees.
- 4.319 Cause to be prepared and submitted to the President of the System the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the President of the System, they shall thereafter constitute the Handbook of Operating Procedures for that institution. Provided, however that whether or not finally approved by the President of the System, any rule or regulation in any such institutional Handbook of Operating Procedures that is in conflict with any rule or regulation in the Regents' Rules and Regulations, is null and void and has no effect, and whenever any such conflict is detected, the President of the System and the chief administrative officer of the component institution shall immediately make such amendments to the institutional Handbook of Operating Procedures as may be necessary to eliminate such conflict.
- 4.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 4.31(11) Assume active leadership in developing private fund support for the institution in accordance with policies and procedures established in the Regents' Rules and Regulations.
- 4.32 In the areas of private fund development, the chief administrative officer has direct access to the Chancellor.

Sec. 5. Appointment of Other Administrative Officers.

- 5.1 The Board delegates to the President of the System and the President of the System delegates to the chief administrative officer of each component institution the responsibility for the appointment of all other administrative officers of each component institution, including vice-presidents, deans, directors and their equivalents. However, prior approval of the President of the System shall be necessary for each such permanent or acting appointment. All such other administrative officers serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution and the aforesaid approval of the President of the System.
- 5.2 The Board delegates to the President of the System and the President of the System delegates to the chief administrative officer of each component institution the responsibility for the permanent or acting appointment of department chairmen, department heads, and their equivalents. Such department chairmen, department heads and their equivalents serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution.

- 5.3. The Board endorses the principle of reasonable faculty and student consultation in the selection of administrative officers of the component institutions, and the primary operating units, and expects the chief administrative officer, as he deems appropriate, to consult in the selection process with representatives of the faculty and student body. However, the chief administrative officer of the component institution is responsible for executing the duties of his office and consequently shall not be bound by nominations to key administrative positions in his office by campus selection committees in making his nominations to the President of the System. Such advice and consultation as he may seek or be given shall not be binding upon his nominations for appointments to positions in the echelon immediately below his position.

CHAPTER III

PERSONNEL

1. Appointments.

- 1.1 The Board, upon the recommendation of the President of the System, shall elect or appoint, as the case may be, all of the officers, faculty members, and other employees of the System and of the component institutions and agencies of the System, fixing, subject to State and Federal laws, the duties, rights, and privileges of each employee or each class or group of employees; provided, however, that the Board may delegate to the President of the System, or through him, to the chief administrative officers of the component institutions, authority to appoint employees in certain designated classes or categories.
- 1.2 All appointments shall be made on the basis of merit.
- 1.3 The chief administrative officers of the component institutions shall investigate thoroughly the character, integrity, scholastic attainment, etc., of prospective members of their faculties and staffs before nominating them to the President of the System and the Board, or before exercising any delegated authority for making appointments.
- 1.4 The chief administrative officers of the component institutions shall not nominate or appoint, nor will the Board approve the appointment of, any person whose conduct or views are not exemplary; and the Board may inquire, or authorize inquiry, into family history, health, and personal and moral character.
- 1.5 As provided in the Constitution of the State of Texas, Article I, Section 4, and by statute, no religious qualification shall be required for appointment to any office or position connected with the System or any component institution thereof.
- 1.6 There shall be full compliance with statutory and rider provisions requiring notification to employees of specific provisions or languages.
- 1.7 Each component institution may require X-rays of the chest for applicants to be employed in regular positions. Employees whose duties will require the handling of food or the care of patients must pass a physical examination indicating fitness for the position for which application is made. The examination may be made at the health service of the component institution at which the applicant will be

SEP 16 1977

employed, if such service exists. Reports of physical examinations shall be filed as determined by the institutional head.

1.8 Academic Titles.

In order to achieve consistency in the use of academic titles among the component institutions of the System, the following subsections describe the use of titles to apply in all institutions from the date of adoption of this section.

- 1.81 The only titles to be used henceforth in which faculty members may hold tenure are as follows:
- (a) Professor
 - (b) Associate Professor
 - (c) Assistant Professor
- 1.82 Persons holding a named chair or professorship or a position designated by academic discipline may acquire tenure by virtue of one of the three positions listed above, but not through the named chair or professorship or position designated by academic discipline. At M. D. Anderson, the institution head under special circumstances may use the term Faculty Associate in lieu of Instructor.
- 1.83 Other academic titles which may be used but in which tenure cannot be held are as follows:
- (a) Instructor. This title denotes a probationary appointment as a member of an institutional faculty. During the period of probationary appointment to this rank the scholarly competence, teaching performance, and professional promise of the candidate will be evaluated.
 - (b) Lecturer. This title is used for persons whose salary rates are comparable to those with tenure positions but who for various reasons should not be given formal tenure appointments.
 - (c) Assistant Instructor or Teaching Associate. These titles may be used interchangeably for (1) certain graduate students teaching on a part-time or full-time basis who are in the last phase of their doctoral programs and who are unconditionally enrolled in graduate study, or (2) persons who, because of the nature of their duties, such as in a laboratory or in a hospital, do not qualify for one of the usual academic titles and do not hold the academic training or professional distinction usually required for attaining tenure positions.
 - (d) Teaching Assistant. This title usually applies to graduate students who are teachers and who are employed on a part-time basis. The only other teaching titles for graduate students are Teaching Associate and Assistant Instructor.
 - (e) Faculty Associate. This title may be applied to a person assigned to a research or nonteaching center, institute, or other unit or interdisciplinary program of a component institution.
 - (f) Specialist. This title may be used for professional individuals who will serve as practitioners in specific areas of instruction, training or supervision. Upon approval of the institutional head and the President of the System, the title may carry appropriate descriptive prefixes so as to indicate the specific area of

SEP 16 1977

proficiency, e.g. Practice Teaching Specialist, Physical Activity Specialist, Social Work Field Training Specialist.

- 1.84 Prefixes to academic and staff positions in which tenure cannot be acquired:
- (a) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. These titles are used only for temporary appointments of persons either visiting from other institutions where they hold similar ranks or who are brought to the University on a trial basis. Such appointments are limited to two years.
 - (b) Adjunct Professor, Adjunct Associate Professor, and Adjunct Assistant Professor. One of these titles may be used, as appropriate, when a faculty member from another institution may be temporarily teaching a course or participating in the teaching of a course at one of the component institutions. On occasion it may be desirable to offer a faculty member at a private institution an adjunct appointment under consortium arrangements in the offering of a degree. In addition, it may be desirable on occasion to use an adjunct position for a person from a business firm, a government agency, an art museum, a library, or similar organization. This prefix may also be used in the biomedical components to designate part-time service on the faculty in the basic science departments.
 - (c) Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, and Clinical Instructor. These titles may be used by the components to designate regular part-time service on the faculty while involved in a health professions clinical experience program and for which the incumbent may or may not receive compensation.
 - (d) Professor Emeritus and Associate Professor Emeritus. One of these titles may be given to a retired faculty member or in anticipation of the retirement of a faculty member, effective upon his retirement. The conferring of one of these titles is not automatic upon retirement and is conferred in accordance with procedures developed at the institution and upon approval by the President of the component institution.
- 1.85 Any person holding a position of Research Scientist, Research Associate, Research Assistant or (in the health units) other appropriate research title will be under the classified personnel system, unless he is specifically identified as faculty or special approval has been granted by the chief administrative officer of the institution to designate him as an unclassified employee in such a position.
- 1.86 The following are titles used in the past on occasion and the use of which is to be discontinued:
- (a) System Professor
 - (b) University Professor
 - (c) Research Professor. Positions for which this title was used in the past should carry the title of Research Scientist or Research Associate or other appropriate title.
 - (d) Guest Professor. In the future Visiting Professor should be used in lieu of this title.

SEP 10 1977

Although persons may not in the future be appointed to any of the above four titles, this provision does not require that such titles be removed from persons currently holding them, provided, however, that present System Professors must be assigned to specific departments in specific institutions for purposes of determining accountability for their time, and present University Professors must be assigned to specific departments at their institutions for purposes of determining accountability for their time.

ec. 2. Classified Personnel Systems.

- 2.1 Subject to System-wide rules, each of the component institutions shall provide a classified personnel system covering all positions not entailing significant instructional responsibilities or responsibilities for administration of instructional or research activities. These systems shall be as nearly uniform as possible, and shall include a schedule of class titles, job specifications for each class, a schedule of pay ranges, and policies and rules relating to personnel administration.
- 2.2 All appointments of classified personnel shall be made within appropriate salary ranges and or salary steps as defined by the classified personnel program approved by the Board for the particular component institution.
- 2.3 The system-wide rules as to classified personnel are found in Part Two, Chapter V, Section 1.

ec. 3. Employment of Aliens on Sponsored Projects.

Where sponsored contracts and grants do not otherwise prohibit or limit the employment of noncitizens, such noncitizens may be employed upon certification by the Director of the International Office at The University of Texas at Austin, or by an appropriate administrative officer at the other component institutions, that he has examined the applicant's visa and found it to be in order and has ascertained that the applicant has the approval of the United States Immigration authorities to accept such employment.

ec. 4. Code of Ethics. -- Each employee, under State law, shall be furnished a copy of the Code of Ethics bill, which prescribes the following standards of conduct for employees of the System and its component institutions:

- 4.1 No employee shall accept any gift, favor, or service that might reasonably tend to influence him in the discharge of his official duties.
- 4.2 If an employee owns a controlling interest in a corporation, firm, partnership, or other business entity which is under the jurisdiction of any State regulatory agency, he shall file a sworn statement with the Secretary of State disclosing such interest.
- 4.3 No employee shall use his official position to secure special privileges or exemptions for himself or others, except as may be otherwise provided by law.
- 4.4 No employee shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position.
- 4.5 No employee shall disclose confidential information gained by reason of his official position, nor shall he otherwise use such information for his personal gain or benefit.

SEP 16 1977

- 4.6 No employee shall transact any business in his official capacity with any business entity of which he is an officer, agent, or member, or in which he owns a controlling interest.
- 4.7 No employee shall make personal investments in any enterprise which will create a substantial conflict between his private interests and the public interest.
- 4.8 No employee shall accept other employment which might impair his independence of judgment in the performance of his public duties.
- 4.9 No employee shall receive any compensation for his services as an employee from any source other than the State of Texas, except as may be otherwise provided by law.

Appointment of Relatives (Nepotism Rule).

- 5.1 Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes; and subject also to the provisions of this section of the Regents' Rules and Regulations.
- 5.2 Unless otherwise specifically stated, a relative shall be defined as a person related within the first degree of affinity or the second degree of consanguinity, according to the common law.
- 5.21 The first degree of affinity includes the spouse of the employee and the parents, children, brothers and sisters of the employee's spouse. The second degree of consanguinity includes the parents, children, brothers and sisters, grandparents, uncles and aunts, first cousins, nephews and nieces, and grandchildren of the employee.
- 5.22 The second degree of affinity includes the grandchildren of employee's spouse, and the nephews, nieces, uncles, aunts, and first cousins of employee's spouse. The third degree of consanguinity includes the great-grandson, great-grandfather, great-uncle, great-uncle's children, second cousin, first cousin's children, and grand-nephew of the employee.
- 5.3 Restrictions on Appointments.
- 5.31 No relative, within the second degree of affinity or the third degree of consanguinity, of a member of the Board will be considered for reappointment, but such person will be considered for reappointment in those cases where the appointment was antecedent to the Board member's appointment. Regularly enrolled students in the System who are eligible for part-time appointment and whose nomination originates in a department, school, or college are exempt from this rule.
- 5.32 No person shall be initially appointed, or promoted, when it is the duty of any relative employed by the System to act in any official capacity upon such appointment or promotion, regardless of the source of funds for payment of salary; nor shall any appointment or promotion be made if either person would be under the administrative supervision of the other or if either would have any official voice in recommending salary increases or promotions in rank for the other.
- 5.33 When two employees of the System marry, both may not continue to hold such positions beyond the then current fiscal year,

if the employment of married persons to such positions initially would violate these regulations.

5.34 Relationship shall not be a bar to honorary positions or to non-remunerative positions.

5.4 General Provisions.

5.41 The provisions of the antinepotism rule apply to all programs administered under the Board.

5.42 In extraordinary cases where the interest of the System will be served thereby, the Board upon special advance petition from an institutional head approved by the President of the System, may suspend these regulations except as to the appointment of any relative of a Regent, the Chancellor, the President of the System, or the head of any component institution.

6. Tenure, Promotion, and Termination of Employment.

6.1 Subject to the provisions of Section 65.32 of the Texas Education Code, which reads, "The board may remove any officer, member of the faculty, or employee connected with the system when in its judgment the interest of the system requires the removal," and subject to the terms and provisions of these Regents' Rules and Regulations, the principles governing tenure and promotion are specified for each component institution in the Handbook of Operating Procedures applicable to that institution. See also Section 1.8 above on academic titles.

6.2 Tenure denotes a status of continuing appointment as a member of the faculty at a component institution. Only members of the faculty with the academic titles of Professor, Associate Professor, or Assistant Professor may be granted tenure. Tenure may be granted at the time of appointment to any of such academic ranks, or tenure may be withheld pending satisfactory completion of a probationary period of faculty service, however, such tenure status shall not be applicable to the faculty of The University of Texas of the Permian Basin or The University of Texas System Cancer Center.

The University of Texas of the Permian Basin and The University of Texas System Cancer Center are authorized to award a seven-year term appointment which will denote a status of continuing appointment at that institution as a member of the faculty for a period of seven years. Only members of the faculty with academic titles of Professor, Associate Professor, or Assistant Professor may be granted a seven-year term appointment. A seven-year term appointment may be granted at the time of appointment to any of such academic ranks, or may be withheld pending satisfactory completion of a probationary period of faculty service.

No component institution may adopt or implement a seven-year term appointment policy except The University of Texas of the Permian Basin and The University of Texas System Cancer Center.

6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the acquisition of tenure or a seven-year term appointment. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period.

307 16 1977

- 6.22 Prior service at other academic institutions, whether inside or outside the System, shall not be counted toward fulfillment of the required probationary period unless specifically permitted under the provisions of a component institution's Handbook of Operating Procedures.
- 6.23 The maximum period of probationary faculty service in nontenured status in any academic rank or combination of academic ranks specified in Section 6.21 shall not be more than seven years of full-time academic service. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years. No later than August 31st of the penultimate academic year of the maximum probationary period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event that the employment of a nontenured faculty member is to be terminated prior to the end of the maximum probationary period notice shall be given in accordance with Section 6.8 below.
- 6.24 For purposes of calculating the period of probationary service, an "academic year" shall be the period from September 1st through the following August 31st. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the following September 1st shall not be counted as academic service toward fulfillment of the maximum probationary period. One year of probationary service is accrued by at least nine months full-time academic service during any academic year. A faculty member shall be considered to be on full-time academic service if he is in full compliance with regental standards pertaining to minimum faculty workloads at general academic institutions or when in compliance with the academic service standard in the Handbook of Operating Procedures of any health related institution.
- 6.25 All faculty appointments are subject to the approval of the Board. No nontenured member of the faculty should expect continued employment beyond the period of his or her current appointment as approved by the Board. Any commitment to employ a nontenured member of the faculty beyond the period of his or her current appointment shall have no force and effect until approved by the Board.
- 6.26 Accrued faculty service under tenure policies in effect at any component institution prior to October 20, 1972, must be counted toward fulfillment of the probationary period of service prescribed by this Rule. In the event that the probationary period under any such existing tenure policy exceeds seven years, no person who on October 20, 1972, is then serving in his or her seventh or succeeding year shall be deemed to have been granted tenure by virtue of the adoption of this Rule. All such persons shall be given notice on or before August 31, 1973, that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure will be granted.

SEP 16 1977

- 6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of their appointment, except by resignation or retirement for age in accordance with these rules, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.
- 6.31 An institutional head may for grave cause suspend an accused faculty member pending immediate investigation or speedy trial as hereinafter provided.
- 6.32 In cases of incompetency, gross immorality, or felony, where the facts are admitted, summary dismissal will follow.
- 6.33 In cases where other offenses are charged, and in all cases where the facts are in dispute, the accused faculty member will be informed in writing of the charges against him, which, on reasonable notice, will be heard by a special hearing tribunal whose membership shall be appointed by the institutional head from members of the faculty whose academic rank is at least equal to that of the accused faculty member.
- 6.331 In every such hearing the accused will have the right to appear in person and by counsel of his own selection and to confront and cross-examine witnesses who may appear against him.
- 6.332 He shall have the right to testify, but may not be required to do so, and he may introduce in his behalf all evidence, written or oral, which may be relevant or material to his defense.
- 6.333 A stenographic or electronic record of the proceedings will be taken and filed with the Board, and such record shall be made accessible to the accused.
- 6.334 A representative of the institution may appear before the hearing tribunal to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such institution representative shall have the right to cross-examine the accused faculty member (if he testifies in his own behalf) and the witnesses offered on behalf of the faculty member.
- 6.335 The hearing tribunal shall not include any accuser of the faculty member, and if the accused faculty member is not satisfied with the fairness or objectivity of any member or members of the hearing tribunal, he may challenge his or their alleged lack of such fairness or objectivity, but he shall have no right to disqualify any such member or members from serving on the tribunal. It shall be up to each such challenged member to determine whether he can serve with fairness and objectivity in the matter, and if any such challenged member should voluntarily disqualify himself, the institutional head shall appoint a substitute member of the tribunal who is qualified hereunder.
- 6.336 The hearing tribunal, by a majority of the total membership, will make written findings on the material facts and a recommendation of the continuance or termination of the accused faculty member's tenure. The hearing tribunal, by a majority of its total membership, may make any supplementary suggestions it deems proper concerning the disposal of the case. The original of such findings and the basic recommendation,

Oct 19 1977

- together with any supplementary suggestions, shall be delivered to the Board and a copy thereof to the accused. If minority findings, recommendation, or suggestions are made, they shall be similarly treated.
- 6.34 The Board, by a majority of the total membership, will approve, reject, or amend such findings, recommendation, and suggestions, if any, or will recommit the report to the same tribunal for hearing additional evidence and reconsidering its findings, recommendation, and suggestions, if any. Reasons for approval, rejection, or amendment of such findings, recommendation, or suggestions will be stated in writing and communicated to the accused.
- 6.35 Nontenured faculty members who are notified in accordance with Section 6.8 that they will not be reappointed or who are notified in accordance with Section 6.23, 6.8, or 6.9 that the subsequent academic year will be the terminal year of appointment shall not be entitled to a statement of the reasons upon which the decision for such action is based. No hearing to review such a decision shall be held unless the affected faculty member submits in writing to the chief administrative officer of the institution factual allegations that the decision to terminate was based upon the faculty member's exercise of rights guaranteed by the laws or Constitution of this State or the United States and requests an administrative hearing to review these allegations. Such allegations shall be heard under the same procedures as in the case of dismissal for cause, with the following exceptions:
- (1) the burden of proof is upon the affected faculty member to establish at such hearing that the decision in question was based on his exercise of rights guaranteed by the laws or Constitution of this State or the United States;
 - (2) the administration of the institution need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents a prima facie case in support of his allegations.
- 6.4 Any employee of any component institution of the System, including any member of the faculty or administration, who is placed on probation for or finally convicted of the illegal use, possession, or sale of a drug or narcotic, shall be dismissed as an employee, regardless of whether or not the illegal act that gave rise to the conviction was committed on the campus of one of the component institutions of the System.
- 6.5 Any employee of any component institution of the System, including any member of the faculty or administration, who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to dismissal as an employee. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.
- 6.6 Every faculty member and employee is expected to obey all federal, state, and local laws, and particularly the three state statutes set out below. Any faculty member or employee who violates any provision of

SEP 16 1977

these three statutes is subject to dismissal as a faculty member or employee, notwithstanding any action by civil authorities on account of the violation:

6.61 DISORDERLY CONDUCT.

Sec. 1 No person, acting alone or in concert with others, may engage in disorderly conduct. Disorderly conduct consists of any of the following:

- (1) behavior of a boisterous and tumultuous character in a residential area or a public place such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists; or
- (2) interfering with the peaceful and lawful conduct of persons in or about their homes or public places under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (3) violent and forceful behavior at any time in or near a public place, such that there is a clear and present danger that free movement of other persons will be arrested or restrained, or other persons will be incapacitated in the lawful exercise of business or amusement; or
- (4) behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or affrays; or
- (5) in a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (6) willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when such conduct tends to cause or provoke a disturbance; or
- (7) behavior near a courthouse or other public building wherein judicial proceedings are being held, designed or having the effect of interfering with the administration of justice, whether by disrupting the courts or by intimidating the judges, witnesses, jurors, or other persons having business with the courts; or
- (8) behavior near any public building wherein matters affecting the public are being considered or deliberated, designed or having the effect of interfering with such proceedings under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (9) willful and malicious behavior which obstructs or causes the obstruction of any doorway, hall, or any other passageway in a public building to such an extent that the employees, officers, and other persons, including visitors and tourists, having business with the government are denied entrance into, exit from, or free passage in such building; or
- (10) behavior involving the display of any deadly weapon in a public place in such a manner as to alarm or frighten other persons present; or

SEP 16 1977

(11) enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it.

Sec. 2 Any person who violates any of the provisions of Section 1 of this Article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Two Hundred Dollars (\$200). For any second or subsequent conviction of any of the provisions of Section 1 of this Article such person shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000), or by imprisonment in the county jail for not more than thirty (30) days or by both such fine and imprisonment. (H.B. No. 57, Acts of the 61st Legislature, Regular Session, 1969)

6.62 DISRUPTIVE ACTIVITY.

Sec. 1 No person or group of persons acting in concert may wilfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any private or public school or institution of higher education or public vocational and technical school or institute.

Sec. 2 (a) For the purposes of this Act, "disruptive activity" means:

- (1) obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school;
- (2) seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity;
- (3) preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration;
- (4) disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or
- (5) obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.

(b) For the purposes of this Act, a lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

Sec. 3. A person who violates any provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed \$200 or by confinement in jail for not less than 10 days nor more than 6 months, or both.

SEP 16 1977

Sec. 4 Any person who is convicted the third time of violating this act shall not thereafter be eligible to attend any school, college, or university receiving funds from the State of Texas for a period of two years from such third conviction.

Sec. 5 Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitutions of the United States or the State of Texas. (H. B. No. 141, Acts of the 61st Legislature, Regular Session, 1969)

6.63 FIREARMS.

Sec. 1 It shall be unlawful to interfere with the normal activities, the normal occupancy, or normal use of any building or portion of a campus of any private or public school or institution of higher education or public vocational and technical school or institute by exhibiting or using or threatening to exhibit or use a firearm.

Sec. 2 A person who violates Section 1 of this Act is guilty of a felony and upon conviction is punishable by a fine of up to \$1,000 or by imprisonment in jail for a period not to exceed 6 months, or by both fine and imprisonment, or by imprisonment in the state penitentiary for a period not to exceed five years. (H.B. No. 1450, Acts of the 61st Legislature, Regular Session, 1969)

6.7 The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every faculty member and employee of the System and its component institutions. Any faculty member or employee who violates the minimum standards of conduct required by any felony statute of Texas or the United States is subject to dismissal as a faculty member or employee, regardless of whether or not any action is taken against the faculty member or employee by civil authorities on account of such violation. If action for dismissal is taken, the appropriate administrative official shall proceed with the action in the same manner as he would in the case of a violation by a faculty member or employee of any other provision of these rules and regulations or a provision of any institutional supplement.

6.8 In the event of decision not to reappoint a nontenured faculty member, written notice will be given him or her not later than March 1st of the first academic year of probationary service if the appointment expires at the end of that academic year, or not later than December 15th of the second academic year of probationary service if the appointment expires at the end of that academic year. After two or more academic years written notice shall be given not later than August 31st that the subsequent year will be the terminal academic year of appointment. The notice required by this Section is not applicable where termination of employment is for good cause under Section 6.3 above.

6.9 A faculty member serving a seven-year term appointment shall be given notice not later than August 31st of the sixth academic year of such appointment period that the subsequent academic year will be the terminal year of employment or that, subject to the approval of the Board, at the conclusion of the subsequent academic year he or she will be reappointed to a seven-year term appointment.

6.(10) Reappointment of nontenured members of the faculty to a succeeding academic year, reappointment of members of the faculty who are serving a seven-year term appointment to a succeeding seven-year term appointment, or the award of tenure or a seven-year term appointment, may be accomplished only by notice by the chief administrative officer of a component institution or his delegate with the approval of the Board. Notwithstanding any provisions of Sections 6.23, 6.8 or 6.9 to the contrary, no person shall be deemed to have been reappointed or to have been awarded tenure or a seven-year appointment because notice is not given or received by the time prescribed in Sections 6.23, 6.8, or 6.9 or in the manner prescribed in Section 6.(11). Should it occur that no notice is received by the time prescribed in Sections 6.23, 6.8 or 6.9, it is the duty of the academic employee concerned to make inquiry to determine the decision of the chief administrative officer of a component institution, who shall without delay give the required notice to the academic employee.

6.(11) Each faculty member shall keep the chief administrative officer of the component institution or his delegate notified of his current mailing address. The written notice required by Sections 6.23, 6.8, or 6.9 shall be sent by certified mail, return receipt requested, to the last address given by the faculty member.

6.(12) Dismissal or demotion of classified or nonteaching personnel before the expiration of the stated period of appointment will be only for good cause shown, as determined by appropriate administrative officers to whom this responsibility is delegated by the chief administrative officer of the component institution and in case of such dismissal or demotion any appeal shall be reviewed by the chief administrative officer of the component institution.

ec. 7. Rights and Responsibilities as a Citizen and as a Teacher.

7.1 The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties.

7.2 The teacher is entitled to freedom in the classroom in discussing his subject, but he is expected not to introduce into his teaching controversial matter which has no relation to his subject.

7.3 The University teacher is a citizen, a member of a learned profession, and an officer of an educational institution supported by the State. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make it plain that he is not an institutional spokesman. As a member of the staff of a State institution of higher education, he should refrain from involving the System or any of its component institutions in partisan politics.

7.4 The Board of the System recognizes and affirms the right of a member of the faculty or staff to participate in political activities so long as such political activities do not interfere with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions and so long as such political activities do not involve the System

or its component institutions in partisan politics (See Section 7.3). With the interest of the System or its component institutions being given first consideration, a leave of absence without pay may--but need not--be granted to a member of the faculty or staff (See Section 16). However, it would be inappropriate for a leave of absence without pay to be granted primarily to permit a member of the faculty or staff of the System or its component institutions to participate in political activity, including, but not limited to, being a candidate for political office, holding a political office, or directing the political campaign of another person seeking a political office. Therefore, if a member of the faculty or staff wishes to engage in political activity that interferes with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions, he should voluntarily terminate his employment by the University. On the other hand, if the faculty or staff member does not voluntarily terminate his employment by the University and if the faculty or staff member's superior officer, such as the institutional head, the President of the System, or the Board, finds that the faculty or staff member's political activity does in fact interfere with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions, the institutional head, the President of the System, or the Board shall terminate his employment by the University.

c. 8 The Greater Duties of a Member of the Teaching Staff.

- 8.1 Common practice has fixed the greater duties of a member of the teaching staff so clearly that many institutions do not even list them among their regulations. They are:
- 8.11 Teaching in the classroom, laboratory, seminar, or ward.
 - 8.12 Studying, investigating, discovering, and creating.
 - 8.13 Performing curricular tasks auxiliary to teaching and research, e.g., serving on faculty committees, attending to administrative and disciplinary tasks, promoting diligence and honest work in the student body.
 - 8.14 Influencing beneficially students and citizens in various extra-curricular ways.
- 8.2 Performance as a teacher, as a scholar, as an administrator, and as an individual is valued greatly by any university, for in these four ways its work is chiefly done.
- 8.3 A state university being a public enterprise of maximum social importance, it is the duty of all persons connected with it to be as civic-minded as possible. It is also a duty to cooperate with the Board in carrying out the purposes and policies of the Board which are deliberately considered, usually by both the Board and the several faculties, in accordance with law and designed to attain the best educational results with the resources available. The Regents and all administrative officers are entitled to the cheerful acquiescence of all staffs in carrying out the policies duly adopted. At the same time, administrative officers are expected to listen with an open and appreciative mind to criticisms and suggestions coming to them from members of their staffs.
9. Acquaintance with, Conformity to, and Improvement of University Regulations.
- 9.1 It is a specific and important duty of each member of the several teaching staffs to become acquainted with and to conform to all the rules and

1977

regulations relating to him and to the proper and orderly discharge of his work that are to be found set forth in both these Regents' Rules and Regulations and the institutional Handbook of Operating Procedures; in catalogues, announcements of courses, and other official publications; in printed or other material regularly prepared for the use of the staff; and in minutes of the faculties. To this end, copies of the Regents' Rules and Regulations, Part One, and the official institutional Handbook of Operating Procedures shall be reproduced by the chief administrative officer and distributed and located on his campus as considered appropriate by the chief administrative officer. The chief administrative officer shall have one copy of the Rules and Regulations and the institutional Handbook of Operating Procedures available at an appropriate location in his office for ready reference. In addition, he shall distribute a copy of these two documents to the secretary to the faculty or representative faculty body at his institution. The official, current copy of the Regents' Rules and Regulations is maintained by the Secretary to the Board.

- 9.2 It is also the specific duty of each member of the teaching staffs to consider the regulations and the routines in conforming to them and to propose what seem to be desirable changes in these regulations and routines to the appropriate faculty or official.

10. Communications, Appeals, and Hearings.

- 10.1 Every member of a teaching staff has the right to propose changes in policies and procedures and to present arguments in support thereof.
- 10.11 Proposals should originate and follow routines as prescribed elsewhere in the Regents' Rules and Regulations or in the institutional supplements.
- 10.12 When a proposal has been approved or amended by the appropriate institutional officials, faculties, and head of the component institution, it shall then go to the President of the System for recommendation to the Board if such action is required.
- 10.13 When a proposal has been approved or amended or rejected by the appropriate institutional officials, faculties, and the component institutional head, any member or group of members of the staff may present an appeal in opposition to the action of the majority or in opposition to the recommendation of the institutional official or the component institutional head, and this appeal, accompanied by reasons for and against the proposal, shall go through the prescribed administrative channels and shall be presented to the President of the System and thence to the Board for final action. The deans and other institutional officials, the component institutional head, the President of the System and the Board may invite both sides for personal conferences and discussions.
- 10.14 An authorized routine for proposals, with the right of appeal, having been herein fixed, it follows that proposals shall always be made in accordance therewith.
- 10.2 Every voting member of any faculty has the right and the duty to propose changes and to participate in debate in faculty meetings.
- 10.3 Appeals of classified (nonteaching) employees concerning conditions of employment must be made in keeping with the rules governing such employees.

16 1977

- ec: 11. Communication with the Legislature and Other State Agencies or Officials. -- The Board is the only proper channel through which recommendations concerning the administration of the System, as a whole or in any of its parts, should reach the Legislature or other State agencies or officials.
- ec: 12. Office Hours. -- Members of the teaching staffs are expected to post on their office doors, and publish in any other manner required by the institutional head, office hours and conference periods most advantageous to students.
- ec: 13. Outside Employment.
- 13.1 Members of the faculty or staff of component institutions should not be discouraged from accepting appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions. The consideration to the System of such activity is the improvement of the individual by virtue of his continuing contact with real problems in the real world.
- 13.2 Members of the faculty or staff should be discouraged from accepting regular employment with units outside the System because this action would be divisive of loyalties and does not provide the return to the institutions indicated in 13.1.
- 13.3 Conflict of interest should be avoided in all instances of outside employment, but conflict of interest in an academic institution means outside activity which intrudes upon the academic functions of teaching, scholarly activities, and service to the institution.
- 13.4 Even in the case of members of the staff specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for public benefit free of charge, provided that the meeting of this obligation by a faculty or staff member does not interfere with his regular duties, and provided further that in meeting this obligation a faculty or staff member on full-time duty shall avoid undue competition with legitimate private agencies.
- 13.5 No member of the faculty or staff engaged in outside remunerative activities shall use in connection therewith the official stationery of the System or any of its component institutions, or give as a business address any building or department of the institution.
- 13.6 No member of the faculty or staff shall accept employment or any position of responsibility if the discharge of such employment or responsibility will be antagonistic to the interests of the State of Texas or the System or any of its component institutions.
- 13.7 Every member of the faculty or staff who gives professional opinions must protect the System and its component institutions against the use of such opinions for advertising purposes. That is, when he does work in a private capacity, he must make it clear to those who employ him that his work is unofficial and that the name of the System and its component institutions is not in any way to be connected with his name, exceptions being made of the name of the author attached to books, pamphlets, and articles in periodicals.
- 13.8 No member of the faculty or staff shall accept pay from private persons or corporations for tests, assays, chemical analyses, bacteriological examinations, or other such work of a routine character, which involve

the use of property owned by the System or its component institutions, unless advance permission has been obtained from the institutional head and provision has been made for compensation to the System or its component institutions.

- 13.9 No member of the full-time staff of the System on a twelve-month or nine-month basis shall be employed in any outside work or activity or receive from an outside source a regular retainer fee or salary until a description of the nature and extent of the employment has been filed with and approved by appropriate administrative officials as set forth in the institutional supplement of each component institution. For special provisions relating to other state or federal employment, see subsections 13.10, 13.11, and 13.12 of this section.
- 13.(10) Subject to the other provisions of this section, a member of the faculty or staff may hold other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States if his holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between his holding the office or position and his holding the original office or position for which the member of the faculty or staff receives salary or compensation.
- 13.(11) Before a member of the faculty or staff may accept an offer to serve in other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States, the member of the faculty or staff must obtain from the appropriate administrative officials and the Board a finding that the requirements of this section have been fulfilled, including the expected additional compensation to be received from such service. The finding of the Board shall be recorded in the official minutes of the meeting of the Board at which approval was granted.
- 13.(12) The institutional head must keep a record of compensation received from additional state or federal employment, or both, including specifically: salary, bonuses, and per diem or other type of compensation.

ec. 14. Holidays.

- 14.1 All faculty, classified and other nonteaching personnel are entitled to such holidays as are provided by the Legislature in the then current appropriation bill and as are approved annually by the President of the System and the Board, or alternate holidays approved in the official calendars of the various institutions by the President of the System and the Board. (See the Classified Personnel rules in the institutional Handbook of Operating Procedure.)

ec. 15. Vacation.

- 15.1 Vacations for faculty, classified and other nonteaching personnel shall be as provided by the Legislature in the then current appropriation bill and as approved by the Board, except that vacation accumulated by faculty on nine-month appointments shall be counted as having been taken during periods when classes are not in session within the appointment period. Vacations for hourly and part-time employees shall be on a percentage basis for the time appointed. (See the Classified Personnel rules in the institutional Handbook of Operating Procedure.)

15.2 An employee who resigns, is dismissed, or separates from University employment shall be entitled to be paid in "lump sum" for all vacation leave entitlement duly accrued at the date of termination provided the employee has had continuous employment with the State for six months. The payment shall be calculated at the rate of compensation being paid the employee at the time of termination.

15.3 In the case of death of an employee who has accumulated vacation leave, his estate will be paid for all accumulated vacation leave. The payment shall be calculated at a rate of compensation being paid the employee at the time of his death.

Sec. 16. Leaves of Absence without Pay.

16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff.

16.2 The maximum unit period for which a leave of absence will be granted is the end of the fiscal or academic year in which the leave begins. In normal times, leaves for one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements.

16.3 A second consecutive year of leave should not be requested except for military service, reasons of health, or continued graduate study. This provision will be interpreted liberally in the case of junior staff members working on advance degrees.

16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted. Such circumstances would now include extended military service or prolonged illness.

16.5 After a return to active duty of one year or more, the leave-of-absence privilege will again be available.

16.6 The granting of a leave of absence does not affect in any way the tenure position of the grantee.

16.7 For leave of absence to participate in a political campaign see Part One, Chapter III, Sec. 7.4.

Sec. 17. Faculty Development Leaves. -- Faculty development leaves for faculty members may be granted as set out in House Bill 669, 60th Legislature, Regular Session, 1967. This bill provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his regular salary or for one-half academic year at his full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.

Sec. 18. Division of Salaries for Staff Engaged in Teaching and Nonteaching Activities. -- Each component institution shall develop policies covering budgetary division of salaries for individuals whose employment is divided between teaching and nonteaching assignments subject to current statutory requirements or limitations. These policies shall be set forth in the institutional supplements.

1977

Sec. 19. Sick Leave.

- 19.1 In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.
- 19.2 In cases of illnesses of classified or other nonteaching personnel the rules and regulations for each of the several component institutions shall apply, subject to controlling provisions of State law.
- 19.3 In the case of death of an employee who has accumulated sick leave, the estate will be paid for the accumulated sick leave as permitted by law. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.

Sec. 20 Leave for Jury Duty. -- Necessary time off for jury duty is allowed without loss of pay or vacation leave.

Sec. 21 Absence from Usual and Regular Duties.

- 21.1 Authorization for any member of a faculty or staff to be absent from his usual and regular duties will be granted only under the following conditions:
- 21.11 When such absence is on State business, and
- 21.12 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution; or
- 21.13 In the case of military leave, not to exceed 15 working days each year.
- 21.2 Permission to be absent from usual and regular duties shall be obtained as prescribed in the Fiscal Rules (see Part Two hereof).

Sec. 22 Authorization to Travel.

- 22.1 Authorization to travel will be granted only under the conditions specified in the Fiscal Rules (see Part Two hereof).
- 22.2 A faculty or staff member whose usual duties do not require travel shall not absent himself from his regular place of work and his usual duties except with permission obtained according to the Fiscal Rules (see Part Two hereof).

Sec. 23 Compensation for Correspondence and Extension Teaching of Full-Time Staff Members. -- Compensation rates for correspondence courses and extension center teaching for full-time teachers on a nine months' basis or for other employees on a twelve months' basis shall be in accord with rates fixed by the then current appropriation bill. If not so fixed, they shall be set from year to year by the institutional head with the approval of the President of the System.

Sec. 24 Textbooks and Other Materials Prescribed for the Use of Students.

- 24.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:
- 24.11 Although generally the individual instructor or the department should have wide discretion in the choice of materials to be used in the courses offered by the department, frequent changes in the textbooks prescribed should be discouraged and should be made only for cogent reasons.

- 24.12 Although the authorship of books, outlines, manuals and similar materials by members of the staff should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practicable and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the instructional department concerned. Whenever a charge is authorized for such mimeographed or similarly processed materials, the prices should be as low as possible, consistent with the payment of a fair and reasonable royalty to the author or authors.
- 24.2 To carry out this statement of policy the following procedures are prescribed:
- 24.21 Any proposed change in the textbook of any course, within one year from the date of first adoption, shall be approved by the departmental faculty having jurisdiction, and a statement of the authorization with reasons therefor shall be transmitted by the chairman of the department through the dean to the institutional head.
- 24.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the departmental faculty, the dean or deans concerned, and transmitted to the institutional head for approval and inclusion in the next regular docket. All such requests shall indicate the proposed prices and profits, and their authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.
- Sec. 25 Sectarian Courses Prohibited. --No course of instruction of a sectarian character shall be taught in the System or any of its component institutions. (Article 2604, Vernon's Civil Statutes)
- Sec. 26 Acceptance of Money from Students.
- 26.1 Members of teaching staffs, without previous and special approval of the Board, shall not collect from students any fees or charges to be expended for institutional purposes, and shall not sell to students books, notes, or similar student supplies.
- 26.2 A member of the faculty or staff of the rank of instructor or above may not accept pay for extra instruction or teaching of students registered in the institution where he is employed.
- 26.3 With written approval, teaching assistants, assistants, and other like instructional employees below the rank of an instructor, may accept pay from students for extra-class instruction or coaching but only in courses or sections of courses with which they have no instructional connection. The Institutional Supplement of the component institution shall specify the procedure for approval at the institutional level.
- Sec. 27 Power to Authorize Expenditures out of System Funds.
- 27.1 No expenditure out of funds under control of the Board of the System

SEP 14 1977

shall be made and no debt or obligation shall be incurred and no promise shall be made in the name of the System or any of its component institutions or of the Board by any member of the respective staffs of the System or any of its component institutions except:

- 27.11 In accordance with general or special budgetary apportionments authorized in advance by the Board and entered in its minutes; or
- 27.12 In accordance with authority specifically vested by the Board in a committee of the Board; or
- 27.13 In accordance with authority to act for the Board when it is not in session, specifically vested in some University officer by these Rules and Regulations or by special action of the Board.
- 27.2 It shall be the duty of the Auditor of The University of Texas at Austin and the several institutional business managers to see that all claims for payments of items not authorized as indicated above are refused and returned unpaid.
- 27.3 There shall be no sale to or purchase from the System or its component institutions by any employee thereof unless same has been duly authorized by the Board and the details relating thereto have been entered in its minutes.
- Sec. 28 Indebtedness to the System or the State. --Neither salary payments nor any other payments shall be made to an employee, his agent or assignee, who is indebted to the System, any of its component institutions, or to the State until such debt is paid.
- Sec. 29 Power to Bind the System in Fixing its Policies. --No employee of the System or any of its component institutions, as an individual or as a member of any association or agency, has the power to in anywise bind the System or any of its component institutions unless such power has been officially conferred in advance by the Board. Any action which attempts to change the policies or otherwise bind the System or any of its component institutions, taken by any individual or any association or agency, shall be of no effect whatsoever until the proposed action has been approved by the institutional head concerned, if any, and the President of the System, and ratified by the Board.
- Sec. 30 Institutional Employees as Students. --The Institutional Supplement for each of the component teaching institutions shall express the institutional policy as to the amount of course work full-time and part-time employees shall be permitted to carry.
- Sec. 31 Retirement and Modified Service.
- 31.1 Members of institutional faculties will not be continued on their standard full-time service or full-time compensation rate beyond the end of the fiscal year that includes their seventieth birthday.
- 31.2 Members of the institutional nonteaching staffs who are without faculty rank will not be continued on their standard full-time service or full-time compensation rate beyond the end of the fiscal year that includes their sixty-fifth birthday, except as provided in subsequent subsections. Nonteaching staff members who are without faculty rank may, at the end of the fiscal year that includes their sixty-fifth birthday, be employed in an academic status on a full-time or part-time basis until the end of

the fiscal year during which their seventieth birthday occurs on the condition that employment in such capacity shall be considered temporary and on a year-to-year basis. Such a nomination shall be made by a teaching department solely on the basis of the institution's need.

- 31.3 Faculty members who have served continuously the System, except as set out in Sections 31.(16) and 31.(17), for twenty (20) years or more and have the faculty rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor, shall be continued after reaching the age of seventy (70) on a reduced salary and upon modified service until the Board, upon recommendation of the President of the System and the institutional head involved, determines that they shall retire completely from service with and compensation from the System.
- 31.4 Faculty members who do not have the rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor shall not be appointed to modified service after the end of the fiscal year which includes their seventieth birthday.
- 31.5 Subject to the provisions of Paragraph 31.21, nonteaching staff members who have served the System continuously for fifteen (15) years or more shall be continued after reaching the age of sixty-five (65) on a reduced salary from the System and upon modified service until the end of the fiscal year during which their sixty-seventh birthday occurs, except as provided in the subsections below:
- 31.51 Nonteaching staff members who have reached their forty-fifth birthday by September 1, 1964, and who at that time will have been employed continuously for a period of at least fifteen (15) years, may continue on a full-time service and compensation through the fiscal year that includes their sixty-fifth birthday and they may then be continued upon modified service until the Board, upon recommendation of the President of the System and the institutional head involved, determines that they shall retire completely from service with and compensation from the System.
- 31.52 Nonteaching staff members who have reached their fifty-fifth birthday by September 1, 1964, and who will at that time have been employed continuously for a period of ten (10) years may be continued on full-time service and compensation through the fiscal year that includes their sixty-fifth birthday and upon modified service, if physically qualified, until the end of the fiscal year that includes their seventieth birthday.
- 31.53 Nonteaching staff members who have reached their sixtieth birthday by September 1, 1964, may be continued on full-time service and compensation through the fiscal year that includes their seventieth birthday; thereafter, if at that time they have completed twenty (20) years of continuous service, they will be eligible, if physically qualified, for appointment to modified service through the fiscal year that includes their seventy-second birthday.
- 31.54 Nonteaching staff members who have reached their sixty-fifth birthday by September 1, 1964, may continue on full-time service and compensation through the fiscal year that includes

- their seventieth birthday, and, if they have at that time completed twenty (20) years of continuous service, they may continue upon modified service until the Board, upon recommendation of the President of the System and the institutional head involved determines that they shall retire completely from service with and compensation from the System.
- 31.55 Nonteaching employees in nonadministrative performance level positions appointed to modified service will be assigned to such duties within the individual's capacities as will be to the benefit of the institution.
- 31.56 Nonteaching employees in administrative policymaking positions appointed to modified service must retire from their full-time position and shall be assigned such other and different duties within the individual's capacity as are determined to be most beneficial to the institution.
- 31.6 The salary rate for modified service shall be one-half the average regular salary rate for each individual during the five years of full-time service immediately preceding the fiscal or academic year, as appropriate, in which modified service begins. Adjustments in rate will be made to care for any general change in salary scale under policies developed from time to time by the component institutions and approved by the President of the System and the Board.
- 31.7 The work load of a faculty or staff member placed on modified service shall be essentially one-half of his immediately previous full-time work load, but he may not continue, or be assigned, major administrative duties.
- 31.8 During the fiscal year in which the faculty member's seventieth birthday occurs or the nonteaching staff member's sixty-fifth birthday occurs and before the budget is prepared for the following year, and each year thereafter until full retirement, there must be an administrative determination of the employee's fitness to fulfill his duties.
- 31.9 Members of institutional faculties who have served the System continuously for twenty (20) years, and members of the nonteaching staff who have served the institution continuously for fifteen (15) years, may, upon approval of the institutional head, change to the modified service in the System for which they are eligible at any time after reaching their sixtieth birthday.
- 31.(10) No person appointed to the institutional faculties or nonteaching staffs after the age of fifty shall have the right to modified service.
- 31.(11) Members of institutional faculties and staffs who are not members of the Teacher Retirement System and faculty members who have served less than twenty (20) years and nonteaching staff members who have served less than fifteen (15) years may secure modified service status only upon special recommendation of the institutional head and the President of the System and approval by the Board, and such recommendation and approval must be made annually on the basis of institutional need.
- 31.(12) In deciding when a faculty member shall retire from all service with and compensation from the System, the Board will consider his current capacity for work, his service to the System and the retirement benefits to which he is entitled under the Teacher Retirement System

SEP 10 1977

of Texas and the Federal Social Security laws; with the expectation that for each voting member of the faculty with at least twenty-five (25) years of faculty membership in the System, modified service will be continued until the retirement benefits receivable are approximately equal to the amount that would be received under modified service.

- 31.(13) Nonteaching Staff Members with Faculty Rank. --Every full-time or part-time nonteaching staff member who also has the faculty rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor shall retire from his administrative position [see Subsection 31.(15) below] at the close of the fiscal year in which his sixty-fifth birthday occurs and, if he chooses, return to a full-time faculty assignment. Thereafter, his rights shall be in accord with any other member of the faculty.
- 31.(13)1 Every full-time or part-time nonteaching staff member who has academic rank but does not have the faculty rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor shall retire from his administrative position [see Subsection 31.(15) below] at the close of the fiscal year in which his sixty-fifth birthday occurs and he may choose to return to full-time faculty assignments until the close of the fiscal year in which his seventieth birthday occurs without eligibility for modified service, or he may choose to be continued in a nonteaching position on modified service and compensation through the fiscal year in which his sixty-seventh birthday occurs.
- 31.(14) Administrative Officers. --Administrative officers with policymaking responsibility shall retire from their administrative positions at the end of the fiscal year in which their sixty-fifth birthday occurs. Administrative officers in this paragraph shall include all executive officers, deans and directors, assistant and associate deans and directors, departmental chairmen, administrative personnel within the professional and administrative classifications in the Personnel Pay Plan of each institution of the System, or unclassified administrative positions, and others by title whose positions are deemed involved in policymaking decisions by the President of the System and his staff. This determination will be made annually by the President of the System, upon recommendation of the executive head of the component institution, at the time of budget preparation.
- 31.(15) Employment after Retirement. --Any person receiving service retirement benefits from the Teacher Retirement System of Texas and who is over sixty (60) years of age may be employed in a public school of Texas on as much as a one-third time basis. This would usually limit employment in instruction to no more than one (1) three-semester-hour course during any one semester of the long term, one (1) three-semester-hour course during a six-week term. One-third employment for staff shall in no case exceed fifty-nine (59) clock hours in any calendar month. This employment of a person receiving service retirement shall not affect his right to continue to receive benefits under the Teacher Retirement System of Texas. However, this employment does not entitle the person to receive additional creditable service under the Teacher Retirement System of Texas and the person so employed shall not be required to make further contributions to the Teacher Retirement System of Texas. Application of this provision

SEP 16 1977

to individual cases shall be based on institutional benefit or need and will be recommended through appropriate administrative officers to the President of the System for approval.

31.(16) The regulations and provisions of this section (Sec. 31) shall not apply to those professional and nonclassified administrative staff members of The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston who participate in the retirement program financed through the Physicians Referral Service. Such individuals shall retire at age 65. Any subsequent employment prior to age 70 shall be recommended on a year-to-year basis only for those persons whose specialized talent or productivity meets an institutional need.

31.(17) Whenever such action appears to be to the advantage and best interest of the System or any of its component institutions, the Board, upon recommendation of institutional heads and the President of the System, may, by unanimous vote of the members present, make exceptions to this rule in special and extreme cases.

Sec. 32 Staff Benefits. -- For other staff benefits, see Part Two hereof.

CHAPTER IV

FACULTY ORGANIZATION

Sec. 1. Educational Policy.

1.1 The Board will devote its best efforts to making all of the institutions composing the System institutions of the "first class," as the Texas Constitution directs in Article VII, Section 10. The Board will be guided in general by the best practices of the best universities in the United States and abroad, especially by the best practices of the United States state universities.

1.2 The Board will not, except in extraordinary cases, act on important matters of academic policy until it has received, or requested and obtained, advice thereupon from the institutional faculty or faculties affected or their legislative bodies. When new policies originating in any faculty give rise to serious differences of opinion in that body, the advice and recommended legislation shall, at the request of the minority, be accompanied by a record of the vote and by a summary of the reasons for and against the matters proposed.

Sec. 2. Institutional, College, School, and Departmental Faculties and Legislative Bodies.

2.1 General Authority. -- Subject to the authority of the Board and subject further to the authority that the Board has vested in the various administrative officers and subdivisions of the System, the faculties of the component institutions regularly offering instruction shall have a major role in the governance of their respective institutions in the following areas:

2.11 General academic policies and welfare.

2. 12 Student life and activities.
2. 13 Requirements of admission and graduation.
2. 14 Honors and scholastic performance generally.
2. 15 Approval of candidates for degrees.
2. 16 Faculty rules of procedure.
2. 2 Necessity of Approval by Regents. --Legislation recommended by an institutional faculty, or legislative body thereof, requiring approval of the Board, shall not be effective unless and until approved by the Board. Such legislation by a college or school faculty shall not be presented to the Board until it has been approved by the institutional faculty, either directly or through its legislative body, and has received the consideration and recommendation of the appropriate institutional head(s) and the President of the System. The faculty affected will be notified by the Board through administrative channels, of its action on recommended faculty legislation.
2. 3 When Legislation is Effective. --Except where the Board has specifically authorized procedure for placing into effect emergency faculty legislation without prior Board approval, institutional faculty legislation shall become effective only upon approval by the Board or at such later time as the Board shall specify. The secretary of the institutional faculty shall be notified of Board action, and notice of such action shall be included in the official minutes of the faculty.
2. 4 Approval of Degree Candidates. --It shall be the duty of the several institutional faculties to recommend approval or disapproval of all candidates for degrees. This duty may be delegated for any academic year by affirmative vote of the institutional faculty, or its legislative body, to the respective deans or other appropriate official. Should this duty not be delegated, then the institutional registrar, or his equivalent, shall furnish to the members of the institutional faculty a complete list of the degree candidates for recommendation.
2. 5 List of Degree Candidates in Minutes. --The institutional registrar, as soon as possible after each commencement, shall provide the secretary of his institutional faculty, or its legislative body, with a complete list of all successful degree candidates, and the secretary shall insert the list in the minutes of the faculty.
2. 6 Changes in Degree Requirements. --Changes in degree requirements shall not become effective until approved by the Board and published in the appropriate catalogue; provided, however, that students may be given the benefit of any action reducing or modifying the requirements for their degree immediately upon Board approval.
2. 7 Faculty Minutes. --Copies of institutional faculty minutes, or of their legislative bodies, shall be available for use of members of the particular faculties individually, if desired; and shall be filed in the office of their secretaries, the institutional heads, the President of the System, and the Secretary to the Board and in the institutional libraries.

SEP 16 1977

CHAPTER V

GRADUATE EDUCATION IN THE UNIVERSITY OF TEXAS SYSTEM

- Sec. 1 The various component institutions of the System authorized to offer graduate degrees shall provide and maintain an appropriate faculty and administrative organization for such graduate degrees. The chief administrative officer of each component institution of the System shall be responsible to the President of the System, and through him, to the Board for the policies and administration of the graduate programs.
- 1.1 "Graduate programs," as the term is used in these rules, does not include the programs that lead to the M.D., D.D.S., M.P.H., Dr. P.H., J.D., LL.M., and M.C.J. degrees, or others that may be excluded upon recommendation by the chief administrative officer of the component institution and concurrence by the President of the System.
- Sec. 2 Within the general academic components, the designation "Graduate School" will be used if (a) there is a minimum of three distinct programs approved for doctoral degrees and thirty such doctoral degrees have been awarded; or (b) there is a minimum of ten distinct programs approved for master's degrees and fifty master's degrees have been awarded. In component institutions that do not meet these requirements, graduate study will be in a "Division of Graduate Studies."
- Sec. 3 Graduate programs in the biomedical components shall be administered as follows:
- 3.1 In the Health Science Centers at Dallas, Houston, and San Antonio and at Galveston Medical Branch the graduate programs will be administered through a Graduate School of Biomedical Sciences.
- 3.2 In the Nursing Schools of component institutions, graduate education will be administered as specific graduate programs coordinated by an administrative officer designated by the chief administrative officer of the component institution.
- 3.3 In the System Cancer Center research and graduate instruction will be offered in cooperation with other components which are authorized to award graduate degrees.
- Sec. 4 Component institutions which offer graduate degrees and elect an administrative organization and designations different from those authorized above may do so only upon the recommendation of the chief administrative officer, the concurrence of the President of the System, and the approval of the Board.
- Sec. 5 The policies and procedures for staffing and administering the graduate programs at all component institutions shall be set forth in the institutional Handbook of Operating Procedures. These policies and procedures shall include qualifications for faculty members assigned to teach graduate courses, supervise graduate programs, and advise graduate students.

SEP 16 1977

CHAPTER VI

STUDENT SERVICES AND ACTIVITIES

Sec. 1 General Provisions.

- 1.1 These policies and regulations apply to all component institutions of the System and shall be implemented appropriately in the institutional supplement for each institution.
- 1.2 When the title, "Dean of Students," appears in this chapter, reference is made to the administrator bearing that title, or the officer or officers directly responsible for student affairs at each component institution.
- 1.3 All authority held and exercised by a Dean of Students is delegated to him by the institutional head just as all authority held and exercised by an institutional head is delegated to him by the President of the System. Therefore, any action taken is subject to review by the institutional head and the President of the System, and both the President of the System and the institutional head may approve, amend, or disapprove such action, just as the President of the System may approve, amend, or disapprove any action taken by the administrative head of any component institution.
- 1.4 Any individual student, group of students, or student organization may petition the Board on any matter relating to these policies and regulations through the Dean of Students, the institutional head, and the President of the System.
- 1.5 These policies and regulations shall become effective on November 11, 1977 and shall, at that time, supersede all other policies and regulations that may be in conflict herewith.
- 1.6 Definition of Student. --A student is one who is currently enrolled at any of the component institutions of the System. These policies and regulations will also apply to any prospective or a former student who has been accepted for admission or readmission to any component institution while he is on the campus of any component institution.
- 1.7 Definition of Campus. --The campus of a component institution is defined as all real property over which that institution has possession and control.

Sec. 2 The Dean of Students and His Staff.

- 2.1 The Dean of Students shall be the administrative officer primarily responsible for the development and administration of policies relating to students and for the development and implementation of services to students in the areas assigned to him. He shall have responsibility for the initial preparation of institutional regulations which will implement the policies and regulations set forth in this chapter.

SEP 16 1977

- 2.2 The Dean of Students shall have primary responsibility for (1) the supervision and development of student out-of-class programs and the activities and of all student organizations; (2) the development of policies affecting student life; (3) the promulgation and enforcement of institutional rules that govern student conduct; and (4) the administration of student discipline on the campus.
- 2.3 The administrative staff of the Dean of Students shall consist of the heads of services for which he has administrative responsibility.
- 2.4 The Dean of Students shall work with academic deans and department chairmen in structuring and implementing a program of faculty advising for both old and new students.
- 2.5 The Dean of Students shall be responsible for the preparation of the budgetary recommendations for the student services and activities under his jurisdiction.

Sec. 3 Student Conduct and Discipline.

- 3.1 The System and its component institutions have rules and regulations for the orderly and efficient conduct of their business, and each student is charged with notice and knowledge of the contents and provisions thereof.
- 3.2 All students are expected and required to obey the law, to show respect for properly constituted authority, and to observe correct standards of conduct.
- 3.21 Gambling, immoral conduct, dishonesty, or the excessive use of intoxicating liquors renders the student subject to discipline.
- 3.22 Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution of the System is subject to discipline, including expulsion, pursuant to the procedures set out in Subsections 3. (10) and 3. (11) of this chapter.
- 3.3 For the purpose of this subsection, H.B. No. 447, Acts of the 63rd Legislature, Regular Session, 1973, shall be referred to as the Texas Controlled Substances Act. With respect to acts giving rise to charges under the foregoing Subsection 3.3b before the effective date of the Texas Controlled Substances Act, (1) the word "drug" means "dangerous drug" as defined in Section 2, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended, and as in effect prior to the effective date of the Texas Controlled Substances Act (Article 726d, Vernon's Texas Penal Code); and (2) the word "narcotic" means "narcotic drugs" as defined in Section 1, Chapter 169, Acts of the 45th Legislature, Regular Session, 1937, as amended and as in effect prior to the effective date of the Texas Controlled Substances Act (Article 725b, Vernon's Texas Penal Code). With respect to acts giving rise to charges under the foregoing Subsection 3.3b after the effective date of the Texas Controlled Substances Act, the word "drug" or "narcotic," or both, includes any controlled substance listed in Schedules I through V, Penalty Groups 1 through 4, Section 2.17, and Section 4.05 of the Texas Controlled Substances Act.

- 3.4 The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas; provided, however, that with the prior consent of the institutional head, the foregoing provisions of this section may be waived with respect to any specific affair which is sponsored by the institution. However, with respect to the possession and consumption of alcoholic beverages, state law will be strictly enforced at all times on all property controlled by the System and its component institutions.
- 3.5 No former student who has been suspended for disciplinary reasons from a component institution of the System shall be permitted on the campus of any component institution during the period of such suspension without the prior written approval of the chief administrative officer of that institution.
- 3.6 Hazing in state educational institutions is prohibited by state law (Section 4.19, Chapter 4, Title I, Texas Education Code). Hazing with or without the consent of a student is prohibited by the System, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline.
- 3.7 Initiations by organizations may include no feature which is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders the organization subject to discipline.
- 3.8 Any student who advocates or recommends, either orally or in writing, the conscious and deliberate violation of any federal, state or local law is subject to discipline.
- 3.9 Any student who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to discipline, including expulsion. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.
- 3.(10) The Dean of Students shall have primary authority and responsibility for the administration of student discipline at his institution. It shall be his duty to investigate allegations that a student has violated the Regents' Rules and Regulations, the rules and regulations of the institution, or specific orders and instructions issued by an administrative official of the institution in the course of his duties.
- 3.(10)1 If the Dean of Students determines that such allegations are not unfounded, he shall prepare a written statement of charges, a statement of the evidence supporting such charges, including a list of witnesses and brief summary of the testimony to be given by each, and shall send such charges and statement to the accused student by certified mail, return receipt requested, addressed to the address appearing in the registrar's records.

- 3.(10)2 In any case where the accused student does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures specified in Subsection 3.(11), the Dean of Students shall assess the penalty appropriate to the charges and inform the student of such action in writing. The decision of the dean of students may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3.(11).
- 3.(11) In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial person selected in accordance with procedures adopted by the institution. Except in those cases where immediate interim disciplinary action has been taken under authority of Subsection 3.15, the accused student shall be given at least 10 day's notice of the date, time, and place for such hearing and the name of the person who will hear and decide upon the charges. Upon a hearing of the charges, the institution has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence. The hearing shall be conducted in accordance with procedures adopted by the institution and that assure both the institution and the accused student the following minimal rights:
- (A) the right of the Dean of Students and the accused student to have, reasonably in advance of the date fixed for the hearing, a list of the witnesses to be presented by the opposing party and a brief summary of the testimony to be given by each;
 - (B) the right to appear and present evidence in person or through a designated representative or counsel of choice;
 - (C) the right to cross-examine the witnesses testifying on behalf of the opposing party; and
 - (D) the right to have all proceedings at the hearing recorded electronically or stenographically and transcribed.
- 3.(11)1 Prior to the date of the hearing, the accused student may challenge the fairness or objectivity of the person designated to hear the charges, but he shall not be entitled to disqualify the person challenged. It shall be up to the individual challenged to determine whether he can serve with fairness and objectivity. The institutional regulations shall provide for the selection of a substitute for a challenged person who disqualifies himself.
- 3.(11)2 The person hearing the charges shall render a written decision as to the accused student's guilt or innocence of the charges and shall set forth findings of fact in support of the charges. The penalty shall also be stated in the decision. The accused student and the Dean of Students shall each be given a copy of the decision.
- 3.(11)3 Either the Dean of Students or the accused student may appeal the decision to the Board through the chief administrative officer of the institution and the President of the System. The decision will be reviewed at each level of such appeal upon the basis of the written transcript of the hearing. Arguments either against or in support of the decision will be considered by the reviewing authority and, at the discretion of such authority, will be presented in writing rather than orally.

- 3.(11)4 The chief administrative officer of the institution, the President of the System, or the Board may approve, reject, or modify the decision in question, or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. The action of each reviewing authority shall be communicated in writing to the accused student and the Dean of Students.
- 3.(12) Through matriculation at an institution of the System, a student neither loses the rights nor escapes the responsibilities of citizenship. Students who violate the law may incur penalties prescribed by civil authority, but institutional penalties shall not be used merely to duplicate the penalties imposed by civil authority. However, when a student violation of the law occurs on the campus of a component institution or in connection with a component institution-oriented activity, institutional penalties may be imposed regardless of whether penalties have been imposed by civil authority for the same offense.
- 3.(13) Upon his indictment for a felony, a student may be suspended by the Dean of Students pending a final disposition of the indictment. If the student is not acquitted, his readmission to the institution will be subject to the approval of the Dean of Students and the institutional head.
- 3.(14) Since the value of an academic degree depends on the absolute integrity of the work done by the student for that degree, it is imperative that a student maintain a high standard of individual honor in his scholastic work. Scholastic dishonesty is the submission as one's own work of material that is not one's own. As a general rule, it involves one of the following acts: cheating, plagiarism, and/or collusion. Each component institution will adopt detailed regulations concerning scholastic dishonesty.
- 3.(15) The Dean of Students, the institutional head, or the President of the System may take immediate interim disciplinary action, including suspension pending a hearing, against a student for violation of a rule and regulation of the System or of the institution at which the accused is a student when, in the opinion of such official, the interest of the System or the component institution would be served by such action.
- 3.(16) Each component institution shall maintain for every student who has received any disciplinary penalty at such institution, a permanent written disciplinary record that shall reflect the nature of the charge, the penalty assessed, and any other pertinent information. This disciplinary record shall be separate from the student's academic record and shall be treated as confidential, and the contents shall not be revealed except upon request of the student or upon direction of the institutional head or his delegate.
- 3.(17) Every student is expected to obey all federal, state, and local laws, and particularly the three state statutes set out below. Any student who violates any provision of these three statutes is subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities on account of the violation:
- 3.(17)1 **DISORDERLY CONDUCT.**
Section 1. No person, acting alone or in concert with others, may engage in disorderly conduct. Disorderly

conduct consists of any of the following:

- (1) behavior of a boisterous and tumultuous character in a residential area of a public place such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists; or
- (2) interfering with the peaceful and lawful conduct of persons in or about their homes or public places under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (3) violent and forceful behavior at any time in or near a public place, such that there is a clear and present danger that free movement of other persons will be arrested or restrained, or other persons will be incapacitated in the lawful exercise of business or amusement; or
- (4) behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or affrays; or
- (5) in a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (6) willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when such conduct tends to cause or provoke a disturbance; or
- (7) behavior near a courthouse or other public building wherein judicial proceedings are being held, designed or having the effect of interfering with the administration of justice, whether by disrupting the courts or by intimidating the judges, witnesses, jurors, or other persons having business with the courts; or
- (8) behavior near any public building wherein matters affecting the public are being considered or deliberated, designed or having the effect of interfering with such proceedings under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (9) willful and malicious behavior which obstructs or causes the obstruction of any doorway, hall, or any other passageway in a public building to such an extent that the employees, officers, and other persons, including visitors and tourists, having business with the government are denied entrance into, exit from, or free passage in such building; or

- (10) behavior involving the display of any deadly weapon in a public place in such a manner as to alarm or frighten other persons present; or
- (11) enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it.

Section 2. Any person who violates any of the provisions of Section 1 of this Article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Two Hundred Dollars (\$200). For any second or subsequent conviction of any of the provisions of Section 1 of this Article such person shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000), or by imprisonment in the county jail for not more than thirty (30) days or by both such fine and imprisonment.

(H. B. No. 57, Acts of the 61st Legislature, Regular Session, 1969)

3.(17)2 DISRUPTIVE ACTIVITY.

Sec. 1. No person or group of persons acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any private or public school or institution of higher education or public vocational and technical school or institute.

Sec. 2(a) For the purposes of this Act, "disruptive activity" means:

- (1) obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school;
 - (2) seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research or other authorized activity;
 - (3) preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration;
 - (4) disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or
 - (5) obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.
- (b) For the purposes of this Act, a lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

Sec. 3 A person who violates any provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed \$200 or by confinement in jail for not less than 10 days nor more than 6 months, or both.

Sec. 4 Any person who is convicted the third time of violating this act shall not thereafter be eligible to attend any school, college or university receiving funds from the State of Texas for a period of two years from such third conviction.

Sec. 5 Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitutions of the United States or the State of Texas.

(H.B. No. 141, Acts of the 61st Legislature, Regular Session, 1969)

Sec. 6 Neither the institutional head nor the President of the System, nor any representative of either of them when dealing with disruptive activities as defined in Section 2(a) above, shall negotiate or attempt to negotiate with any person or persons engaged in any disruptive activity on the campus of any component institution of the System. When such a situation arises, the institutional head or the President of the System, or any representative of either of them, shall take immediate action to utilize all lawful measures to halt and eliminate any and all such disruptive activities that come to their attention.

Sec. 7 Any person who, acting either singly or in concert with others, engages in any disruptive activity [as defined in Section 2(a) above] on the campus of any component institution of the System is subject to discipline, including expulsion from enrollment as a student or dismissal from employment as a faculty or staff member. The institutional head or the President of the System may take immediate interim disciplinary action, including suspension as a student or faculty or staff member pending a hearing, against any person who engages in any such disruptive activity.

3.(17)3 FIREARMS.

Sec. 1 It shall be unlawful to interfere with the normal activities, the normal occupancy, or normal use of any building or portion of a campus of any private or public school or institution of higher education or public vocational and technical school or institute by exhibiting or using or threatening to exhibit or use a firearm.

Sec. 2 A person who violates Section 1 of this Act is guilty of a felony and upon conviction is punishable by a fine of up to \$1,000 or by imprisonment in jail for a period not to exceed 6 months, or by both fine and imprisonment, or by imprisonment in the state penitentiary for a period not to exceed five years.

(H.B. No. 1450, Acts of the 61st Legislature, Regular Session, 1969)

3.(18) Pursuant to the authority conferred upon the Board of the System by

Chapter 80, Acts of the 60th Legislature, Regular Session, 1967 (Article 2919j, Vernon's Texas Civil Statutes), and in order to protect the safety and welfare of students and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water located on the campus of any component institution of the System unless such person shall have theretofore been granted permission by the administrative head of that institution to enter, remain, or be in such water.

It shall further be unlawful for any person to dump, throw, place, or cause to be placed any material, object, trash, waste, or debris in the water of any fountain or other artificial body of water located on the campus of any component institution of the System.

It shall also be unlawful for any person to damage, deface, or remove any portion of any fountain, monument, or memorial located on the campus of any component institution of the System.

Any person who violates any portion of this regulation shall upon conviction thereof be punished by a fine of not more than \$200.

Any student of a component institution who violates any portion of this regulation shall, in addition to the penalty prescribed in the last preceding section, be subject to discipline, including expulsion, by the institution.

3. (19) The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every student attending any component institution of the System. Any student who violates such standards of conduct is subject to discipline by the Dean of Students, regardless of whether or not any action is taken against the student by civil authorities on account of such violation. If disciplinary action is taken, the Dean of Students shall proceed with action in the same manner as he would in the case of a violation of any other provision of these rules and regulations or a provision of any institutional supplement.

Sec. 4 Student Organizations.

- 4.1 An organization in which membership is limited to students (recognizing that faculty and staff may also be members) of a component institution may become a registered student organization at that institution by complying with the registration procedures established by the Dean of Students.
- 4.2 The Dean of Students, with the approval of the institutional head, may establish regulations requiring faculty or staff advisers for registered student organizations.
- 4.3 A registered student organization may state that its membership is composed of students, or of students, faculty, and/or staff, of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of that institution.
- 4.4 The Dean of Students, with the approval of the institutional head, may issue regulations governing the eligibility of students for participation in organized activities.

- 4.5 At each component institution, an appropriate committee or committees shall have initial jurisdiction over all registered student organizations.
- 4.6 Any student organization is subject to disciplinary action or revocation of registration as a student organization for violation of a rule or regulation of the System and/or of, the institution at which the organization is registered.
- 4.7 The administrative head of each component institution of the System shall require and enforce the following:
- 4.71 As a condition to being a registered student organization or group during a semester, every registered student organization or group shall furnish to the appropriate institutional officer at the beginning of each such semester a complete list of officers or other members of the organization or group who are authorized to speak for or represent the organization or group in its relations with the institution and who are authorized to receive for the organization or group official notices, directives, or information from the institution. Each such list shall be kept current and accurate throughout the semester by the organization or group, and it shall be conclusively presumed that the officers or members whose names are on the list most recently filed by the organization or group are authorized to speak for and represent the organization or group in its relations with the institution and are authorized to receive for the organization or group official notices, directives, or information from the institution.
- 4.72 No registered student organization or group may have any person as a member who is not either a student or a member of the faculty or staff of the institution. Except pursuant to the provisions of Section 6.5 of this chapter, no organization or group, whether registered or not, may use any facility of any component institution of the System if it has as a member any person who is not either a student or a member of the faculty or staff of the institution.
- 4.73 At the beginning of each semester, each registered student organization or group must file with the appropriate institutional officer an affidavit stating that the organization or group does not, and will not during the semester, have as a member any person who is not either a student or a member of the faculty or staff of the institution. If an organization or group fails or refuses to file the required affidavit, or if, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused registered organization or group every right guaranteed to it by the due process clauses of the United States and Texas Constitutions), the institutional head shall during the semester find that the affidavit is or has become false, and that the organization or group does, in fact, have as a member a person who is not either a student or a member of the faculty or staff of the institution, the institutional head shall immediately cancel the registered status of the organization or group and shall deny to the organization or group any and all privileges to which it would otherwise be entitled as a registered student organization or group.
- 4.74 No organization or group, whether registered or not, may use the facilities of any component institution as long as it

owes a monetary debt to the institution and the debt is considered delinquent by the crediting institutional agency.

- 4.8 No component institution shall register any student organization or group whose actions or activities, in the opinion of the institutional head or the President of the System, are inimical to the educational purpose and work of the institution.
- 4.9 A registered student organization whose registered status has been canceled by the institutional head pursuant to Subsection 6.13 of Section 6 of this chapter or Subsection 4.73 of Section 4 of this chapter may apply for re-registration not less than six months following the date of such cancellation.

5. Participation in Student Government.

- 5.1 Students' Associations. --Students' associations currently authorized at the component institutions of the System are hereby approved. They shall have such jurisdictions and shall exercise such powers as the Board may now or hereafter delegate to them.
- 5.11 Constitutions and Laws Approved. --The constitutions and laws of the several associations in force at the date of adoption of these Rules and Regulations are hereby approved.
- 5.12 Mode of Amending Constitutions and Laws. --An amendment to the constitution or laws of a students' association may be adopted by an association, in accordance with its constitution and laws, but the change shall not become effective until transmitted to and acted upon by the Dean of Students, the institutional head, and the President of the System and approved by the Board.
- 5.13 Amendment or Repeal by Regents. --The Board shall amend or repeal any portion of the constitution and laws of a students' association when, in the judgment of the Board, the interests of the particular institution shall require it.
- 5.14 Amendment or Repeal by Dean of Students. --The Dean of Students shall have the power, when in his judgment the interests of the institution require it, to amend or repeal any provision in the constitution or laws of the particular association, but his action shall be in force only until the next meeting of the Board when Section 5.13, above shall become applicable.
- 5.15 Salaried Employees Approved by Regents. --All persons officially employed on salary by or under the direct supervision of a students' association shall be subject to approval by the Dean of Students, the institutional head, the President of the System, and the Board, both as to salary and as to qualifications.
- 5.16 Annual Financial Reports. --Every officially recognized students' association shall make annually a complete financial report to the institutional business officer, and shall make such special reports as may be called for by such business officer. A duplicate copy of each report shall be filed with the Dean of Students. Committees and administrative units of a students' association maintaining a budget in excess of \$25.00 per annum shall make such interim reports of financial condition as may be required by the Dean of Students.

- 5.2 The students' association on each campus shall be a recognized forum of student opinion.
- 5.21 When a students' association takes a position with reference to issues directly related to a component institution and its operations, its recommendations shall go through the Dean of Students, the institutional head, and the President of the System to the Board.
- 5.22 When a students' association takes a position on non-University issues, it shall make clear the fact that it does not speak for the institution.
- 5.23 A students' association may conduct polls, initiate petitions, and/or establish forums for debate or discussion under conditions approved by the Dean of Students.
- 5.24 Officers of a students' association may so identify themselves when they express their personal views, but they shall then make it clear that they are not speaking for the institution, or for the student body, and they shall make it clear they are not speaking for the students' association unless the legislative body of that association has authorized the statement in advance.

ec. 6 Use of University-Owned Facilities.

- 6.1 The institutional head or his delegate has the responsibility of establishing regulations and procedures for the use of institutional buildings, grounds, and other facilities for purposes other than regular academic use. Such regulations and procedures shall be in accordance with the following:
- 6.11 As used in this section, the word "solicitation" means the sale or offer for sale of any property or service, whether for immediate or future delivery, and the receipt of or request for any gift or contribution.
- 6.12 No solicitation shall be conducted in any building or structure on the campus of any component institution of the System, provided, however, that the following activities shall be deemed not to be solicitations prohibited by this subsection if they are conducted in a manner that will not disturb or interfere with the regular academic or institutional programs being carried on in a building or structure, or do not interfere with entry to or exit from a building or structure:
- (1) The sale or offer for sale of any newspaper, magazine, or other publications by means of a vending machine in an area designated in advance by the institutional head or his delegate for the conduct of such activity.
- (2) The sale or offer for sale of any food or drink item by means of a vending machine in an area designated in advance by the institutional head or his delegate for the conduct of such activity.
- (3) The sale or offer for sale of any publication of the institution or of any book or other printed material to be used in the regular academic work of the institution.
- (4) The operation by the institution or its subcontractor of any bookstore, specialty store, laundry mat, cafeteria, or other service facility maintained for the convenience of the students and/or faculty.
- (5) The sale or offer for sale by the institution or its subcontractor of food and drink items and programs at athletic contests.

- (6) The collection of tuition and fees in connection with enrollment of a student in any course or degree program.
- (7) The collection of membership fees or dues by registered student, faculty, or staff organizations at meetings of such organizations scheduled in accordance with the facilities use regulations of any component institution.
- (8) The collection of admission fees for the exhibition of movies or other programs that are sponsored by the component institution, a recognized faculty group, or a registered student organization, and are scheduled in accordance with the facilities use regulations of the component institution.
- (9) The activities of any organization that can present to the institutional head, or his delegate, written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under 26 U.S.C.A. 501 (c) (3) (Internal Revenue Code).

6.121 No organization may solicit under Subdivision (9) of this subsection for more than a total of fourteen days, whether continuous or intermittent, during each state fiscal year.

6.13 No solicitation shall be conducted on the grounds, sidewalks, or streets on the campus of any component institution of the System, except by the agents, servants, or employees of that institution acting in the course and scope of their agency or employment, or by the students' association of that institution, or by a registered student, faculty, or staff organization at that institution.

(1) Solicitation made pursuant to the terms of Subsection 6.13 must be conducted in such a way (a) that it will not disturb or interfere with the regular academic or institutional programs being carried on in campus buildings, (b) that it will not interfere with the free and unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from campus buildings, and (c) that it will not harass, embarrass, or intimidate the person or persons being solicited. If, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused organization every right guaranteed by the due process clauses of the United States and Texas Constitutions) the institutional head determines that a solicitation is being conducted in a manner violative of this subsection, the institutional head shall prohibit the offending organization from solicitation on the campus for such period or periods of time as he shall determine to be appropriate and in the case of repeated violations of these solicitation rules, the institutional head may cancel the registered status of the offending organization.

(2) The students' association and each registered student organization shall, within 30 days following the end of each academic semester or summer session, file with the institutional head or his delegate a sworn statement fully and fairly disclosing the sources and amounts of money which it obtained

SEP 16 1977

from solicitations (sales and contributions) on the campus during the preceding semester or summer session and fully and fairly disclosing the beneficiaries and amounts of the expenditures which it made during the preceding semester or summer session. A registered student organization which during a semester or summer session receives no money or thing of value other than from its own members need file only a sworn statement to that effect. Any organization failing to comply with the provisions of this paragraph shall be prohibited from solicitation on the campus until such organization places itself in compliance.

- 6.14 Use of Physical Facilities of the System by Registered Student Organizations. --Registered student organizations may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. Groups of students who are not registered may not use the institution's buildings and/or grounds. Registered student organizations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.
- 6.15 Reasonable and nondiscriminatory regulations may be promulgated to authorize students and registered student organizations, under specified conditions, to petition, post signs, set up booths, and/or peacefully demonstrate on the campus. Such regulations shall prohibit any activity that would interfere with regular academic and institutional programs.
- 6.16 No person, whether or not a student or employee of a component institution, shall publicly distribute on the campus of any such institution any petition, handbill, or piece of literature that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
- 6.17 No person, whether or not a student or employee of a component institution, shall post or carry any sign or poster that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
- 6.18 No person, whether or not a student or employee of a component institution, shall install, occupy, or use on the campus of any such institution any booth, if the use of the booth is wholly or partly for the distribution or dissemination of words or material that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law. For the purpose of this provision, the word "booth" includes furniture, enclosure, and any other structure temporarily installed for distributing petitions, handbills, or literature, or for displaying signs, or for raising funds or soliciting tangible items.
- 6.2 The use of student center or student union facilities on the campus of each component institution shall be subject to reasonable and nondiscriminatory regulations as may be promulgated by that center's governing board and approved by the Dean of Students and the institutional head.

- 6.3 Extracurricular student activities involving the use of System-owned buildings and grounds shall be conducted in accordance with local, state and national law and in accordance with the applicable System and institutional regulations. Such activities shall not disrupt or disturb the regular academic and institutional program and shall not result in damage to or defacement of property.
- 6.4 Identification Required.
- (a) Pursuant to the authority conferred upon the Board of the System by Chapter 80, Acts of the 60th Legislature, Regular Session, 1967 (Article 2919j, Vernon's Texas Civil Statutes), and in order to protect the safety and welfare of students and employees of the component institutions of the System, and to protect the property of the System, it is hereby declared that it shall be unlawful for any person on any property either owned or controlled by the System or any component institution to refuse to identify himself to an institutional representative in response to a request. For the purpose of this subsection, a person identifies himself by:
- (1) giving his name and complete address; and (2) by stating truthfully whether or not he is a student at the institution and whether or not he is an employee of the institution.
- (b) For the purpose of Subsection (a), an "institutional representative" is:
- (1) any member of the Board of the System;
- (2) any administrative officer of the System, including the Chancellor, the Executive Assistant to the Chancellor, the Director for Development, the President of the System, the Vice President for Academic Affairs, the Vice President for Administration, the Vice President for Health Affairs, the Executive Director for Investments, Trusts and Lands, the Vice President for Operations, the Director for Public Affairs, the Comptroller, the Director of Facilities Planning and Construction, the Budget Director, the Vice President and General Counsel for the System, the Director of Police, the System Personnel Director, the Director for Special Services, and the Director of Accounting of The University of Texas at Austin;
- (3) any administrative officer of the component institution, including the institutional head, any assistant to the institutional head, any vice president, any Dean of Students, and any associate or assistant dean of students; and
- (4) any attorney, peace officer, or security officer of the System or the institution.
- (c) Any person who refuses to identify himself fully in accordance with Subsection (a) is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.
- (d) Any student who refuses to identify himself fully in accordance with Subsection (a) is, in addition to the penalty prescribed in Subsection (c), subject to discipline, including expulsion, by the institution.

SEP 16 1977

- 6.5 Use of Physical Facilities by Outside Groups, the System as a Joint Sponsor. --Use of physical facilities of the System, especially auditoriums, gymnasiums, and large rooms, by outside groups shall be subject to the following rules in which the "System" shall mean any component institution.
- 6.51 The System will not permit the unrestricted use by non-System groups of any of its facilities.
- 6.52 The System will not enter into joint sponsorship of any project or program that is to result in private gain for the cooperating group or groups.
- 6.53 The System, established as a public institution without regard to political affiliation or religious faith, cannot be a joint sponsor with any noncampus organization for political or sectarian gatherings. However, the appearance by or on behalf of a candidate for public office may be authorized under conditions prescribed by the Board.
- 6.54 Whenever non-System groups share in the use of System buildings, it must be upon the invitation of the System and under its joint sponsorship, and with the further understanding that all the conditions governing such sponsorship are to be set by the System.
- 6.55 The System when entering into joint sponsorship of any program or activity assumes full responsibility for all details and reserves the right to approve all copy for advertising, as well as news releases.
- 6.56 The System will not enter into joint sponsorship of any program or activity in which the educational implications are not self-evident and which does not directly supplement the educational purposes of the System.
- 6.57 It shall be understood that the availability of the System's auditorium facilities for functions other than the institution's own activities is strictly subject to the needs and the convenience of the System, which are always to have priority in the scheduling of facilities.
- 6.58 In the case of programs for which the System is a joint sponsor with some other group or organization, the fee to be paid by the co-sponsor will be a matter for negotiation in each case and will be specified in the agreement providing for the joint sponsorship.
- 6.6 The chief administrative officer of a component institution may designate specific facilities of a component institution, such as special events centers, concert halls, theaters, or auditoria, as Special Use Facilities. The chief administrative officer shall cause to be prepared and submitted for approval, as a part of the Handbook of Operating Procedures of the institution, appropriate rules and regulations for the reservation and use of such designated Special Use Facilities. Such rules and regulations must restrict the reservation and use of such facilities in accordance with the following:
- 6.61 Designation as a Special Use Facility shall not constitute the facility as a public facility open to use by non-University persons, groups, associations, or corporations on a first come, first served basis.
- 6.62 Priority in the reservation and use of Special Use Facilities shall be given to activities and events sponsored by the component institution that are in furtherance of and related

to the educational, cultural, recreational, and athletic programs of the institution.

6.63 As a lower priority, the institutional rules and regulations may provide for reservation and use of Special Use Facilities by non-University individuals, groups, associations or corporations, without the necessity of joint sponsorship by the institution. The institution shall establish rates to be charged for the use of the facility that will, at a minimum, insure recovery of that part of the operating cost of the facility attributable directly or indirectly to such non-University use. If the non-University user charges those attending an event any admission or registration fee, or accepts donations from those in attendance, the institution shall require the user to make a complete account of all funds collected and of the actual cost of the event. If the funds collected exceed the actual cost of the event, the user shall be required to remit such excess funds to the institution as an additional charge for the use of the Special Use Facility.

6.64 Subject to all constitutional and statutory provisions relating to the use of state property or funds for religious or political purposes, and subject to Subsection 6.63, above, Special Use Facilities may be made available for religious and political conferences or conventions. Religious organizations applying for use of a Special Use Facility must submit written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c)(3) of Title 26 of the United States Code [Internal Revenue Code]. Political organizations applying for use of a Special Use Facility must present written evidence that the organization had candidates for either state, district, or local offices listed on the ballot at the last general election. A religious or political organization shall be permitted to use a Special Use Facility only one time during a calendar year.

ec. 7 Speech and Assembly.

7.1 Freedom of inquiry and discussion are basic and essential to intellectual development. Students have the right, therefore, to freedom of speech and assembly, subject to reasonable nondiscriminatory rules and regulations adopted by the System and/or the component institution.

7.11 "It shall be unlawful for any person knowingly or willfully to . . . advocate, abet, advise, or teach by any means . . . under such circumstances as to constitute a clear and present danger to the security of the United States, or of the State of Texas, or of any political subdivision of either of them . . ." (Texas Civil Statutes, Article 6889-3A, Sec. 5.)

7.12 Students who are candidates for public office or students appearing in the interest of a particular candidate or candidates for public office may be permitted the use of institution-owned facilities under the provisions of paragraphs 7.241 and 7.242 of this chapter.

7.2 Off-Campus Speakers. --The Board has and reserves the right to regulate the presentation of guest speakers on the campus who are unaffiliated with the System or any component institution thereof (hereafter referred to as off-campus speakers).

- 7.21 Only registered student organizations, faculty or staff organizations, System-owned dormitories, and Student Government may present off-campus speakers on the campus.
- 7.22 The organization sponsoring an off-campus speaker has the responsibility of making clear the fact that the organization, not the institution, is extending the invitation to speak and that any views the speaker may express are his own and not necessarily those of the System or of any component institution.
- 7.23 An off-campus speaker is subject to the Texas Civil Statutes as quoted in Section 7.11 of this chapter.
- 7.24 Registered student organizations, faculty or staff organizations, University-owned dormitories, and Student Government may be permitted the use of System-owned facilities to present off-campus speakers on campus pursuant to the facilities' use regulations promulgated by the component institution and subject to the requirement that each component institution must submit to the System Administration for approval as a part of its Institutional Handbook for Operating Procedures a copy of all applicable facilities' use regulations, and no facilities' use regulation shall have any force or effect until it has been approved by the President of the System and the Vice President and General Counsel for the System.
- 7.25 An application for the use of any System-owned facility must be made to the chief administrative officer, or his delegate, at least forty-eight hours before the time the event is scheduled to take place.
- 7.26 No person shall be permitted to speak on any campus of the System who is known to advocate or recommend, either orally or in writing, the conscious and deliberate violation of any federal, state, or local law.
- 7.27 No off-campus speaker who is to be paid from state funds as consideration for his or her speech shall be permitted to speak on the campus of any component institution of the System unless the university facility in which the speech is to be delivered will be open to the public, including members of the news media, who will be entitled to record, videotape, or telecast live portions of the speech. The provisions of this subdivision do not apply to classes, seminars, symposia, and conferences intended for the use and benefit of students, faculty, staff, and invited guests. No person may in any way obstruct or lessen in any way the opportunity for the audience to take the fullest advantage of the speech, including the opportunity to see and hear the speaker during the entire speech. The provisions of this subdivision apply prospectively from the date of its adoption by the Board.

Sec. 8 Off-Campus Student Housing.

- 8.1 **Off-Campus Student Housing.** -- The component institutions of the System will not extend Approved Housing status to any student residential units except those directly operated by the System. Each student at a component institution will have free choice in the selection of his non-University-operated residential accommodations, subject to parietal rules.

Sec. 9 University Policy in Regard to Debts of Students.

- 9.1 Neither the System nor any component institution is responsible for debts contracted by individual students or by student organizations.

SEP 10 1977

On the other hand, all students and student organizations are expected to conduct themselves honorably in all commercial transactions. Neither the System nor any component institution will assume the role of a collection agency except for monies owed to the System or one of its component institutions, nor will the System nor any of its component institutions adjudicate disputes between students and creditors over the existence or the amounts of debts.

- 9.2 In the event of nonpayment to the System or one of its component institutions, one or more of the following actions may be taken: (a) a bar against readmission for the student, (b) withholding of the student's grades and official transcript, (c) withholding of a degree to which the student otherwise would be entitled.

c. 10 Anonymous Publications.

- 10.1 Anonymous publications are prohibited. Any student publishing or aiding in publishing, or circulating or aiding in circulating, any anonymous publication will be subject to discipline.

c. 11 Other Regulations Concerning Student Affairs are Reported in the Rules and Regulations of the Board, as follows:

Fellowships, Scholarships, and Loan Funds - Part Two, Chapter I, Sec. 2, p. 2.

Tuition and Other Fees - Part Two, Chapter I, Sec. 3, p. 2.

Policy Against Discrimination - Part Two, Chapter I, Sec. 5, p. 3.

Auxiliary Enterprises - Part Two, Chapter X, Sec. 1-7, p. 69.

Texas Student Publications at The University of Texas at Austin - Part Two Chapter X, Sec. 8, pp. 70-71.

CHAPTER VII

THE SYSTEM PRIVATE-FUND DEVELOPMENT AND FOUNDATIONS

Sec. 1 The System Private-Fund Development.

- 1.1 Responsibilities of the Board and Administrative Officials of the System in Private-Fund Development. --

1.11 Among the most important responsibilities of the Board are those of establishing policies and procedures by which the developmental needs of the System and its component institutions can be determined and of directing vigorous efforts to attract private-fund support for meeting these needs.

1.12 The Chancellor is to serve as the Chief Executive Officer for Fund Development and as the agent of the Board for the discharge of development responsibilities.

1.121 The Chancellor shall define for the Board, at periodic intervals, descriptions of current and future needs, as determined by the institutional heads and System Administration, taking into

account such needs as the System Development Advisory Council and each component institution development board may have recommended.

1.2 Responsibilities and Duties of the System Development Advisory Council:

- 1.21 The System Development Advisory Council is the group responsible for advising the Chancellor on all private-fund development for the System.
- 1.22 The System Development Advisory Council shall advise the Chancellor on policies to govern activities for cultivating and securing private funds for the System and its component institutions.
- 1.23 In the absence of unusual circumstances, no major private-fund development effort or decision, not covered by previously adopted regulations of the Board, shall be recommended by the Chancellor to the Board without prior advice thereon from the System Development Advisory Council and the component institution development board, which advice shall be transmitted to the Board.
- 1.24 The System Development Advisory Council shall have particular responsibility to advise the Chancellor with regard to:
 - 1.241 The development, with the cooperation and assistance of each component institution development board, of the total private-fund needs of each component institution of the System.
 - 1.242 The planning, coordination, and promoting, with the component institution development board, of support for both current and long-term programs to meet developmental needs of the System and its component institutions.
 - 1.243 The development of continuing gift possibilities not related to predetermined projects.
 - 1.244 The content of periodic progress reports from the Chancellor to the Board on the development plans and programs of the System.
 - 1.245 Appropriate recognition of donors by the System or the institutional development boards.
 - 1.246 The enlistment of the aid of numerous friends of the System and its component institutions in fund-development efforts, and the establishment of such committees and other groups as seem desirable in carrying out its program.

1.3 Composition and Operation of the System Development Advisory Council. --

- 1.31 The System Development Advisory Council membership shall consist of:
 - (1) The Chancellor of the System as Chairman.
 - (2) A member to be elected by each component institution development board. Initial appointments to the System Development Advisory Council shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointments to the committee will be a three-year term. All terms will officially begin on September 1.

- 1.32 The System Development Advisory Council shall cause accurate minutes of its proceedings to be kept, and shall file copies with the Secretary to the Board. It shall assist the Chancellor in the preparation of an annual evaluation report on the development function. This report shall be transmitted to the Board.
- 1.33 The System Development Advisory Council shall conduct its operations in accord with the policies and regulations of the Board, and shall make recommendations concerning policies through the Chancellor to the Board.
- 1.4 Development Executive Officer of the System. --
- 1.41 Within the Office of the Chancellor there may be appointed by the Chancellor the Executive Director for Development who shall be responsible to the Chancellor. He is subject to supervision, evaluation, and termination of employment by the Chancellor.
- 1.42 This Executive Director for Development shall have such staff and operating funds as shall be determined from time to time by budgets recommended by the Chancellor and adopted by the Board.
- 1.5 Finances. -- Financial support of the System Development Advisory Council and the Executive Director for Development shall be provided exclusively by appropriation of the Board. Such appropriation will be made through established budgetary procedures. The Board may accept gifts designated for use by the System Development Advisory Council and may make such funds available for expenditure by said committee.
- ec. 2 The Development Board of a Component Institution for Private-Fund Development.
- 2.1 With the approval of the institutional head, the Chancellor, and the Board of Regents, any component institution may have a development board dedicated to its own unique interests. Such a development board is the agency responsible through the institutional head to the Chancellor, and through him to the Board of Regents, for all private-fund development for that component institution. Each component institution development board shall determine its development needs and shall direct the formulation of plans and the promotion of support for its programs.
- 2.2 Responsibilities and duties of the component institution development boards:
- 2.21 The component institution development board is the agency responsible to the institutional head of each institution for all private-fund development for that institution.
- 2.22 The component institution development board shall recommend through the institutional head and the Chancellor to the Board of Regents the approval of current and long-range policies which shall govern activities and responsibilities in cultivating and securing private funds for the institution.
- 2.23 The component institution development board shall have responsibility:
- 2.231 For studying and developing total development needs of the component institution.
- 2.232 For coordinating and formulating plans and actively promoting support for both current and long-range

programs to meet the developmental needs of the component institution.

- 2.233 For developing gift possibilities not related to pre-determined projects.
- 2.234 For periodic reports of progress to the institutional head and the Chancellor on the plans and programs of the component institution development board. It is expected that a continuing program of the component institution will include collection and dissemination of information regarding gifts and endowments.
- 2.235 At periodic intervals, the institutional head shall lay before his development board descriptions of current development needs.

2.3 Composition and Operation of the Component Institution Development Board:

2.31 The component institution development board shall consist of not more than 25 appointed members, and these shall be recommended and appointed by the institutional head of each component institution with prior specific written approval of the Chancellor and the Board of Regents. Initial appointments to the component institution development board shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointment of the board will be for a three-year term. All terms shall officially begin on September 1. At least one member shall be nominated by the ex-students' association of that institution. The institutional head and the Chancellor (or his delegate) shall be ex-officio members with voting privileges. The component institution development board will elect a Chairman and such other officers as are appropriate from among its membership.

2.32 The component institution development board shall elect a representative from its membership to the System Development Advisory Council for a three-year term except as specified in paragraph 1.31(2). This representative may serve on the System Development Advisory Council only so long as he is a member of the component institution development board.

2.4 General Policies of the Component Institution Development Boards:

- 2.41 A component institution development board shall seek to enlist the aid of numerous friends of the institution in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its program.
- 2.42 A component institution development board shall serve the individual component institution of the System to coordinate and assist in the plans and programs of that component institution with consideration of development interests of all component institutions in the System.
- 2.43 A component institution development board will work closely with the internal foundations of the component institutions. No internal foundations shall be established or continued in existence except with the approval of the Chancellor and the Board of Regents. The institutional head of each component institution shall be responsible for stimulating, guiding, and assisting the component institution development board and internal foundations of the component institution he heads and he may require suitable annual reports from each. All such activities shall be coordinated through the office of the institutional head and the director of the component institution development board.

SEP 16 1977

2.44 From time to time, special campaigns for specific objectives may be conducted, with or without the assistance of private fund-raising counsel. Such campaigns may originate upon recommendation by the Board of Regents, the System Development Advisory Council, the Chancellor, the institutional head with the concurrence of the Chancellor, or the component institution development board. No such campaign shall be authorized or undertaken, however, until the Chancellor has advised the Board of Regents of his approval or disapproval and the campaign has been approved by the Board of Regents.

2.45 Notwithstanding the provisions hereof conferring authority upon and placing responsibility with the Chancellor for fund development and fund raising, it is understood that ex-students' associations of the System component institutions may engage in fund raising for their own support through dues and payments for memberships, both annual and life. However, it is expected that no such ex-students' association will sponsor or participate in any other organized fund-raising effort without first consulting and advising with the institutional head and the Chancellor, and then receiving the approval of the Board of Regents.

2.46 The component institution development boards shall make recommendations to the System Development Advisory Council regarding the appropriate recognition of donors.

2.5 Executive Office of a Component Institution Development Board:

2.51 Within the office of the institutional head there may be appointed by the institutional head, with the approval of the Chancellor, an executive director of the component institution development board. He is to be charged solely with fund-development activity, and subject to supervision, evaluation, and termination of employment by the institutional head.

2.52 The executive director of the component institution development board shall have such staff and such operating funds as shall be determined from time to time by budgets recommended by the institutional head, endorsed by the Chancellor, and adopted by the Board of Regents. Duties of staff members shall be established by the executive director.

2.6 Finances. -- Financial support of the component institution development board and the executive director shall be provided exclusively by the budget of the institution. Such budgets will be made through established budgetary procedures. The Board of Regents may accept gifts designated for use by the component institution development board and may make such funds available for expenditure by said board.

Sec 3 Foundations -- The following policies shall govern the creation and administration of foundations:

3.1 Internal Foundations:

3.11 The establishment of internal foundations shall be limited to teaching and research divisions of the component institutions of the System. This is not in any sense to be construed as

SEP 10 1977

- excluding nonteaching and nonresearch divisions from seeking support from private sources through the component institution development boards as the authorized agencies for correlating all fund-raising activities.
- 3.12 The establishment of foundations for other than component institutions, colleges, or schools shall be limited to divisions and departments with respect to which it can be clearly demonstrated that there exists, actually or potentially, the support of a strong business or professional group, the activities of which will not be in substantial conflict with the foundation which represents the school or college of which the division or department is a part. It is believed that divisions and departments which cannot meet these tests may effectively work as separate groups within the framework of the foundation which represents this school or college. The provisions now existing for the designation of special funds to be used for specific activities should continue within the framework of the various foundations. This opportunity to earmark funds obtained by specific groups should help to avoid stifling the interest and initiative of these groups.
- 3.13 Any foundation in addition to those now existing shall be authorized by the Board of Regents only after approval by the Chancellor.
- 3.14 The work of all internal foundations shall be considered a part of the work of the component institution development boards. It is the duty of the System Development Advisory Council and the component institution development boards to cooperate with such foundations at all times and to stimulate their efforts by counsel, by personal contacts and by providing promotional materials. Further, the foundations shall report periodically to the Chancellor through the component institution development boards. Every effort should be made to permit a free range of initiative within the foundations, but activities should be in conformity with policies of the Board of Regents so as to permit maximum overall achievements in fund raising throughout the System.
- 3.15 There should be periodic reviews of the activities of each foundation to determine its effectiveness; and, if it is unproductive over a reasonable length of time, provisions should be made for its dissolution.
- 3.16 There shall be established, wherever practical, advisory councils to the foundations. The executive director of each component institution development board shall be an ex-officio nonvoting member of each such advisory council.
- 3.17 The presently authorized internal foundations are:

<u>Foundation</u>	<u>Date Established</u>
<u>The University of Texas at Austin</u>	
John Charles Townes Foundation (School of Law)	1941
Pharmaceutical Foundation of the the College of Pharmacy	1949
Fine Arts Foundation of the College of Fine Arts	1950
Architectural Foundation of the School of Architecture	1952

SEP 16 1977

Genetics Foundation of the Zoology Department	1952
College of Business Administration Foundation	1953
The Psychological Research Foundation	1953
Geology Foundation	1953
Arts and Sciences Foundation	1955
Engineering Foundation	1955
College of Education Foundation *	1976
School of Social Work Foundation	1966
The Lyndon Baines Johnson School of Public Affairs Foundation, Inc. (Chartered)	1968
Communication Foundation of the School of Communication	1969
Graduate School of Library Science Foundation	1969
<u>University Cancer Foundation</u>	1951
<u>The University of Texas at Arlington Foundation</u>	1967
<u>The University of Texas Medical Branch at Galveston Foundation</u>	1967
<u>The University of Texas at El Paso Foundation</u>	1967
<u>The University of Texas Medical School at Houston</u>	
Houston Medical Foundation (Chartered)	1970
<u>The University of Texas System</u>	
Hogg Foundation for Mental Health	1940
The University of Texas System Foundation, Inc. (Chartered)	1967
The University of Texas Nursing School (System-wide) Foundation	1968

*Formerly Teacher Education Foundation - 1956

SEP 16 1977

3.2 External Foundations

- 3.21 No component institution or department or school of a component institution of the System may accept or receive gifts or bequests from any external foundation (whether or not an authorized external foundation) until such gifts or bequests have been accepted and approved by the Board of Regents.
- 3.22 Wherever such external foundations now exist, the Board of Regents shall establish a working relationship with the officials of that foundation and coordinate their activities in such a way as to assure their conformity with the general policies of the Board of Regents.
- 3.23 The only presently authorized external foundations are:

Foundation

Law School Foundation

Texas Chest Foundation

CHAPTER VIII

MISCELLANEOUS

- Sec. 1 Naming of Buildings and Other Facilities. -- Buildings and other facilities (including laboratories and clinics) of the System and its component institutions shall not be named in honor of any person until such person shall have been dead at least five years and a nomination accompanied by reasons shall have been received by the Board from the institutional faculty; provided, however, that the Board may act without receiving a nomination from the institutional faculty when unusual circumstances justify such action and particularly when a substantial donation has been made toward the construction of the building or facility to be named.
- Sec. 2 Flags at Half Mast. -- Flags at any of the component institutions of the System shall be placed at half mast on the death of a Regent, the death of a member of the teaching or nonteaching staff, the death of a student in residence at the institution, or at such other times as may be deemed appropriate by the institutional head.
- Sec. 3 Medical and Hospital Services. -- No medical or hospital services shall be provided by any component institution of the System to any person without compensation or reimbursement to the System, except that in the case of hospitals operated by the System, which under the law are open to the general public, free or partly free medical and hospital services may be rendered to persons who are indigent and who are able to offer proof that they are not financially able to pay either all or any part of their hospital or medical expense.
- Sec. 4 Institutions and Entities Composing the System. -- The System is composed of the component institutions and entities set forth below in paragraphs 4.1 et. seq.; and such other component institutions and activities as may from time to time be assigned to the governance, control, jurisdiction, or management of the

SEP 16 1977

Board of the System. To insure uniformity and consistence of usage throughout the System, the component institutions and their respective entities shall be listed in the following order and the following titles shall be used:

	<u>Full Title</u>	<u>Short Title</u>
4.1	The University of Texas System Board of Regents, including	Board of Regents
	The University of Texas Permanent University Fund	Permanent University Fund
4.2	The University of Texas System Administration	System Administration
4.3	The University of Texas at Arlington	U. T. Arlington
4.31	The University of Texas at Arlington School of Architecture and Environmental Design	
4.32	The University of Texas at Arlington College of Business	
4.33	The University of Texas at Arlington College of Engineering	
4.34	The University of Texas at Arlington College of Liberal Arts	
4.35	The University of Texas at Arlington School of Nursing	
4.36	The University of Texas at Arlington College of Science	
4.37	The University of Texas at Arlington School of Social Work	
4.38	The University of Texas at Arlington Graduate School	
4.39	The University of Texas at Arlington Institute of Urban Studies	Institute of Urban Studies
4.4	The University of Texas at Austin	U. T. Austin
4.41	The University of Texas at Austin School of Architecture	
4.42	The University of Texas at Austin College of Humanities	
4.43	The University of Texas at Austin College of Social and Behavioral Sciences	
4.44	The University of Texas at Austin College of Natural Sciences	
4.45	The University of Texas at Austin Division of General and Comparative Studies	
4.46	The University of Texas at Austin College of Business Administration	
4.47	The University of Texas at Austin School of Communication	
4.48	The University of Texas at Austin College of Education	
4.49	The University of Texas at Austin College of Fine Arts	

SEP 16 1977

- 4.4(10) The University of Texas at Austin
School of Law
- 4.4(11) The University of Texas at Austin
Graduate School of Library
Science
- 4.4(12) The University of Texas at Austin
School of Nursing
- 4.4(13) The University of Texas at Austin
College of Pharmacy
- 4.4(14) The University of Texas at Austin
School of Social Work
- 4.4(15) The University of Texas at Austin
Graduate School
- 4.4(16) The University of Texas at Austin
Marine Science Institute
- 4.4(17) The University of Texas at Austin
McDonald Observatory at
Mount Locke
- 4.5 The University of Texas at Dallas
- 4.51 The University of Texas at Dallas
School of Arts and Humanities
- 4.52 The University of Texas at Dallas
School of General Studies
- 4.53 The University of Texas at Dallas
School of Human Development
- 4.54 The University of Texas at Dallas
School of Management and
Administration
- 4.55 The University of Texas at Dallas
School of Natural Sciences and
Mathematics
- 4.56 The University of Texas at Dallas
School of Social Sciences
- 4.6 The University of Texas at El Paso
- 4.61 The University of Texas at El Paso
College of Business Administration
- 4.62 The University of Texas at El Paso
College of Education
- 4.63 The University of Texas at El Paso
College of Engineering
- 4.64 The University of Texas at El Paso
College of Liberal Arts
- 4.65 The University of Texas at El Paso
College of Nursing
- 4.66 The University of Texas at El Paso
College of Science
- 4.67 The University of Texas at El Paso
Graduate School
- 4.7 The University of Texas of the Permian
Basin
- 4.71 The University of Texas of the
Permian Basin College of
Arts and Education
- Marine Science
Institute
McDonald Observatory
- U. T. Dallas
- U. T. El Paso
- U. T. Permian Basin

SEP 16 1977

- 4.72 The University of Texas of the Permian Basin College of Management
- 4.73 The University of Texas of the Permian Basin College of Science and Engineering
- 4.8 The University of Texas at San Antonio U. T. San Antonio
- 4.81 The University of Texas at San Antonio College of Business
- 4.82 The University of Texas at San Antonio College of Fine and Applied Arts
- 4.83 The University of Texas at San Antonio College of Humanities and Social Sciences
- 4.84 The University of Texas at San Antonio College of Multidisciplinary Studies
- 4.85 The University of Texas at San Antonio College of Sciences and Mathematics
- 4.86 The University of Texas at San Antonio Institute of Texan Cultures Texan Cultures Institute
- 4.9 The University of Texas Health Science Center at Dallas Dallas Health Science Center
- 4.91 The University of Texas Southwestern Medical School at Dallas Dallas Southwestern Medical School
- 4.92 The University of Texas Graduate School of Biomedical Sciences at Dallas Dallas G.S.B.S.
- 4.93 The University of Texas School of Allied Health Sciences at Dallas Dallas Allied Health Sciences School
- 4.(10) The University of Texas Medical Branch at Galveston Galveston Medical Branch
- 4.(10)1 The University of Texas Medical School at Galveston Galveston Medical School
- 4.(10)2 The University of Texas Graduate School of Biomedical Sciences at Galveston Galveston G.S.B.S.
- 4.(10)3 The University of Texas School of Allied Health Sciences at Galveston Galveston Allied Health Sciences School
- 4.(10)4 The University of Texas Marine Biomedical Institute at Galveston Marine Biomedical Institute
- 4.(10)5 The University of Texas Hospitals at Galveston Galveston Hospitals
- 4.(10)6 The University of Texas School of Nursing at Galveston
- 4.(11) The University of Texas Health Science Center at Houston Houston Health Science Center
- 4.(11)1 The University of Texas Medical School at Houston Houston Medical School
- 4.(11)2 The University of Texas Dental Branch at Houston Houston Dental School

SEP 10 1977

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|---------|--|---|
| 4.(11)3 | The University of Texas Graduate School of Biomedical Sciences at Houston | Houston G. S. B. S. |
| 4.(11)4 | The University of Texas School of Allied Health Sciences at Houston | Houston Allied Health Sciences School |
| 4.(11)5 | The University of Texas School of Public Health at Houston | Public Health School |
| 4.(11)6 | The University of Texas Speech and Hearing Institute at Houston | Speech and Hearing Institute |
| 4.(11)7 | The University of Texas School of Nursing at Houston | |
| 4.(12) | The University of Texas Health Science Center at San Antonio | San Antonio Health Science Center |
| 4.(12)1 | The University of Texas Medical School at San Antonio | San Antonio Medical School |
| 4.(12)2 | The University of Texas Dental School at San Antonio | San Antonio Dental School |
| 4.(12)3 | The University of Texas Graduate School of Biomedical Sciences at San Antonio | San Antonio G. S. B. S. |
| 4.(12)4 | The University of Texas School of Allied Health Sciences at San Antonio | San Antonio Allied Health Sciences School |
| 4.(12)5 | The University of Texas School of Nursing at San Antonio | |
| 4.(13) | The University of Texas System Cancer Center | University Cancer Center |
| 4.(13)1 | The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston | M. D. Anderson |
| 4.(13)2 | The University of Texas Environmental Science Park at Smithville | Environmental Science Park |
| 4.(14) | The University of Texas Health Center at Tyler | Tyler Health Center |

CHAPTER IX

ENACTMENT AND AMENDMENT

Sec. 1 Repeal of Existing Rules in Conflict Herewith.

- 1.1 All rules, regulations, orders, and resolutions heretofore enacted by the Board which are in conflict with these Regents' Rules and Regulations are hereby repealed.

Sec. 2 Format for Rules.

- 2.1 The Regents' Rules and Regulations for the government of the System apply to and govern the Board and all employees and agencies directly under its control, the Chancellor, the President of the System, the System Administration of The University of Texas System, and the component institutions comprising The University of Texas System.

SEP 16 1977

- 2.2 These Regents' Rules and Regulations are organized in two parts. Part One shall, in general, contain all rules and regulations other than those of a fiscal nature. Part Two shall consist of the fiscal rules and regulations of the Board.
- Sec. 3 Official Copies.
- 3.1 The official copies of the Regents' Rules and Regulations and the Handbook of Operating Procedures for each component institution of the System shall be maintained on file in the Office of the Board.
- 3.2 Copies of these Regents' Rules and Regulations and of the Handbooks of Operating Procedures shall be furnished to members of the Board and such other persons and offices as the Board shall designate.
- Sec. 4 Amendment of Rules and Regulations. --The rules and regulations contained herein may be added to or amended by a majority of all of the members of the Board at any regular meeting or at any special meeting called for that purpose.
- Sec. 5 Distribution of Amendments. --After any change in these Regents' Rules and Regulations, the Secretary to the Board shall conform the Official Copies and shall send corrected pages containing such changes for substitution in copies in the possession of members of the Board, administrative officers, or others on an official list in the Office of the Secretary to the Board.
- Sec. 6 Endowment of Academic Positions.
- 6.1 No endowment will be established or announced and no appointment made to an endowed academic position without prior approval by the Board.
- 6.2 No negotiations or commitments implying the establishment of the endowment of an academic position will be undertaken by any faculty member or officer of the component institution until the proposal has been formally approved by the chief administrative officer.
- 6.3 Recommendations to the Board concerning acceptance of gifts for endowment of academic positions will be made through the President of the System in the dockets of the several institutions or System Administration or in special reports by the President of the System to the Board. Before the final action of the Board, such recommendations will be referred to the Land and Investment Committee as to fiscal arrangements and to the Academic and Developmental Affairs Committee as to policy.
- 6.4 The four categories of endowed and named academic positions are: Chairs, Professorships, Visiting Professorships, and Lectureships, and requirements for same are:
- 6.41 Endowed Chairs. The endowed chair will be established with a minimum of \$500,000 or the equivalent in annual contributions arranged according to agreements recommended by the President of the System and approved by the Board. Grants of \$400,000 already under contractual agreement for the future, bequests included in wills made prior to January 25, 1975 and other prior bona fide arrangements for \$400,000 endowment of chairs are excepted in this regulation. The component institution will pay from its funds such amounts as are necessary to set the salary of the occupant at a level

commensurate with his or her record, experience, and position in the faculty. The endowment will be used both for salary supplementation and for other professional support of the holder of the chair, including assistance in his research.

- 6.42 **Endowed Professorships.** The endowed professorship will be established with a minimum of \$100,000 or the equivalent in annual contributions arranged according to agreements recommended by the President of the System and approved by the Board. Income from endowment will be used chiefly to supplement the salary of the occupant of the professorship but will be available for other professional support, including assistance in his research.
- 6.43 **Visiting Professorships.** The endowment of the visiting professorship specifies that such positions must be funded with a minimum endowment of \$50,000. Such appointments will be given to distinguished scholars who are in temporary residence at the component while participating in planned academic programs.
- 6.44 **Endowed Lectureships.** The endowed lectureship will be established with a minimum of \$20,000 and within a range of \$20,000 and \$100,000, with the provision that all such lectureships for which bona fide arrangements are in negotiation are excluded from this regulation. The lectureship will be considered a temporary appointment, usually given to a visiting scholar during temporary residence at the institution where the lectureship is established. Other emoluments for such visiting lectureships may be provided the visiting scholar through regular budgetary procedures, but no visiting lecturer will be remunerated from two or more lectureship endowments.

Sec. 7 **Acceptance of Small Gifts.** -- The Board welcomes contributions, both large and small, in aid of the educational purposes of its various component institutions. Because of the high, and mounting, costs involved in the continued maintenance and servicing of individual accounts, practicality requires the establishment of policies with respect to the acceptance of gifts made for the establishment of permanent endowment funds. Accordingly, the following guidelines are hereby adopted with respect to the establishment hereafter of permanent endowment funds:

- 7.1 No gift of less than \$10,000 will be accepted as a separate permanent endowment.
- 7.2 Any limitation shall not be applied to gifts already received, but all gifts accepted after October 20, 1972, are subject to the ensuing provisions:
- 7.21 Should the Board determine at any time that the fund is not of sufficient size, and has no foreseeable prospects of growing to sufficient size to justify the continuing costs of maintenance of such fund as a separate fund, then in the Board's discretion the principal of such fund may be expended for or otherwise devoted to the accomplishment, as near as may be possible, of the purposes for which the fund was established.
- 7.22 A permanent register of Memorial Gifts shall be maintained at each component institution to record gifts, or where the gift or donation is not specifically directed to a component, the register shall be maintained by System Administration.

SEP 16 1977

159

RULES AND REGULATIONS
OF THE
BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM
FOR THE GOVERNMENT OF
THE UNIVERSITY OF TEXAS SYSTEM

PART TWO

Adopted by the Board of Regents on September 16, 1977

Explanatory Statement - Part Two

Part Two consists of rules and regulations which are fiscal in nature. These may be deleted or amended by the Board of Regents without the necessity for prior notice or action.

SEP 16 1977

TABLE OF CONTENTS

<u>Chapter</u>		<u>Page</u>
I.	General	
1.	Gifts to the System	I-1
2.	Fellowships, Scholarships, and Loan Funds	I-2
3.	Tuition and Other Fees	I-2
4.	Fiscal Year	I-2
5.	Policy Against Discrimination	I-3
6.	General Admission Policy	I-3
7.	Admission of Nonresident Students	I-4
8.	Official Seal, Colors, Flag, and Mascot	I-4
9.	Appropriation Act Riders	I-5
II.	Accounting, Auditing, Reporting, and Budgetary Control	
1.	Types of Funds	II-1
1.1	Current Funds	II-1
1.2	Loan Funds	II-2
1.3	Endowment and Similar Funds	II-2
1.4	Annuity and Life Income Funds	II-2
1.5	Plant Funds	II-2
1.6	Agency Funds	II-3
2.	Accounting	II-3
3.	Auditing	II-4
4.	Reporting	II-4
5.	Operating Budgets	II-5
6.	Legislative Budget Requests	II-6
III.	Receipt, Custody, and Disbursement of Moneys; Absence from Usual and Regular Duties Including Travel	
1.	Receipts, Admission Tickets, and Charges	III-1
2.	Deposits with Institutional Business Office	III-2
3.	Deposits with the State Treasurer	III-2
4.	Local Institutional Funds	III-3
5.	Vouchers for Expenditures	III-4
6.	Cash Discounts	III-4
7.	Outstanding Checks	III-4
8.	Institutional Membership Dues	III-4
9.	Payrolls	III-5
10.	Absence from Usual and Regular Duties, Authorization for Absence, Including Travel, and Travel Expense Reimbursement	III-5
11.	Insurance on Money and Securities; Fidelity Bonds	III-10
IV.	Purchasing	
1.	Authority to Obligate Institutional Funds	IV-1
2.	Purchasing Ethics	IV-1
3.	Contacts with the State Board of Control	IV-2
4.	Purchases of Supplies and Equipment	IV-2
5.	Purchasing Procedures	IV-2
6.	Space Leases	IV-2
7.	Purchases from Employees	IV-3
V.	Personnel	
1.	Classified Personnel	V-1
2.	General Personnel	V-4

	2.1	Leave for Military Duty	V-4
	2.2	Maternity Leave	V-4
	2.3	Overtime	V-5
	2.4	Patent Policy	V-5
3.		Certain Provisions in Current Appropriation Act	V-11
	3.1	Use of Alcoholic Beverages	V-11
	3.2	Advocating Overthrow of the Government	V-11
4.		Employee Training, Education, and Development	V-18
5.		Other Regulations Concerning Personnel	V-18
VI.		Staff Benefits	
	1.	Teacher Retirement System	VI-1
	2.	Optional Retirement Program	VI-4
	3.	Tax Deferred Annuities	VI-6
	4.	Group Hospitalization and Medical Benefit Plan	VI-6
	5.	Group Term Life Insurance	VI-7
	6.	Supplemental Cash Value Paid-Up at Age 65 Life Insurance Plan	VI-8
	7.	Group Long Term Disability Income Insurance	VI-10
	8.	Group Accident Insurance	VI-12
	9.	Workers' Compensation Insurance	VI-13
	10.	Unemployment Compensation Program	VI-15
	11.	Social Security (Old Age and Survivors Insurance)	VI-19
	12.	Deferred Compensation Plan	VI-19
	13.	Premium Sharing	VI-20
	14.	U. S. Savings Bonds	VI-20
VII.		Physical Properties	
	1.	General Statement	VII-1
	2.	Inventories	VII-1
	3.	Motor Vehicles	VII-1
	4.	Insurance on Property of the System	VII-2
	5.	Safe and Vault Combinations	VII-2
	6.	Police and Security Officers	VII-3
	7.	Telephones	VII-3
	8.	Disposal of Property of the System	VII-3
	9.	Transfer of Property	VII-4
VIII.		Physical Plant Improvements	
	1.	New Construction Exceeding \$5,000 Per Project	VIII-1
	2.	New Construction Less Than \$5,000 Per Project	VIII-3
	3.	Minor Repairs, Remodeling and Improvements other than Buildings	VIII-3
	4.	Major Repairs, Remodeling and Improvements other than Buildings	VIII-3
	5.	Professional Services	VIII-4
	6.	Constitutional and Legislative Restrictions	VIII-4
	7.	Modification of Bids	VIII-4
	8.	Institutional Building Advisory Committees	VIII-5
IX.		Matters Relating to the Office of Investments, Trusts and Lands	
	1.	Authorizations re Sales, Assignments, Conveyances, Receipt of Property and Proxies	IX-1
	2.	Investment Policy for PUF	IX-2
	3.	Investment Policy for Trust and Special Funds	IX-7
	4.	Investment Policy for Common Trust Fund	IX-7
	5.	Staff Investment Committee	IX-7
	6.	Investment Advisory Committee	IX-7
	7.	Investment Transactions	IX-8

SEP 16 1977

Auxiliary Enterprises		
1.	Definition	X-1
2.	Annual Budgets	X-1
3.	Intercollegiate Athletic Departments	X-1
4.	Dormitories and Housing Facilities--Rentals, Related Policies and Rates	X-1
5.	Rules and Regulations for Administration of Dormitories...	X-1
6.	Meals and Lodging for Employees	X-1
7.	Statutory Provisions Currently in Effect	X-2
8.	Student Publications (U. T. Austin).....	X-2
9.	The Texas Union (U. T. Austin)	X-8
10.	Athletics Council (U. T. Austin)	X-11
11.	Employment of a Students' Attorney	X-12
XI.	Contracts and Grants for Research, Training, and Educational Services, Including Institutional Support Grants	XI-1

CHAPTER I

GENERAL

Sec. 1 Gifts to The University of Texas System.

- 1.1 The authority to accept gifts to the System or to any of the component institutions is vested in the Board.
- 1.2 Recommendations for the acceptance of gifts showing details as to value, form, stipulations regarding use, and provisions for custody and disbursement of funds shall be transmitted by the chief administrative officer to the President of the System and by him, with recommendations, to the Board.
- 1.3 The authority to accept gifts to a component institution is delegated to the chief administrative officer when the gift is to a fund, foundation, or enterprise already approved by the Board or is a continuation of a series which has been previously approved by the Board. Each chief administrative officer is empowered to accept cash gifts to a component institution of the System of \$5,000 or less, within the policies of the Board and Legislature governing the acceptability of gifts, and to deposit such gifts to the appropriate accounts. All gifts (except those described in subsection 1.4 below) shall be reported by the dockets of each component institution as prescribed by the Board.
- 1.4 A quarterly report of such gifts of \$5000 or less showing name and address of donor, amount, purpose, and date of the gift shall be filed with the Board within thirty (30) days after August 31, November 30, February 28, and May 31 of each year. Such reports will summarize gifts of \$500 or less showing only total dollars and number of gifts.
- 1.5 Except as provided in the preceding sections, no member of the staff of any institution has the authority to accept gifts of money to the System or to any of its component institutions. Gifts to the component institutions of books or other objects of very small value and very obvious propriety, without conditions attached, may be accepted by individual members of the staffs provided these gifts are reported to the Board.

1.6 Neither the System nor any of its component institutions will accept a gift for the benefit of any designated student unless the donor is exempt from Federal Income Taxes as defined by the Commissioner of Internal Revenue.

1.7 The acceptance of gifts of real property is prohibited without prior express approval of the Legislature except for establishing scholarships, professorships, or other trusts for educational purposes, provided that such property will not thereafter require legislative appropriations for operation, maintenance, repair, or construction of buildings. (Current Appropriation Bill)

Sec. 2 Fellowships, Scholarships, and Loan Funds.

2.1 After gifts for fellowships, scholarships, and loan funds have been accepted by the Board, as indicated previously, they are administered jointly by designated committees and the business office of each component institution.

2.2 In the case of scholarships and fellowships, the appropriate committee, or designated individual, receives applications, makes the necessary inquiries, and determines the award. The committee advises the institutional head of the award and he, in turn, approves and forwards the notice of award to the business office. Payments on scholarships and fellowships are made through the business office of the component institution.

2.3 In the case of loan funds, the appropriate committee or designated person receives applications for loans, makes the necessary inquiries, and approves or declines the original loan as well as all renewals and extensions. The chairman notifies the business office of the granting of loans, and all records including notes, cash, accounts and collections are thereafter handled by that office. The principal of loan funds is kept intact insofar as possible. The chairman of the awarding committee may be requested by the business office to assist in collection of past due interest or principal.

Sec. 3 Tuition and Other Fees. -- Tuition fees and other charges will be fixed as prescribed or as authorized by statute, and will be set out in the institutional catalogue.

Sec. 4 Fiscal Year. -- The fiscal year of the System shall be September 1 through August 31.

Sec. 5 Policy Against Discrimination. -- No person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under, any program or activity sponsored or conducted by the System or any of its component institutions, on any basis prohibited by applicable law, including, but not limited to, race, color, national origin, religion, sex, or handicap.

Sec. 6 General Admission Policy.

6.1 The System will make maximum use of its resources, subject to the limited enrollment policy of the Board, to admit and educate as many qualified students as possible, consistent with accreditation standards and consistent with maintaining a high quality of education. Neither the faculty nor students of any component institution will solicit or recruit for admission to that institution any person who cannot meet the usual academic requirements for admission to that institution.

Other than for the exceptions set forth in the General Appropriation Act, no funds appropriated by the Legislature, including local institutional funds, may be expended for the recruitment of students, whether qualified or unqualified. However, this provision does not prohibit the distribution of informational literature about an institution or a particular program in appropriate schools or among economic or social groups which might have a special interest in a particular institution or educational program. Such information might focus upon, but need not be limited to, programs for which there is a state-wide need for graduates. Nor does it prohibit visits by students, faculty members, or administrators, upon request, with groups of high school or college students or other groups interested in information on higher education, a particular institution, or particular programs when such visits are supported by funds from gifts and bequests.

6.2 All Texas resident applicants to medical schools within the System shall be notified of their eligibility to apply to the State Rural Medical Education Board for financial assistance pursuant to Article 4498 (c), Vernon's Civil Statutes. Article 4498 (c) authorizes the Rules Medical Education Board to make loans, grants or scholarships to medical students who are contractually obligated to practice medicine in rural areas of the State. The notification will also inform applicants that they may seek financial assistance from the State Rural Medical Education Board at any time during medical school should they subsequently determine that they desire to enter the practice of medicine in a rural area. The fact that an applicant has contracted for a loan, grant or scholarship from the State Rural Medical Education Board will be considered by the admissions committee in the overall consideration of the applicant.

Sec. 7 Admission of Nonresident Students. --No nonresident of the State of Texas shall be enrolled as a new or transfer student in any school, college, or degree-granting program at any component institution of the System when all of the three following conditions occur: (1) when there is a limitation on the number of students that will be enrolled in the class of which such nonresident would be a member if he were enrolled; (2) when the result of enrolling such nonresident would be to increase to greater than 10% the percentage of nonresidents enrolled in the class of which such nonresident would be a member if he were enrolled; and (3) when at the time of the proposed enrollment of such nonresident, admission to the school, college, or degree-granting program is being denied to one or more Texas residents who have applied for admission and who reasonably demonstrate that they are probably capable of doing the quality of work that is necessary to obtain the usual degree awarded by the school, college, or degree-granting program.

Sec. 8 Official Seal, Colors, Flag, and Mascot.

8.1 The official seal of the System shall be the seal held in the custody of the Secretary to the Board on which shall be inscribed "Seal of The University of Texas." The official seal of each component institution shall consist of the System seal with such heraldic variations as may be approved by the Board upon recommendation of the head of the component institution and System Administration. This official seal shall be used for the purpose of certifying diplomas, official transcripts for students and for such other official purposes as may be approved by the Board, by System Administration, or by the chief administrative officer of a component institution. Provided, however, that if any component institution has previously adopted and presently uses an institutional seal, such component institution may continue to use such

SEP 16 1977

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

8.2 The official colors for the System shall be orange and white; provided, however, that a component institution may adopt other colors to be used only in connection with athletic activities of the institution when approved by the Board upon recommendation of the chief administrative officer of the component institution and System Administration.

8.3 The Texas State Flag shall be designated as the official flag of the System, and the official flag of each component institution shall be the Texas State Flag with a streamer with the official name of the component institution in white letters on an orange field. No component institution shall have or display as its official flag or as a flag representative or symbolic of the institution any other flag.

8.4 Each component institution may adopt a theme and a mascot to be used in connection with athletic activities, provided same is approved by the Board upon recommendation of the chief administrative officer of the component institution and System Administration.

Sec. 9 Appropriation Act Riders. -- The System will comply with the provisions of the current General Appropriation Act insofar as applicable.

CHAPTER II

ACCOUNTING, AUDITING, REPORTING, AND BUDGETARY CONTROL

Sec. 1 Types of Funds.

1.1 Current Funds.

1.11 General. -- General Funds are those unrestricted operating funds which are available for any purpose. Such funds are expended in accordance with the budgets and appropriations approved by the Board. General Funds balances shall not be reappropriated from one fiscal year to another unless specific approval is given by the President of the System and the Board.

1.12 Auxiliary Enterprises. -- Auxiliary Enterprises Funds are those funds set aside for operating entities which exist to furnish specified services to students, faculty, or staff, and which charge fees that are directly related to the cost of the service.

1.13 Designated. -- Designated Current Funds are those funds designated for special activities by the System. The income and expenditures are ordinarily related to a particular department. Expenditures follow the same programs as are found in the General and Restricted Current Funds. Such funds are subject to the same budgetary restrictions as General Funds although balances are automatically reappropriated at the end of each fiscal year.

- 1.14 Restricted.--Restricted Current Funds are those received from federal and local governments, state agencies, individuals, foundations, corporations, etc., or income derived from endowments, to be used only for a particular purpose or project, specified by the donor, such as research, conferences, scholarships, fellowships, etc. The period of use is usually designated in the agreement approved by the Board. The accounting for the funds will be on the accrual basis; however, in financial reporting, the amounts reported as revenues are limited to the expenditures. Unless otherwise specified, balances are automatically reappropriated at the end of each fiscal year.
- 1.2. Loan Funds.--Those funds that have been set aside for loans to be granted to students, faculty, or staff, including interest earned thereon.
- 1.3 Endowment and Similar Funds.
- 1.31 Endowment Funds.--Those funds that donors have stipulated, as a condition of gift, that the principal is to be maintained inviolate in perpetuity, or in the case of "term" endowments to be maintained inviolate for a specified term. All endowment funds are administered by the Office of Investments, Trusts and Lands of System Administration as provided in Part Two, Chapter IX of these Rules and Regulations.
- 1.32 Quasi-endowment Funds.--Funds functioning as endowment as a result of determination by the Board that they are to be retained and invested. All quasi-endowment funds are administered by the Office of Investments, Trusts and Lands of System Administration as provided in Part Two, Chapter IX of these Rules and Regulations.
- 1.4 Annuity and Life Income Funds.--Those funds acquired by the System subject to annuity contracts, living trust agreements, or gifts and bequests reserving life income to one or more beneficiaries. Such funds shall be administered by the Office of Investments, Trusts and Lands of System Administration.
- 1.5 Plant Funds.
- 1.51 Unexpended Plant Funds.--Funds specified by the Board or by external sources for the acquisition, construction, or improvement of physical properties to be used for institutional purposes.
- 1.52 Renewals and Replacement Funds.--Funds specified by the Board or by external sources to be used for the renewal and replacement of plant fund assets. A regular source for such funds shall be the portion of indirect cost allowances represented by use charges on buildings, other improvements and equipment allocated to sponsored programs. (See also Part Two, Chapter XI, Section 7).
- 1.53 Retirement of Indebtedness Funds.--Funds specified by the Board or by external sources to be set aside to meet debt service charges and the retirement of indebtedness on institutional plant assets. All such funds shall be administered by the Office of Investments, Trusts and Lands of System Administration.

1.54 Investment in Plant Funds. --Funds invested in physical properties to be used for institutional purposes.

1.6 Agency Funds. --Those funds received and held by the System as custodian or fiscal agent for others. Agency funds shall be expended in accordance with the limitations of the agency agreement.

Sec. 2 Accounting.

2.1 The financial records of the System shall be kept as nearly as practicable in accordance with the recommendations set forth in "College and University Business Administration, Third Edition," (1974) published by the National Association of College and University Business Officers. Where those recommendations conflict with statutes or with regulations of the Coordinating Board, Texas College and University System, the latter shall be controlling.

2.2 All accounting records and procedures shall be subject to the approval of the chief business officer and the President of the System, or his delegate.

2.3 The business office of each component institution shall be the central office for accounting control for all financial transactions of the institutions. The chief business officer shall confer with departmental and administrative officials and instruct them concerning the records of financial transactions to be kept by the departments, as indicated in the next subsection.

2.4 Each person directly responsible for a department or other administrative unit (hereinafter called "department head") shall keep an account of funds and property for which he is responsible, as detailed as necessary to supplement the business office records.

2.5 All expenditures must be in accordance with the approved institutional operating budget.

2.6 Statements of department or other administrative unit accounts shall be prepared monthly by the business office and shall be sent periodically to the department heads who will compare their records with those of the business office and report any differences promptly to the business office.

2.7 A person in each department or other administrative unit may be designated by the department head, with the approval of the chief business officer, to sign vouchers, requisitions, etc., in the absence of the department head. These designations shall expire upon receipt of notification by the accounting office in writing from the department head or upon termination or transfer of the designee from the department.

Sec. 3 Auditing.

3.1 The chief business officer is initially responsible for the preaudit of all business transactions as a part of the regular accounting procedures of the business office and consistent with the system of internal control.

SEP 16 1977

- 3.2 Postauditing shall be regularly performed with formalized audit programs developed by the chief business officer and the System Comptroller. Each institution is expected to maintain an internal audit staff to perform the basic postaudit functions and to augment the work of the System Comptroller's staff and the State Auditor, unless otherwise exempt from this requirement by the President of the System.
- 3.3 The audit staff of the System Comptroller shall review and/or conduct postaudits of business activities at the component institutions. Such audits shall be conducted in accordance with accepted auditing standards, including necessary tests of the records. Written reports will be prepared for all such audits, calling attention to transactions which may not be in accord with legal requirements, System and institutional accounting principles, policies and regulations. The audit staff shall recommend corrective measures and procedures when appropriate.
- 3.4 The audit staff of the System Comptroller, in addition to the above duties, shall review the internal audit programs of the component institutions, and shall conduct procedural studies and make recommendations for effective, and insofar as practical, uniform systems of accounting and reporting for all component institutions of the System.
- 3.5 The State Auditor, under State law, is responsible for the external audit of the books of the System.

Sec. 4 Reporting.

- 4.1 All financial reports shall be prepared in accordance with the provisions of the statutes, official directives of the Coordinating Board, Texas College and University System, and directives of the Board, and in conformity with the manual, "College and University Business Administration, Third Edition," (1974) referred to above. The reports shall be prepared by the chief business officer and approved by the System Comptroller.
- 4.2 Two reports, both of which shall be prepared under the direction of the chief business officer and the System Comptroller, shall be prepared annually:
- 4.21 Annual Financial Report. --As required by law, printed financial reports, in the format recommended in "College and University Business Administration, Third Edition," (1974), or its successor publication, shall be filed with the Coordinating Board, Texas College and University System, and other State offices as specified by law.
- 4.22 Salary Payment Report. --On or before December 31, each year, an itemized report in format prescribed by System Administration shall be prepared of salaries and wages paid all employees for services during the preceding fiscal year out of any funds from any source or character under the control and/or custody of the Board, listing for each employee the total amount paid from each source during the twelve months of the fiscal year, the title of the position held or kind of service rendered. Copies of this report shall be furnished the Secretary to the Board, the System Budget Director, and the System Comptroller.
- 4.3 Monthly financial reports, in the form prescribed by the System Comptroller, shall be prepared by each institutional chief business officer

and distributed to the chief administrative officer, the Secretary to the Board, the System Budget Director, and the System Comptroller.

Sec. 5 Operating Budgets.

- 5.1 Operating Budgets for all the component institutions shall be approved annually by the Board within the budget estimates of income prepared by the chief business officer and the chief administrative officer and approved by the President of the System.
- 5.2 General policies for the budget preparation shall be recommended by the President of the System to the Board and shall be followed in preparing the budgets. Instructions for details of budget preparation shall be furnished to the chief administrative officers by System Administration.
- 5.3 The institutional chief administrative officer shall issue local instructions and shall furnish forms to the budget-recommending officials. Their recommendations for salaries, maintenance and operation, equipment, travel, and other pertinent items shall be reviewed by the chief administrative officer. The budget as finally recommended by the chief administrative officer shall be forwarded to the President of the System for further review and recommendation to the Board.
- 5.4 Rules and procedures for budget administration shall be prepared by System Administration, approved by the Board, and shall be included in the completed budgets.
- 5.5 A copy of each budget, and any subsequent amendment thereto, shall be filed by the Secretary to the Board with the Legislative Reference Library to be available for public inspection, and also with such other State offices as required by law.

Sec. 6 Legislative Budget Requests.

- 6.1 Legislative budget requests, biennial or otherwise, as may be required shall be submitted to the Coordinating Board, Texas College and University System, to the Legislative Budget Board, and to the Executive Budget Office in the form and at the time prescribed.
- 6.2 These legislative budget requests shall be prepared in conformity with the same general procedures, as outlined above in Section 5, for the annual budgets in the following sequence:
 - 6.21 Approval of budget request writing policies by the Board upon recommendation of the President of the System.
 - 6.22 Preparation of a recommended budget request of expenditures by the chief administrative officer in conformity with these policies.
 - 6.23 Approval of the completed budget request by the President of the System and the Board.

CHAPTER III

RECEIPT, CUSTODY, AND DISBURSEMENT OF MONEYS; ABSENCE FROM USUAL AND REGULAR DUTIES INCLUDING TRAVEL

Sec. 1. Receipts, Admission Tickets, and Charges.

- 1.1 No department, division, or individual staff member is authorized to receive money in the name of a component institution of the System

SEP 16 1977

unless authorized by the chief business officer and chief administrative officer.

- 1.2 An official receipt in the form prescribed by the chief business officer shall be issued to payors for all moneys received unless the chief business officer has specifically authorized exceptions for certain types of collections.
- 1.3 All moneys received shall be recorded and handled under appropriate internal accounting controls.
- 1.4 Admission tickets, including complimentary tickets, shall have the price of admission indicated thereon, and all such tickets shall be prenumbered, except for certain events where the section, row, and seat number are shown. Admission tickets and coupon books shall be purchased for delivery to the institutional business office and issued to the department concerned. Unused tickets or books shall be returned along with a prescribed ticket report to the business office within 30 days from the date of the event, and a list showing the names of all persons receiving complimentary tickets shall be a part of the prescribed ticket report.
- 1.5 All unpaid (including complimentary, free, or discounted) charges for sales or service of auxiliary enterprises, organized activities, or service departments or similar activities shall be reported to and recorded by the chief business officer or his delegate under appropriate internal accounting controls. A list or other documentation showing the authorization and names of all persons receiving complimentary, free, or discounted goods or services and the values thereof shall be furnished the business office within 30 days from the date such goods were issued or such services were rendered by any auxiliary enterprise, organized activity, or service department or similar activity.

Sec. 2. Deposits with Institutional Business Office.

- 2.1 Money received by all departments from all sources shall be deposited, using an official form, in the institutional business office, unless depositing directly to a special bank account has been specifically authorized by the System Comptroller. The deposits shall be daily if the receipts are \$50 or more, and weekly even if the accumulation is less than \$50. Except for mail deposits authorized under subsections 2.11 and 2.12, the deposit shall be made in person by a departmental representative to whom an official receipt is issued.
 - 2.11 Mail deposits by on campus departments are authorized if the amount of each deposit is less than \$100 and does not contain cash (currency).
 - 2.12 Mail deposits by off campus activities are authorized if such deposit does not contain cash (currency).
- 2.2 Departments or activities mailing deposits shall maintain adequate record of such deposits, including detailed description of negotiable instruments.
- 2.3 Cash overages or shortages shall be reported to the business office with each deposit. Cash overages shall be deposited in the business office.

2.4 Petty cash funds shall be provided only on approval of, and by arrangement of, the department with the chief business officer. Special petty cash fund bank accounts may be established only with the approval of the System Comptroller.

Sec. 3. Deposits with the State Treasurer.

- 3.1 The statutes and the current appropriation act require that all cash receipts of the general academic teaching institutions be deposited in the State Treasury with the exception of those from auxiliary enterprises, noninstructional services, matriculation fees collected in lieu of student activity fees, agency and restricted funds, endowment funds, student loan funds, and Constitutional College Building Amendment Funds.
- 3.2 Institutional receipts required to be deposited in the State Treasury shall be so deposited in the manner prescribed in the statutes and the current appropriation act.
- 3.3 Component institutions of the System are authorized by the current appropriation act to establish Revolving Funds under certain prescribed procedures to facilitate the payment of nominal expenses and to pay bills within cash discount periods, as well as for regular monthly payrolls, weekly, and special payrolls. Such Revolving Funds are authorized, subject to approval of the System Comptroller.

Sec. 4. Local Institutional Funds.

- 4.1 All local income not required to be deposited in the State Treasury, must by law be deposited in official depository banks for safekeeping.
 - 4.11 Depository agreements with official depository banks shall be negotiated, as necessary, by the System Comptroller with those banks approved by the Board and in accordance with the then current policies of the Board. Such depository agreements shall be executed by the Chairman of the Board.
 - 4.12 Requests for authorized signatures, or changes thereto, for bank accounts maintained in all depository banks, shall be forwarded to the System Comptroller, who, after review and approval, shall refer such requests to the President of the System for notification of the banks concerned.
- 4.2 Depository banks selected shall furnish adequate surety bonds or securities to assure safety of these funds. Local funds shall be deposited in the depository banks as soon as possible, but in no event later than seven days from the date of collection. Demand deposits and time deposits will be maintained in accordance with the current policies of the Board.
- 4.3 The Board and the chief administrative officers may not, by law, borrow money from any person, firm, or corporation to be repaid from local funds except as specifically authorized by the Legislature.
- 4.4 Interest on Time Deposits. --As permitted by statute, interest received from depository banks for funds on time deposit shall be credited to appropriate accounts in either general funds or trust funds in relationship to the sources of balances on time deposit, provided that disposition of such earning was not specified by the grantor. Interest received from Current Restricted funds (Trust Funds) time deposits shall be subject to further appropriation or transfer by the Board for any lawful purpose.

ec. 5. Vouchers for Expenditures.

5.1 Properly approved and fully supported vouchers are the authorization for cash disbursements.

5.11 The Chairman of the Board or his delegate or the chief administrative officer or his delegate must approve all vouchers. One of these delegates shall be the chief business officer who shall select the other delegates from his staff. Such approval is based upon satisfactory supporting documentation evidencing that goods or services were properly ordered, that the vendor has submitted invoice and certification, and that the goods or services have been received by the institution and are acceptable to the requisitioning department.

5.2 Appropriate internal accounting controls shall be exercised over the vouchering and disbursement procedures.

5.21 To the extent that centralized receiving facilities are available, delivery of all purchased supplies, materials, and equipment should be received at a centralized location under the direction of the chief business officer.

5.22 Vouchers should be prepared centrally in the business offices of those component institutions having centralized receiving operations.

5.3 Vouchers are to be coded in the business offices within the approved expenditure codes, and if payable by warrant drawn by the State Treasurer, with the proper expenditure classifications furnished by the State Comptroller, as well as complying with other current requirements of the State Comptroller and the State Board of Control.

ec. 6. Cash Discounts. --The accounting procedures should be designed to assure realization of advantageous cash discounts allowed by vendors.

ec. 7. Outstanding Checks. --Outstanding checks shall be carried on the official accounting records for the two fiscal years following the year in which they are issued.

ec. 8. Institutional Membership Dues. --General funds of the System may be used to pay membership fees only in educational, scientific, or other associations, in which the System, or a component institution thereof, is an institutional member, with memberships approved by the chief administrative officers. Such other approvals as may be required by law shall also be secured.

ec. 9. Payrolls.

9.1 There are three general types of payrolls, those for (1) regular monthly salaried employees; (2) weekly salaried employees; and (3) hourly salaried employees.

9.2 All payrolls shall be prepared or verified in the business office from regular budgets, appointment documents, authorizations, time cards, or other documentation, and approved by the chief business officer or a person designated by him.

9.3 If payment for regular salaried employees is for less than a month, the salary calculated shall be figured proportionately on the basis of the actual number of working hours in such month.

- 9.4 Deductions for income tax, retirement, social security, and programs authorized by the Board, such as group insurance, are made where applicable on all payrolls.
- 9.5 Dates for distribution of salary checks vary at the component institutions and will be announced by the respective business offices.

10. Absence from Usual and Regular Duties, Authorization for Absence, Including Travel, and Travel Expense Reimbursement.

- 10.1 Approvals of travel shall not be routine or perfunctory, but shall be made only after the chief administrative officer or his authorized representative have carefully examined the purpose and need for each trip with a view to the economic and effective utilization of all travel funds.
- 10.2 Approvals of travel by the chief administrative officer or his authorized representative shall be made only:
- 10.21 When such travel is on state business, which shall include among other purposes, the formal presentation of original research by an employee before a national, international, regional, or state learned society; and
- 10.22 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution.
- 10.3 Authorization for Absence for Staff Members Whose Regular Duties Do Not Require Travel. -- Authorization for absence from usual and regular duties, including travel from the city or town where the officer or employee is regularly stationed, will be granted by the Board, or by the administrative officer as hereinafter delegated by the Board, only in advance, as follows:
- 10.31 Requests for authorization to be absent for a period not in excess of two weeks (fourteen calendar days) shall be transmitted through proper administrative channels to the chief administrative officer of the component institution for approval.
- 10.32 Requests for authorization to be absent for a period in excess of two weeks, but not in excess of twenty-nine days, including travel on official business, shall be transmitted through proper administrative channels to the President of the System for approval prior to such absence.
- 10.33 Requests for authorization to be absent for a period in excess of twenty-nine days, (excluding holidays approved by the Board), including travel on official business, shall be transmitted through proper administrative channels to the President of the System for approval prior to such absence. Such approvals are to be reported in the regular dockets of the institutions affected.
- 10.34 Requests for authorization to be absent by the administrative officers and staff of System Administration shall be approved by the President of the System.
- 10.35 Any travel that contemplates reimbursement from funds appropriated by the Legislature for travel expenses incurred must have the advance written approval of the Governor, with the exception of travel to, in, and from the several states, United States possessions, Mexico, and Canada.
- 10.36 In lieu of any of the delegations of authority to approve absence from usual and regular duties, including official travel, specified in the above subsections, the President of the System may exercise such authority.

SEP 16 1977

10.37 The chief administrative officers of the component institutions shall keep records of all approved absences which shall be available for review by the President of the System and the Board, or their delegate.

10.4 Travel Expense Reimbursements.

10.41 Travel expenses shall be reimbursed only from funds appropriated or authorized for travel. The chief administrative officers shall plan the travel of all employees under their authority to achieve maximum economy and efficiency.

10.411 Each travel voucher submitted for reimbursement shall include such a description as to identify persons or places contacted and/or the nature of the official business of the State performed within the legal responsibilities of the institution.

When recruiting of faculty and staff is involved, names of persons contacted are required.

10.412 In submitting travel vouchers for payment from funds in the State Treasury, component institutions should recognize the regulations of the State Comptroller with respect to such claims.

10.42 Travel vouchers for reimbursement of all official travel authorized pursuant to the foregoing provisions shall be approved and signed as follows:

10.421 System Administration - Reimbursement for all travel by employees of the System Administration shall be approved either by the President of the System or his delegate, or the Director of Accounting or Assistant Director of Accounting of The University of Texas at Austin.

10.422 Component Institutions - Reimbursement for all travel by employees of the component institutions shall be approved either by the President of the System or by the institutional administrative officers designated below:
 chief administrative officer or
 chief business officer or other
 senior administrative or fiscal
 officers as may be delegated in
 writing by the chief administrative officer and the chief business officer. Such delegations shall be approved by the President of the System and filed with the Secretary to the Board and the State Comptroller of Public Accounts, together with the names of the individuals occupying the positions named.

10.43 Allowances for Meals and Lodging (Including Per Diem), Transportation and Related Expenses. -- Provisions of the applicable current appropriations act and the Travel Regulations Act of 1959 (Article 6823a VTCS), as amended, shall govern such allowances.

10.431 Exceptions to Per Diem Allowance--

10.4311 Chief administrative officers shall be reimbursed for their actual meals, lodging, and incidental expenses (exclusive of expenses

SEP 16 1977

- related to motor vehicles for which transportation is paid) when traveling on official business either in or out of state.
- 10.4312 Partial Per Diem Allowance for Meals and Lodging. --An employee who is traveling on official University business for a continuous period of a minimum of six (6) hours but less than twenty-four (24) hours which does not involve over-night stay will be reimbursed a partial per diem for meals in lieu of actual expenses, for both in-state and out-of-state travel. System Administration shall prescribe such reimbursement within the limitations established by the current appropriations act.
- 10.4313 In addition to employees, these provisions apply to reimbursement of travel expenses for prospective employees as provided in the statutes.
- 10.432 Reimbursement for Dues or Membership Fees. -- Reimbursement will not be allowed for dues or membership fees incurred in joining or attending any type of organization or association unless the membership is in the name of the State of Texas and/or the System or a component institution thereof. Such dues or membership fees will not normally be included for reimbursement on a travel claim, but will be separately approved and paid. (See Section 8.)
- 10.44 Special Exceptions to Foregoing Travel Provisions. -- The foregoing provisions apply to all employees and all funds but employees may elect to take advantage of the specific exceptions authorized below:
- 10.441 Contracts. --Travel allowances under research or other contracts, which are 100 percent reimbursable, will follow the terms of the contract, and in the absence of specifications the travel rules and regulations covering payments from gifts, grants, and designated funds will apply.
- 10.442 Gifts, Grants, and Designated Funds. --Reimbursement of travel expenses paid from Gifts, Grants, and Designated Funds will be as follows:
- (a) For grants from or derived from Federal or State agencies, travel allowances shall be paid as specified in the foregoing provisions.
 - (b) For other gifts, grants, trust or designated funds travel allowances may be for actual expenses for meals, lodging and airport parking, not to exceed \$40 per day. The transportation allowances will be as specified in the foregoing provisions.
- The provisions of both (a) and (b) above are subject to the terms, provisions and conditions of the particular gifts, grants, or funds involved. Further exceptions to these provisions may be in accordance with specific authorization by the Board with certain designated funds. Likewise, when anticipated living costs are unusually low for those engaged in travel, the

SEP 16 1977

person authorizing the travel may reduce the allowance for all or any part of the travel, provided that the employee shall be notified of such reduced allowance before being allowed to incur any expense. When not otherwise prohibited by the terms of the gift or grant, employees may also be reimbursed for required registration fees or similar expenses incurred in attending meetings of organizations or associations. Receipts for lodging, registration fees, or similar expenses shall be obtained and attached to the expense voucher. Project Directors, Principal Investigators, Departmental Chairmen, or other authorized personnel under a gift or grant who travel in their personally owned airplanes on necessary official business may be reimbursed at the rate of twenty-three cents (23¢) per highway mile for in-state travel. The same rate shall apply to out-of-state travel, subject to the limitation that the mileage reimbursement shall not exceed the amount equal to the number of persons flying by private plane times the lowest available airline fare.

- 10.443 Intercollegiate Athletics. -- Actual expenses will be paid at no per diem limit, provided such expenditures in the amount of \$4.00 or more are supported by signed receipts.
- 10.45 Travel Advances. -- As provided by statute, the System, including component institutions may establish procedures for making advances for travel expenses incurred by employees in the exercise of their official duties. Any such procedures established shall be in accordance with the statute, based on guidelines provided by the State Comptroller, and provide for prompt recovery of any such advances.
- 10.46 Institutional Travel Regulations. -- Component institutions shall issue institutional travel regulations to implement the provisions of this Section 10.4 for guidance of all personnel concerned. Copies of all such regulations shall be filed with the System Comptroller, who shall also issue clarifying instructions as appropriate.

c. 11. Insurance on Money and Securities: Fidelity Bonds.

- 11.1 Insurance on Money and Securities. -- As approved by the Board, the System carries a blanket System-wide policy insuring against loss of money or securities at any of the component institutions. The premium paid by each institution is separately computed and is based on the coverage applicable at each institution. At the time any loss occurs at any institution, the Vice President for Operations shall be notified by the appropriate chief business officer and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board. Money and Securities coverage may be combined with the blanket position fidelity bond.

11.2 Fidelity Bonds.

- 11.21 As approved by the Board, the System shall carry a blanket position (fidelity) bond that shall cover employees of all component institutions. All employees shall be covered in the amount of not less than \$5,000 each. For total coverage in excess of \$10,000, approval of the State Auditor is necessary.

- 11.22 The Secretary of State and the State Comptroller of Public Accounts shall be each furnished with an original of the bond.
- 11.23 The premium for the bond is prorated to the component institutions on the basis of the number of employees covered for which a premium charge is made and the excess coverage thereon.
- 11.24 At the time a loss occurs, the Vice President for Operations shall be notified by the chief business officer and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board.
- 11.25 The blanket position fidelity bond coverage may be combined with money and securities coverage.

CHAPTER IV

PURCHASING

ec. 1 Authority to Obligate Institutional Funds. -- The official purchasing agents of the component institutions shall have sole authority to obligate institutional funds for purchases of supplies, materials, services, and equipment unless otherwise provided in these regulations or otherwise specifically approved by the component chief administrative officer and the President of the System or by the Board. No liability can be assumed for payment of obligations except those incurred in accordance with authority thus granted.

ec. 2 Purchasing Ethics.

- 2.1 First consideration shall be given to the objectives and policies of the System and its component institutions.
- 2.2 Every effort shall be made to obtain the maximum ultimate value for each dollar of expenditure.
- 2.3 Honesty in sales representation shall be demanded, whether offered through the medium of oral or written statement, an advertisement, or a sample of the product.
- 2.4 Purchasing agents and their staffs and others authorized by or under these regulations to make purchases shall not accept personal gifts or gratuities that might in any way result in an obligation to individuals or firms seeking business.
- 2.5 All qualified, reputable bidders shall be given equal opportunity to submit bids on a uniform basis when competition is possible.
- 2.6 No bidder shall receive special consideration or be allowed to revise his bid after the time set for opening bids.
- 2.7 Any violations of these purchasing ethics shall be reported promptly by the chief business officer to the President of the System.

Sec. 3 Contacts with the State Board of Control. --All contact, whether oral or written, with the State Board of Control and with vendors are handled through the official purchasing agents and the divisions, departments, or offices to whom the purchasing function has been specifically delegated, unless advance written authorization is obtained from the purchasing agent or the chief business officer for other persons to do so.

Sec. 4 Purchases of Supplies and Equipment.

4.1 Unless otherwise provided in these Rules and Regulations or specifically approved by the Board, the State Purchasing Act of 1957 shall govern the purchasing policies of the System.

4.2 Under the provisions of the State Purchasing Act of 1957, purchases of the following items may be made without approval of the Board of Control:

- (a) Supplies, materials, services, and equipment for resale.
- (b) Supplies, materials, services, and equipment for Auxiliary Enterprises.
- (c) Supplies, materials, services, and equipment for Organized Activities Relating to Educational Departments.
- (d) Supplies, materials, services, and equipment purchased with gift and grant funds, including contract funds.

Sec. 5 Purchasing Procedures.

5.1 The official purchasing agent of each component institution shall promulgate procedures to facilitate and expedite the purchasing function. Such procedure shall be developed in accordance with sound business practices and applicable state law. Purchasing procedures shall be implemented only after review and approval of the chief business officer.

5.2 Closed or noncompetitive specifications shall not be used except in unusual instances clearly justified as being essential to efficient operating performance. Reports of all such exceptions shall be maintained by the chief business officer.

Sec. 6 Space Leases.

6.1 Space leases involving buildings and paid from State appropriations must, by law, be approved by the State Board of Control and may not extend beyond a ten-year period.

6.2 Proposals for space leases require the advance approval of the President of the System or his delegate. Lease contracts drawn in accordance with such approval shall be executed by the System Comptroller, and submitted for ratification by the Board through the institutional docket.

6.3 A proposal shall be approved and the lease completed prior to occupancy of any space for office, storage, or other purposes. The proposal must show type of space and purpose of its use, approximate number of square feet, location, whether janitor service and/or utilities will be furnished by the lessor, period of lease, and any other requirements.

SEP 16 1977

- Sec. 7 Purchases from Employees. --Purchases are not permitted from any officer or employee of the System unless the cost is less than that from any other known source and until approved by the component chief administrative officer, the President of the System, and the Board. Details of such transactions shall be reported in the dockets or Minutes of the Board.

CHAPTER V

PERSONNEL

- Sec. 1 Classified Personnel. --The Policy of the Board on the Development and Coordination of the Classified Personnel Programs is and includes:
- 1.1 System Personnel Director.
The System Personnel Director serves as a staff officer advising the President of the System.
- 1.2 The development and coordination of the System-wide Classified Personnel Program.
- 1.21 The Classification Plan.
- 1.211 Coverage. --The Classified Plan of the System shall include all positions which do not entail significant instructional responsibilities or responsibilities for the administration of instructional or research organizations. The chief administrative officer or his delegate of each component institution shall determine the inclusiveness of the Classification Plan within this general definition.
- 1.212 Type of Plan. --Uniform use shall be made of the job grading procedure method system of job evaluation. Job descriptions shall be prepared according to the Procedure for Writing Job Specifications provided by the System Personnel Office.
- 1.213 Job Titles. --Standardized job titles shall be used for similar job classes common to two or more of the component institutions in order that a particular job title shall describe similar work to the extent possible. Classes unique to a component institution shall have suitable descriptive titles.
- 1.214 Job Code. --A uniform job code shall be used to designate job classes.
- 1.215 Job Descriptions. --Standardized job descriptions shall be used for similar job titles common to two or more component institutions when practicable.
- 1.22 The Pay Plan.
- 1.221 A uniform system of salary steps providing for an increase of approximately 3.4 percent, to the nearest dollar, above each preceding step shall be used for all pay plans. All salaries shall be on salary steps, or a fractional part thereof.
- 1.222 A System-wide Personnel Pay Plan setting forth the salary ranges for each job classification shall be

- utilized encompassing the salary ranges reflected in the component unit pay plans.
- 1.223 A classified employee appointed to a part-time paid teaching rank shall be paid at the rate applicable to each position.
- 1.224 Salary ranges for each job classification shall be dependent upon the competitive labor market situation for each institution.
- 1.23 The Policies and Rules.
- 1.231 Each institution shall operate its Classified Personnel Program under a policy statement covering the appointment, compensation, and working conditions of classified employees.
- 1.232 Formal approval of the policies and rules developed by each institution was obtained from the Board at the time each program was formally adopted.
- 1.233 Changes in the policies and rules require the approval of the chief administrative officer or his delegate, the System Personnel Director, and the President of the System.
- 1.234 Uniform policies shall be followed in providing vacation, sick leave, etc., within the limitations imposed by local operating conditions.
- 1.24 Approval of additions to and changes in the Classified Personnel Program.
- 1.241 Formal approval of the Classification Plan and System-wide Personnel Pay Plan, including annual revision thereto, is obtained annually from the Board. Such approval shall be secured prior to the effective date of the plan.
- 1.242 Changes in the Classification Plan and System-wide Personnel Pay Plan involving the following require only the approval of the chief administrative officer or his delegate, the System Personnel Director, and the President of the System.
- (a) Type A. Adjustment of a salary range in a component unit plan within the established System-wide salary range, which when approved, will not change the System-wide Personnel Pay Plan in any way.
- (b) Type B. Adjustments to the component unit personnel pay plan, which when approved, will change the System-wide Personnel Pay Plan in some way.
- (1) Deletion of Title
- (2) Change in title only
- (3) Change in code number only
- (4) Addition of a title to a component unit pay plan that is in the System-wide Plan and the salary range requested is within the established System-wide salary range.
- 1.243 Changes in the Classification Plan and System-wide Personnel Pay Plan involving the following must have approval of the chief administrative officer or his delegate, the System Personnel Director, and

SEP 16 1977

the President of the System. In addition, such changes require ratification of the Board through the docket procedure.

- (a) The addition of a title to a component unit pay plan which is not included in the the System-wide Plan.
 - (b) The addition of a title to a component unit pay plan which is included in the System-wide Plan, but the salary range being proposed is not within the established System-wide salary range.
 - (c) Adjustment of a salary range in a component unit pay plan that would change the established System-wide salary range.
- 1.25 Institutional Personnel Officer.
- 1.251 The chief business officer of each institution shall designate an institutional personnel officer to be responsible for the development and operation of the Classified Personnel Program.
 - 1.252 Functional direction and help on technical personnel matters shall be provided each institutional personnel officer by the System Personnel Director.

Sec. 2 General Personnel.

- 2.1 Leave for Military Duty.
 - 2.11 A leave of absence not to exceed fifteen working days in any one calendar year is granted faculty or staff members who, as members of the National Guard or Official Militia of Texas or members of any of the Reserve Components of the Armed Forces, shall be engaged in authorized training or duty, ordered or authorized by proper authority. During such periods, the employee is absent without loss of efficiency rating, vacation time, or salary, and when relieved from military duty, is restored to the position and status he previously held.
 - 2.12 A leave of absence with full pay shall be provided any employee who is called to active duty with the National Guard by the Governor of Texas. Such leave shall in no way be charged against the employee's vacation or sick leave privileges.
 - 2.13 The chief business officer of each institution may prescribe forms and procedures for such leaves.
- 2.2 Maternity Leave
 - 2.21 Any employee, whether faculty, classified, or administrative, who expects to be, or who becomes temporarily disabled due to pregnancy, or a pregnancy related illness, may request and receive a leave of absence without pay for a "reasonable period" of time, provided the request is made under the following terms and conditions:
 - 2.22 If possible, the employee must notify the department head at least three (3) months prior to the beginning date for the maternity leave.
 - 2.23 The employee and the department head will submit a request to the chief administrative officer through channels. The request will include a statement, from the department head, detailing the manner in which the responsibilities of the employee will be assumed. A statement encompassing the details of a maternity leave shall be entered in the remarks section of the appropriate personnel action form.

SEP 16 1977

- 2.24 "Reasonable period," as used herein, shall normally not exceed six (6) months, provided the six (6) month period may be extended upon proper medical evidence.
- 2.25 Accrued sick leave and vacation leave shall be granted in conjunction with maternity leave and shall be governed by the current law and policy on sick leave and vacation leave. Also, vacation leave and sick leave do not accrue while on maternity leave.
- 2.26 An employee, returning from temporary disability leave, shall have the right to return to the former position or to a position of like nature and salary class.
- 2.27 The employee will furnish a statement from a duly licensed physician certifying that the employee is medically capable of resuming normal working duties.
- 2.28 In the case of faculty on maternity leave, the date for return to work will coincide with the beginning of the next semester, following the period of absence, if the chief administrative officer determines that such beginning date is necessary in order to obtain a temporary replacement or to maintain the integrity of the academic program of the institution.
- 2.29 A replacement may be provided on a temporary basis during the absence of an employee on maternity leave.
- 2.3 Overtime.
- 2.31 The schedule of activities shall be so organized that employees are not required to work in excess of established work periods except when operating necessities demand it. Any overtime services actually required must have the advance written approval of the chief administrative officer or the chief business officer, or both.
- 2.32 With the exception of professional medical personnel and bona fide executive, administrative, and professional positions, regular, full-time employees required to work in excess of forty hours per week shall be compensated for such overtime either:
- 2.321 By receiving equivalent time off during the same biennium in which the overtime was accrued. If possible, the equivalent time off should be granted within the same pay period in which the overtime was accrued; or
- 2.322 In cases where granting compensatory time is impracticable, by receiving pay equivalent to one and one-half times the regular rate of pay.
- 2.33 Compensatory time for those employees excepted from this provision, shall be determined by the chief administrative officer of the institution involved.
- 2.34 Institutions paying overtime shall maintain a monthly record of overtime paid indicating the number of employees so compensated and the total amount paid.
- 2.4 Patent Policy.
- 2.41 Statement of Basic Philosophy and Objectives.
While the discovery of patentable processes or inventions is not the primary objective of the System, for any such discoveries made, it is the objective of the Board to provide a patent policy which will encourage the development of such inventions for the best interest of the public, the inventor, and the sponsor whenever an invention occurs, and will permit the timely disclosure of any patentable discoveries, whether by

SEP 16 1977

patent, publication or both. The policy is further intended to protect the respective interests of all concerned by ensuring that the benefits of patents accrue to the public, to the inventor, to the System and to sponsors of specific research in varying degrees of protection, monetary return and recognition, as circumstances justify or require.

2.42 General Policy.

2.421 The patent policy as adopted shall apply to all persons employed by the component institutions of the System, to anyone using System facilities under the supervision of System personnel, and to postdoctoral and predoctoral fellows.

2.422 It is the intent of this policy to permit staff members maximum freedom in respect to their findings, consistent with their obligations to the System. Any person affected by this policy who, as a result of his or her researches makes a discovery, other than on certain government or other sponsored research projects, where individual grant agreements provide otherwise, should retain the ultimate right to decide how it is to be made public--by publication, by patenting, or both.

2.423 Property rights in inventions will be based on the degree of System support, as hereinafter specified.

2.424 The System will provide patent review and management services either by its own staff, through a related Foundation, or by other means.

2.425 It is a basic policy of the System that patents be developed primarily to serve the public interest. This objective usually will require patent development by non-exclusive licensing but the public interest may best be promoted by the granting of a limited exclusive license or even an exclusive license for the period of the patent. These determinations will be recommended and made in accordance with the administrative procedures hereinafter set out and with the approval of the Board.

2.43 Institutional Patent Committees and System Patent Office.

2.431 Patent Committees: To help administer the patent policy at each component institution and to make recommendations to chief administrative officers for further referral to the President of the System and Board (in those cases when action by the President of the System and/or the Board is required), Institutional Patent Committees shall be established as directed by the President of the System.

2.432 System Patent Office: To assist the Institutional Patent Committees to provide technical advise to individual faculty and staff members in patent matters, and to coordinate details in respect to patent procedures, a System Patent Office shall be established.

2.44 Classification of Discoveries by Source of Research Support.

2.441 The patentable idea has developed as a result of the individual's efforts on his own time, with no direct System support or use of System facilities.

2.442 The patentable idea has resulted from research performed by the individual on System time, with support by State funds, or using System facilities.

- 2.443 The patentable idea has resulted from research supported by a grant or contract with the Federal Government or an agency thereof, or with a non-profit foundation, or by a private gift to the System.
- 2.444 The patentable idea has resulted from research supported by commercial concerns or industry.
- 2.45 Property Rights and Obligations:
- 2.451 Patentable ideas developed on an individual's own time and without direct System support or use of System facilities (see 2.441) are the exclusive property of the inventor, and the System has no interest in any patent obtained, and no claim to any profits resulting therefrom. Should the inventor choose to offer his invention to the System, the Institutional Patent Committee shall recommend as to whether the System should support and finance the patent application and manage the patent development. If the inventor makes his offer after obtaining the patent, the Institutional Patent Committee shall recommend as to whether the System should reimburse the inventor for his expenses in obtaining the patent. If the Patent Committee recommends and the invention is accepted for patent management by the System, the procedures to be followed and the rights of the parties shall be those set out in Subsection 2.4524 following.
- 2.452 Patentable ideas resulting from research performed on System time, with support by State funds, or using System facilities (see 2.442).
- 2.4521 The inventor may choose to publish the details of his research and not to patent.
- 2.4522 Before or after publishing, if the inventor decides to patent ideas resulting from research done on System time, with support by State funds, or using System facilities, he shall submit such ideas to the Institutional Patent Committee for determination of the System's interest. In those instances, however, where delay would jeopardize obtaining the patent, the inventor may, with the approval of the Chairman of the Institutional Patent Committee and the chief administrative officer, file the patent application prior to the Committee and administrative review provided in the following two subsections. If the request is granted, the inventor may proceed with the filing of his patent application pending the determination of the System's interest as provided therein; provided, however, that the inventor shall be reimbursed for his expenses in filing the patent application if the decision of the System is to assert and exploit its interests. The Chairman of the Institutional Patent Committee shall notify the System Patent Office of any such application.
- 2.4523 If the Institutional Patent Committee recommends that the System not assert and

SEP 16 1977

exploit its interest, and that recommendation is approved by the System Patent Officer and the President of the System, the inventor shall be notified within ninety (90) days of the date of submission that he is free to obtain and exploit a patent in his own right and the System shall not have any further rights, obligations or duties thereto. (In some instances, the Committee may elect to impose certain limitations or obligations, dependent upon the degree of System support.)

2.4524 If the System decides to patent and assert and exploit its interest, it shall proceed either through its own efforts or those of a patent agent to obtain and manage the patent. The division of royalties or other income, patenting and licensing costs first being recaptured, shall be as follows:

0 - \$ 5,000 / 75% to Inventor
25% to System

5,000 - 10,000 / 50% to Inventor
50% to System.

above - 10,000 / 25% to Inventor
75% to System

The division of royalties and other income from patents managed by a patent agent will be controlled by the System's agreement with such agent, as approved by the Board. Any other deviation from this rule requires the prior approval of the Board.

2.453 Patentable ideas resulting from research supported by a grant or contract with the Federal Government, or an agency thereof, or with a non-profit foundation or by a private gift to the System (see 2.443).

2.4531 Administrative approval of application requests to, and acceptance of grants or contracts with, the Federal Government, or any agency thereof, or with a non-profit foundation, implies a definite decision that the value to the System of receiving the grant or performing the contract outweighs the impact of any resulting change in the basic patent policy of the System.

2.4532 The patent policy of the System is subject to, and thus amended and superseded by, the specific terms pertaining to patent rights included in Federal grants and contracts, or grants and contracts with non-profit foundations, to the extent of any conflict.

2.4533 In those instances where it is possible to negotiate System-wide patent agreements with the Federal agencies or non-profit

SEP 16 1977

- foundations and thereby obtain more favorable treatment for the inventor and the System, every effort will be made to do so after consultation with the Institutional Patent Committees and the chief administrative officer.
- 2.454 Patentable ideas resulting from research supported by a grant or contract with commercial concerns and industry. (see 2.444)
- 2.4541 The System recognizes the academic advantages which can come from close scientific cooperation between the research staffs of the System and the research staffs of industry.
- 2.4542 The provisions of joint research arrangements with industry shall take into account (a) the extent of the industrial participant's contribution of funds and other services, including unique knowledge; (b) the import of the joint effort to the research and educational program of the System; (c) the protection of the personal achievements of the System participant or participants; and (d) most importantly, the interests of the State and its citizens who provide basic fiscal support.
- 2.4543 Balancing the equities between these different interests may require the joint arrangement to contain provisions for (a) non-exclusive licensing; (b) granting exclusive information prior to publication or patent application; (c) royalty free non-exclusive license; (d) exclusive license for some limited period of time; (e) exclusive license for the life of the patent; or (f) such other provisions as will properly equate the equities involved, including the right of the System to terminate an exclusive license upon failure of the industrial participant to develop or exploit the invention in a manner which will enhance the interests of the public.
- 2.4544 All such arrangements or contracts with industrial participants shall be approved in advance by the Institutional Patent Committee and recommended and approved by the chief administrative officer, the President of the System, and the Board.
- 2.4545 Any agreement altering the basic patent policy of the System as set out in the preceding sections shall have the advance approval of the Patent Committee, the chief administrative officer, the President of the System and the Board.
- 2.46 University Income from Patents.
The portion of the net income the System retains from royalty or other patent-related income shall be used first to defray

the expenses of the System Patent Office, if any, and thereafter, as approved by the Board, for research purposes at the component institutions where the invention originated.

2.47

Implementation of Revised Patent Policy.

A Patent Procedures Manual shall be developed to provide more detail as to procedures to be followed under the various provisions of this policy.

Sec. 3 Certain Provisions in Current Appropriation Act. -- The Rules and Regulations of the Board are subject to and shall comply with the provisions appearing in the current Appropriation Act, including the following pertaining to personnel:

3.1 Use of Alcoholic Beverages. -- "None of the moneys appropriated under this Act shall be used for the payment of salaries to any employee who uses alcoholic beverages while on active duty. None of the funds appropriated under this Act for travel expenses may be expended for alcoholic beverages."

3.2 Advocating Overthrow of the Government. -- "None of the funds appropriated to the agencies and institutions of higher education enumerated in this Act shall be expended in payment of salary or other compensation of any faculty member or employee who advocates the overthrow of the Government of the United States of America, or of any State, by force, violence or any other unlawful means."

Sec. 4 Employee Training, Education, and Development.

4.1 The Texas State Employees Training Act of 1969, Chapter 283, Acts of the 61st Legislature, Regular Session, 1969 (Article 6252-11a, Vernon's Texas Civil Statutes), recognizes that the State departments and other State institutions, including the System, must develop a more comprehensive Training Program as an integral part of a successful personnel program. The System Personnel Director, as delegated by the President of the System, is responsible for promulgating the necessary policies and procedures for implementation of the State Employees Training Act, consistent with the guidelines already approved by the Governor of the State of Texas and the Regents' rules.

4.2 Through implementation of the State Employees Training Act, the System will provide programs that will greatly benefit most employees. In addition, the use of various types of training programs will also encourage the initiative of young, talented employees and stimulate and motivate less productive employees. Organized training programs will, moreover, help identify those employees who are willing to exercise their initiative and prove their performance and also find the areas where employees are resisting change and improved procedures and programs.

4.3 The following general objectives of the overall training effort will lead to the System's gaining more efficiency and economy in its overall personnel program:

- 4.31 Developing well trained staffs, both professional and supportive;
- 4.32 Assisting all employees toward achieving their highest potential usefulness;
- 4.33 Motivating employees and stimulating a sense of participation and involvement;
- 4.34 Insuring that the System receives a fair return on its investment in training and education.

- 4.4 The program elements for this general training program are:
- 4.41 Identifying staff members who need staff development in order to determine the exact kind and scope of program needed;
 - 4.42 Training individuals for current assignments and developing them for future assignments, as a means of improving the quality and quantity of work done;
 - 4.43 Developing all supervisors to enable them to assume and discharge their primary responsibility for the maximum utilization of personnel, the training of their staff members, and the maintenance of sound employee relations;
 - 4.44 Advising and assisting employees with respect to continuing education, and means by which they can improve their usefulness;
 - 4.45 Evaluating all training and education activities to determine whether they have effectively met the needs of the System.
- 4.5 With these objectives and general program elements as a background, four specific training programs are established. The administration and implementation of the following training programs at each component is to be primarily the task and responsibility of the institutional personnel officer, with approval of the chief administrative officer. The System Personnel Director shall have the responsibility of coordinating all training programs through review and approval of training policies promulgated by the component institution.
- 4.6 College or University Degree Program.
- 4.61 Definition: This program will provide graduate or undergraduate level training leading to a degree. Basically, it provides for fulltime student enrollment and is to be for selected, qualified employees of the System. This program will be provided by the System on the basis of need of the System and to the extent funds are available.
 - 4.62 Objectives: To provide a college or university education for qualified System employees specifically required in their area of employment.
 - 4.63 Program Elements: This training is essentially of only one type: to provide full-time student enrollment in a graduate or undergraduate program leading to a degree.
 - 4.64 Administration: Eligibility Requirements
 - 4.641 Selected employees must have necessary academic qualifications to meet all entrance requirements of the college or university where training is provided.
 - 4.642 Degree training must be directly related to an existing job or job series used by the System.
 - 4.643 Selected employees must be scheduled for appointment to a job requiring the degree training on completion of schooling.
 - 4.644 Selected employees must have been successfully evaluated as to competence and aptitude for training granted and recommended through the chief administrative officer and approved by the System Personnel Director.
 - 4.645 Selected employees on educational stipend shall be considered as employees on official leave of absence while in student status. Vacation, sick leave, group insurances, and other benefits will be governed under appropriate rules regarding such official leaves of absence.

- 4.65 Administration: Obligations. Employees who receive financial assistance under this program from the System, in completion of either undergraduate or advanced degrees, will be obligated to fulfill the following terms and conditions:
- 4.651 An agreement to be bound by the rules and regulations contained herein and such other policies, rules, and procedures as may be promulgated by the System Personnel Director applicable to the college degree training program.
- 4.652 An agreement to return to the System as an employee upon graduation and attainment of the degree and to remain in the employment of the System for a period of time subsequent to his graduation that is proportionate either to the period of time the employee has received financial assistance to attend college or university or to the amount of financial assistance he has received.
- 4.653 An agreement to execute, as required by the System Personnel Director, a formal obligatory document between the System and the recipient of assistance under this program, to repay in a lump sum or such alternate arrangement as the System Personnel Director may prescribe, the amount of money expended by the System for the cost of such college education if the individual for any reason, except circumstances beyond his control, fails to complete the training or otherwise defaults in any provision of the agreement between the System and himself.
- 4.7 In-Service Training and Education Program.
- 4.71 Definition: This training and education is job-oriented training that is provided essentially within the System. It may include on-the-job training, training in preparation for job assignment, and continuing training programs that are basically job oriented. This program is for selected individual staff members and will be provided on the basis of need and to the extent funds are available.
- 4.72 Objectives: To equip an individual to perform a particular task within a particular situation and/or to equip the employee to deal with new technological and legal developments, to develop additional work capabilities, or increase his level of competence.
- 4.73 Program Elements: In-service training and education programs are divided into the following three principal categories:
- 4.731 Orientation serves the purpose of acquainting the employee to a new job situation. It does not include the development of skills for that particular job situation.
- 4.732 Basic Training for a Specific Task includes pre-employment and recruit type training involving job knowledge and/or the development of skills required for a specific task. It also includes training in supervisory and managerial skills.
- 4.733 Advanced In-Service Training includes the development of a higher level of skill, an increase in job knowledge, and instruction in new concepts and changing aspects of job responsibility.

- 4.74 Administration: Eligibility Requirements. It is a basic responsibility of the System to provide training as the individual situation may require. It is recognized that the need for some of these programs will vary according to skills required and the availability of pre-employment training. Manpower needs and the availability of skilled applicants may also be a determining factor. With this general background as reference, employees will be identified, selected, trained, and evaluated according to the needs of the System.
- 4.75 Administration: Obligations. The employee has an obligation to successfully complete the training program and should recognize that the System will use this type of training as a continuation of the selection process.
- 4.8 Out-of Agency Staff Development Program.
- 4.81 Definition: This program is to provide training through workshops, seminars, institutes, training sessions, extension courses, college or university courses (with or without academic credit), and other special programs or activities offered either within or outside the State. Such programs must be of concentrated, precise content and designed to improve the individual's professional or technical knowledge in the performance of his present or prospective duties and responsibilities. This program is for selected individual staff members and will be provided on the basis of need of the System and to the extent funds are available.
- 4.82 Objectives: To improve and enhance the individual's professional and technical knowledge and ability in the performance of his present or prospective duties and responsibilities.
- 4.83 Program Elements: This program is generally the type that meets the following criteria: relatively short term; specific in content; and presented outside the employing agency.
- 4.84 Administration: Eligibility Requirements.
- 4.841 Out-of-Agency Staff Development education and training authorized by the System will be conducted primarily for the benefit of the System.
- 4.842 The training and education must be related to the employee's current or prospective duty assignment during the period of his participation.
- 4.843 Such training and education must be approved by the chief administrative officer or someone delegated by him on recommendation of the head of the employing department or unit.
- 4.85 Administration: Obligations. Employees receiving Out-of Agency Staff Development authorized by the System will be obligated to fulfill such terms and conditions as the chief administrative officer may prescribe, compatible with the nature and extent of the training or education.
- 4.9 Internship Training Program.
- 4.91 Definition: Internship training is intended to provide the type of learning experience that can be obtained only through actual work experience. Internship programs will normally be of a longer duration than training mentioned under the headings of Out-of-Agency Staff Development and In-Service Training and Education. This training will be provided to those individuals selected under the standards listed below in 4.95, Eligibility

SEP 16 1977

- Requirements. This training will be provided on the basis of need of the System and to the extent funds are available.
- Objectives: This type of training and education has a broader objective than other types of training in that it serves not only the System but also the State of Texas in the following ways:
- 4.921 It allows the System and/or the State of Texas to screen potential employees while simultaneously enjoying an advantageous recruiting position.
- 4.922 It facilitates the infusion of new people and new ideas into the information interchange which is continually taking place between State government and the System.
- 4.923 It will allow the System and/or the State to gain trained personnel who can carry a heavier work load in a relatively short period of time.
- 4.924 Internship programs produce a work product, although this is not the justification for any internship program.
- 4.93 Program Elements: Type I Internships are those that are within the System for Non-Employees of the State.
- 4.931 Type I Internships are held with the System by persons who are not employed by the State or the System.
- 4.932 Such internships relate to the educational program of the person serving the internship, which suggests that there will be a constant interchange and evaluation between both the System and the sponsor of the person's educational program.
- 4.933 These internships should be initiated only to the extent that the System can provide a meaningful working role and learning experience.
- 4.934 Type I Internships are not designed primarily to produce a work product. (Example: The employee of a private data processing equipment firm observing and being trained in the Data Processing Department of a component institution which serves as the training ground.)
- 4.94 Program Elements: Type II Internship Programs are for the State of Texas and/or System employees.
- 4.941 Type II (a) internships provide for the State of Texas to be the trainee represented by a person in the employ of a State agency other than the System. [Example: An employee of another state agency (State Auditor's Office) serving as an intern trainee with the System.]
- 4.942 Type II (b) internships provide for the State of Texas to be the trainee represented by a person in the employ of the System. A Type II (b) internship may be served either within the System or with another State agency. Employees on Type II (b) internship status should be considered as employees of the System as they would if they were physically present on the job. (Example: An employee of a System component serving as an intern trainee at another System component or with another State agency, i.e., an accountant from a component business office serving as a trainee in the business office of another component or in the State Auditor's Office.)

- 4.943 The primary objective sought by both of the Type II Internship programs is for the trainee to gain skills from the training agency and to promote the ability of persons to work with broader situations and more competently in the multi-levels of administration of the State or the System.
- 4.944 A "No Proselyting" agreement should be secured in both of the Type II Internship programs.
- 4.95 Administration: Eligibility Requirements.
 - 4.951 Internship education and training authorized by the System will be conducted primarily for the benefit of the System.
 - 4.952 Internship training and education must be approved by the chief administrative officer or someone delegated by him on recommendation of the head of the employing department or unit.
- 4.96 Administration: Obligations.
 - 4.961 Type I - No obligatory arrangement is required.
 - 4.962 Type II - The following standards should be observed:
 - 4.9621 The need for these programs will vary according to skills required and the availability of pre-employment training within the State of Texas and/or the System.
 - 4.9622 The employee has an obligation to successfully complete the training program and should recognize that the State of Texas and the System will use this type of training as a continuation of the selection process.
 - 4.9623 Employees receiving internship training authorized by the System will be obligated to fulfill such terms and conditions as the System Personnel Director may prescribe, compatible with the nature and extent of the training or education.

Sec. 5 Other Regulations Concerning Personnel are Reported in the Rules and Regulations of the Board, Part One, as follows:

- Physical Examination - Chapter III, Sec. 1.7
- Employment of Aliens - Chapter III, Sec. 3
- Indebtedness to the System or the State - Chapter III, Sec. 28
- Appointment of Relative (Nepotism Rule) - Chapter III, Sec. 5
- Holidays - Chapter III, Sec. 14
- Vacation - Chapter III, Sec. 15
- Sick Leave - Chapter III, Sec. 19
- Leave for Jury Duty - Chapter III, Sec. 20
- Absence from Usual and Regular Duties - Chapter III, Sec. 21

SEP 16 1977

- Leaves of Absence Without Pay - Chapter III, Sec. 16
- Office Hours - Chapter III, Sec. 12
- Outside Employment - Chapter III, Sec. 13
- Acceptance of Money from Students - Chapter III, Sec. 26
- Textbooks and Other Materials Prescribed for the Use of Students - Chapter III, Sec. 24
- Institutional Employees as Students - Chapter III, Sec. 30
- Power to Authorize Expenditures out of the System Funds - Chapter III, Sec. 27
- Division of Salaries for Staff Engaged in Teaching and Non-teaching Activities - Chapter III, Sec. 18
- Compensation for Correspondence and Extension Teaching of Full-time Staff Members - Chapter III, Sec. 23
- Classified Personnel Systems - Chapter III, Sec. 2
- Code of Ethics - Chapter III, Sec. 4
- Tenure, Promotion, and Termination of Employment - Chapter III, Sec. 6
- Retirement and Modified Service - Chapter III, Sec. 31
- Faculty Development Leaves - Chapter III, Sec. 17

CHAPTER VI

STAFF BENEFITS

(Staff benefits may be subject to change by State and Federal Laws.
Application in specific instances should be verified.)

Sec. 1. Teacher Retirement System.

- 1.1 Effective September 1, 1977, there is only one class of membership in the Teacher Retirement System. The single class of membership includes those previously defined as "teacher" and "auxiliary" members.
- 1.2 Effective September 1, 1974, any employee of the System employed at least one-half time, whether paid on a monthly or hourly basis, and provided his employment will continue for a period of four and one-half (4-1/2) months cumulative within one (1) fiscal year, is eligible for and required by law to participate in the Teacher Retirement System, which became effective for teacher members September 1, 1937, and for auxiliary members September 1, 1949, except:
- 1.21 persons eligible at those times who executed waivers within the period allowed by law and have not revoked such waiver if later permitted;
- 1.22 members of the Employees Retirement System, about which information is given later; and

- 1.23 participants under the Optional Retirement Program, about which information is given later.
- 1.24 a person who may be for the first time employed at 60 years of age or older.
- 1.25 a person who is solely employed by a public institution of higher education which requires as a condition of employment that the person be enrolled as a student in that institution.
- 1.3 An employee may purchase withdrawn service credit for any year in which he was employed for four and one-half (4-1/2) cumulative months by rendering service for two (2) subsequent consecutive creditable years or a period of continuous service equal to the length of absence and depositing an amount equal to the deposits and dues he would have paid for each year of prior service credit, plus a reinstatement fee of five percent (5%) per annum up to redeposit or reinstatement, or both.
- 1.4 Annual membership dues in the Teacher Retirement System are \$5, which amount is deducted from the first salary payment in a fiscal year. Members contribute 6.65 percent of their salary up to and including \$25,000 per year, with the maximum contribution of \$1,662.50 per year which amount is deducted from the monthly salary payment. The contributions are sent monthly by the business offices to the Teacher Retirement System. Each year members receive a statement from the Teacher Retirement System, through the business offices, of their total contributions, plus accumulated interest through August 31 of the preceding year. The State contributes 7.5 percent of each member's salary, up to and including \$25,000 per year, with the maximum contribution of \$1,875 per year.
- 1.5 The annuity payable at retirement is based on the salary earned by the member. Annuity payments are based upon the average salary earned in the five highest years of creditable service, not to exceed \$25,000 of salary for any one year beginning September 1, 1969. Years of service for the period September 1, 1957, through August 31, 1969, have a maximum limit of \$8,400.
- 1.6 When a member leaves the employment that requires membership in the Teacher Retirement System, he or she may withdraw the amount of their contribution, plus accumulated interest, upon application, or he or she may leave the funds at interest for not more than five out of six consecutive years during which period he or she pays the annual membership dues. The performance of a period of active military duty by a member shall not be construed as absence from service; nor shall absence from service terminate membership if the member does not withdraw their accumulated contributions and has ten (10) or more years of creditable service, regardless of age, at or before the time he or she ceases employment that requires membership in the Teacher Retirement System.
- 1.7 If a member dies before retirement, his or her beneficiary, depending upon the relationship to the member, will be entitled to death benefit payments or survivor benefit payments, whichever renders the greater advantage to the beneficiary. If there is no beneficiary with an insurable interest, payment will be limited to the accumulated contributions plus interest standing to the account of the member with the Teacher Retirement System.

- 1.8 Eligibility for retirement benefits is as follows:
- 1.81 With ten years creditable service upon reaching age 65, member is entitled to retire with full benefits based on service rendered and salary earned. Members are entitled to minimum benefits of \$75 per month.
 - 1.82 With ten years creditable service upon reaching age 55, member is entitled to retire at reduced actuarial equivalent of benefit payable at age 65.
 - 1.83 With twenty years creditable service upon reaching age 60, member is entitled to retire with full benefits based on service rendered and salary earned. Members are entitled to minimum benefits of \$130 per month.
 - 1.84 With twenty years creditable service upon reaching age 55 or with thirty years creditable service at any age, member is entitled to retire with a percentage of the standard annuity designated by Teacher Retirement System tables.
- 1.9 Creditable service consists of prior service, former membership service, and current membership service. "Prior service" means service by such person as a teacher or auxiliary employee prior to (A) September 1, 1937, as relates to any person who became a member or who at any time on or before August 31, 1949, was eligible for membership in the Teacher Retirement System, or (B) September 1, 1949, as relates to any person who for the first time became eligible for membership in the Teacher Retirement System on or after September 1, 1949.
- 1.(10) Information pertaining to options under which retirement benefits may be drawn and to reciprocal service between the Teacher and Employees Retirement Systems, as well as other information, may be secured from the component institution business or personnel office, the System Personnel Office, or the Teacher Retirement System in Austin.
- 1.(11) Few employees of The University of Texas System are members of the Employees Retirement System because they are no longer eligible for initial membership in this system. Only those who were eligible between September 1, 1947, and August 31, 1949, and who did not waive membership as of September 1, 1947, are now members. Beginning September 1, 1949, new employees who would previously have been eligible for this plan became eligible for membership in the Teacher Retirement System. Contributions, membership fees, and benefits shall be in accordance with Article 6228a, V.T.C.S.

Sec. 2. Optional Retirement Program.

- 2.1 Pursuant to Chapter 729, Acts of the 60th Legislature, Regular Session, 1967 (Article 2922-li, Vernon's Texas Civil Statutes), as amended, the Board of the System has authorized:
- 2.11 The establishment of an Optional Retirement Program in lieu of active membership in Teacher Retirement System of Texas to become effective September 1, 1968.
 - 2.12 Any insurance or annuity company qualified and admitted to do business in this State to offer an Optional Retirement Plan to eligible employees of the System.
 - 2.13 The ceiling on both the employee's contribution and the State's matching contribution to the Optional Retirement Plan to be the same as is in effect for contributions to the Teacher Retirement System.

- 2.14 Compliance with the terms and provisions of the Act, and further compliance with prescribed rules and regulations of the State Board of Insurance and the System.
- 2.2 Eligibility - The following types of employees are eligible to participate in the Optional Retirement Program:
- 2.21 All full-time faculty members appointed at least 4-1/2 months.
- 2.22 All full-time administrative, research or professional personnel appointed for at least 4-1/2 months, excluding any person employed in a position which is in the classified personnel pay plan of a component institution of the University.
- 2.23 A full-time person who enters the program and later reduces to part-time status will remain eligible for the Program.
- 2.24 Any employee who becomes ineligible for the Optional Retirement Program, but is nevertheless eligible for Teacher Retirement, must rejoin Teacher Retirement [A.G.Op. No. M-647 (1970)].
- 2.3 Effective Date of Participation
- 2.31 Eligible employees in the System employed as of September 1, 1968, shall elect to participate in the Optional Retirement Program no later than the first day of August 1969. An eligible employee not exercising the option to participate in the Optional Retirement Program by August 1, 1969, is deemed to have chosen to continue membership in the Teacher Retirement System.
- 2.32 Eligible employees of the System employed September 2, 1968, or later, shall within ninety days following date of employment, elect to participate or not to participate in the Optional Retirement Plan. A person is automatically considered a member of the Teacher Retirement System Program unless he elects to participate in the Optional Retirement Program during the first ninety days of employment.
- 2.4 Contributions to Retirement Plan shall be as follows:
- 2.41 The Optional Retirement Act authorizes a salary ceiling for contributions equivalent to the Teacher Retirement System. This ceiling, effective September 1, 1977, is 6.65 percent of the salary ceiling of \$25,000 per year for employee contributions. This ceiling, effective September 1, 1977, is 7.5 percent of the salary ceiling of \$25,000 for employer contributions.
- 2.5 The Office of the President of the System will approve the companies authorized to offer to eligible employees an Optional Retirement Program in accordance with the Conditions and Procedures To Be Met By Insurance Carrier To Be Authorized To Write Annuity Contracts Under The Optional Retirement Program For The University of Texas System. The Conditions and Procedures will be issued by the Director, System Personnel Office, with the concurrence of the Office of General Counsel in accordance with Sections 51.351 through 51.358, Texas Education Code, Attorney General's Opinions, Internal Revenue Service Rulings, and other applicable federal and State laws and agency regulations.
- 2.6 The eligible member electing to participate in the Optional Retirement Plan shall elect the company he chooses if that company has been approved by the System.
- 2.7 There can only be one change in Optional Retirement Program carriers per year, and such change may be made on the first day of any month.

SEP 16 1977

- 2.8 Application blanks of authorized insurance carriers will not be furnished by the component institutions because of the possible large number of insurance carriers that may be authorized under the program. It is the responsibility of each individual interested in participating in the Optional Retirement Program to contact the authorized insurance carrier of his choice for an application blank.
- 2.9 Optional Retirement programs provide for vesting of benefit rights after one year of participation in the program by the employee. Vesting is to be effective on the first day of employment after one year's participation in the program under the System. Participation may be with more than one approved carrier [A. G. Op. M-420 (1969)].

Sec. 3 Tax Deferred Annuities.

- 3.1 Under a plan approved by the Board, employees of the System may purchase 403 (b) Tax Sheltered Annuities from Texas-licensed insurance companies.
- 3.2 An employee desiring to participate in this program may enter into an agreement with his component institution and designate a portion of his monthly gross compensation to be used by the component institution to purchase an annuity for the employee from the company selected by the employee. There can be only one change of Tax Sheltered Annuity Program carriers per year, and such change may be made on the first day of any month.
- 3.3 The chief business officer, or his delegate, of each component institution in the System is authorized to sign applications for annuities with the company requested by the employee. The payroll reduction method will be employed for the annuity payments and the amounts contracted for by the employees will be forwarded to each insurance company after the payroll reductions therefor.
- 3.4 The Office of the President of the System will approve the companies authorized to offer to eligible employees a Tax Sheltered Annuity Program in accordance with the Conditions and Procedures to be Met by Insurance Carrier to be Authorized to Write Tax Sheltered Annuities for The University of Texas System. The Conditions and Procedures will be issued by the Office of the President of the System with the concurrence of the Office of General Counsel in accordance with Article 6228a-5, Vernon's Texas Civil Statutes, Attorney General's Opinions, Internal Revenue Service Rulings, other applicable federal and State laws and agency regulations.

Sec. 4 Group Hospitalization and Medical Benefit Plan.

- 4.1 A System-wide contract is in effect to provide group hospitalization and medical insurance coverage on an optional basis for employees of all component institutions of the System subject to approval of the President of the System and the Board.
- 4.2 Any employee employed at least one-half time or more is eligible for coverage. An insured employee's spouse and unmarried children between the ages of 19 and 25 may also be covered.

- 4.3 Employees may enroll within 60 days after they become eligible for coverage. Employees who do not enroll within 60 days may then do so only during the annual enrollment period.
- 4.4 The anniversary date of the contract is September 1 of each year. The annual enrollment period will fall during the month of September.
- 4.5 The contract offers three benefit schedules that provide each employee with options to determine the most suitable plan consistent with his income. The premium rates for coverage depend on the plan selected by the employee and the number of persons in the family to be covered.
- 4.6 Under the In-Patient and Out-of-Hospital portions of the contract, specified percentages of costs are provided for under the three plans.
- 4.7 An insurance continuation provision is available for employees who leave the employment of the System or who retire.

Sec. 5 Group Term Life Insurance.

- 5.1 The System carries a master group term life insurance policy, applicable to all component institutions, with the Aetna Life Insurance Company for a "One Year Term Plan." Premiums are payable monthly by payroll deduction and increase with each year of age. The program is optional and is available to any employee employed at least one-half time or more; new employees are notified of their eligibility by the personnel office at the time of employment.
- 5.2 The amount of insurance available is based on a schedule that may not exceed two times annual earnings with a maximum of \$100,000 or 200% of annual compensation, whichever is the lesser amount. The amount of insurance for any employee who does not elect to change to the new schedule will continue to conform to the Insurance Table in effect prior to September 1, 1975. Annual earnings for academic personnel shall be the nine-month or twelve-month academic rate as applicable. Annual earnings for nonteaching personnel shall be the twelve-month rate. When an employee classification changes, due to increase or decrease in earnings, including Modified Service, the amount of insurance will be adjusted on the annual renewal date (January 1) following the date of the change provided the employee is available for work.
- 5.3 No medical examination is required if application is made for insurance within 60 days from date of employment. After the 60-day period, an "Evidence of Insurability" form, prepared by the company and available through the personnel office, is required. No medical examination is required if this form is accepted by the company after review, but, if it is not accepted, the applicant must have a medical examination at his expense.
- 5.4 Beneficiaries are designated by the policyholders on the application forms and may be changed during the life of the policy upon application to the business office or personnel offices. Each policyholder receives a certificate issued by the company and transmitted through the business office or personnel office.
- 5.5 A policyholder who is less than 60 years of age and who becomes permanently and totally disabled may receive benefits not to exceed 50% of the maximum amount in the two times earnings schedule of benefits. Insurance coverage in excess of the aforementioned amount may be retained for estate purposes with automatic premium waiver. There are no disability benefits after age 60.

- 5.6 Benefits at death are payable according to one of several options. Upon notification of the death of a policyholder, the personnel office assists in the preparation of the required records to be sent to the company.
- 5.7 Participation in the Group Life Insurance Program automatically terminates when employment terminates unless (1) the policyholder retires under the provisions of the Teacher Retirement System, the Optional Retirement Program, or the Employees Retirement System with at least 10 years of coverage under the insurance; (2) the policyholder has attained 62 years of age with at least 10 years of coverage under the insurance; or (3) the policyholder converts the group policy into one for regular individual life insurance. When an employee retires, the amount of insurance will be reduced to \$5,000 or the amount in force immediately prior to retirement, whichever is less, provided the employee has been insured continuously during the 10 years prior to retirement.
- 5.8 The life insurance will cease at the end of the last policy month for which a contribution was made except that if death should occur within thirty-one days thereafter, the death benefits will be payable. Within this thirty-one day period, by making application and paying the first premium to the Aetna Life Insurance Company, one may convert his Group Life Insurance to an individual life insurance policy on any regular Whole Life or Endowment Plan. This individual policy will be issued without medical examination at the Insurance Company's regular rates.

Sec. 6 Supplemental Cash Value Paid-Up at Age 65 Life Insurance Plan.

- 6.1 Supplemental Group Cash Value Paid-Up at Age 65 Life Insurance was made available to employees of the System by a rider to the group term life insurance master policy with the Aetna Life Insurance Company. Premiums remain level and are based on the age of the insured at the time he enrolls or, if he increases coverage, his age at the time he changes the amount of insurance. The program is optional and is available to any employee insured under the maximum (two times annual earnings) group term life insurance who has not attained age 65. In order to be eligible for group term life insurance, an individual must be employed at least one-half time or more. New employees are notified of their eligibility at the time of employment. The plan became effective initially April 1, 1972.
- 6.2 The amount of insurance available is based on a schedule of annual earnings and is in units of \$5,000, \$10,000, or \$15,000. Annual earnings for academic personnel shall be the nine month or twelve month rate, as applicable. Annual earnings for nonacademic personnel shall be the twelve month rate. For personnel paid on an hourly basis, the annual earnings shall be the hourly rate times 2,080 hours. When an employee becomes eligible for a greater amount of insurance, a new request form must be completed, and coverage will become effective on the annual renewal date, April 1, of this plan.
- 6.3 No medical examination is required if application is made for insurance within sixty (60) days from date of employment. After sixty (60) days the insurance company will require that the employee furnish evidence of insurability at his own expense before he can obtain the insurance.

SEP 16 1977

- 6.4 If an employee elects a lesser amount of insurance than annual earnings permit, or does not take an insurance increase that he is eligible for, he will be unable to elect an additional amount of insurance, regardless of the circumstances, without evidence of insurability. No medical examination is required if evidence of insurability is accepted by the company after review, but if it is not accepted, the applicant must have a medical examination at his own expense.
- 6.5 Beneficiaries are designated by the insured on the application forms and may be changed during the life of the policy upon application to the business or personnel offices. Each insured receives a certificate issued by the company and transmitted through the business office or personnel office.
- 6.6 The Plan provides employees with the option, upon retirement at age 65, to elect either the cash value of the policy or life insurance protection after age 65 that is paid-up, and requires no further premium payments. If an employee leaves the System prior to retirement, he has the option of electing the cash value of the policy or taking his paid-up insurance with him.
- 6.7 A waiver of premium is provided for an insured who becomes totally and permanently disabled before age sixty (60). Provided disability has lasted nine months and proofs of disability are accepted, contributions will cease and no further contributions will be required as long as the employee remains disabled.
- 6.8 Benefits at death are payable to the beneficiary in lump sums or in regular installments. Upon notification of death of an insured, the personnel officer assists in the preparation of the required records to be sent to the insurance company.
- 6.9 Participation in this plan terminates when the employee terminates unless the insured retires under bona-fide retirement provisions of the Teacher Retirement System, the Employee's Retirement System, or the Optional Retirement Program. A person may continue to keep the coverage, however, during a period of temporary lay-off or official leave of absence by paying a sufficient amount in advance through the business office of the appropriate component institution to cover contributions that will become due during the period of leave.
- 6.(10) The life insurance under this plan will cease at the end of the last policy month for which a contribution was made, except, that if death should occur within 31 days thereafter, the death benefits will be payable. Within this 31-day period, by making application and paying the first premium to the Aetna Life Insurance Company, one may convert a part of his cash value insurance to an individual life insurance policy or any regular whole life or endowment plan. The part that is convertible is the difference between the amount of insurance in force and the amount of paid-up insurance available in accordance with the non-forfeiture provision of the plan. The premiums will be based on the age of the insured at the time of conversion.
- 6.(11) When an employee terminates and he does not wish to convert to another insurance plan, he may elect to withdraw the cash value or keep the amount of paid-up insurance he is entitled to without making another premium payment. Cash value is available only upon termination of employment.

SEP 16 1977

- 6.(12) The insured employee may not borrow against the cash value of his policy.

Sec. 7 Group Long Term Disability Income Insurance.

- 7.1 The System carries a master group long term disability income insurance policy, covering all component institutions, with the Actna Life Insurance Company. Premiums are payable monthly by payroll deduction, and the rate applies to the monthly rate of basic earnings of each covered employee regardless of age. The program is optional and is available to any employee employed at least one-half time or more. New employees are notified of their eligibility by the personnel office at the time of employment. The plan became effective initially on October 1, 1965.
- 7.2 Monthly rate of basic earnings is the rate in effect on the March 1 before the start of an individual's disability. Furthermore, monthly rate of basic earnings is defined as 1/9 of the base rate for academic personnel paid on a nine-month basis and 1/12 of the base annual rate for non-teaching employees or any other person paid on a twelve-month basis. In no case shall monthly rate of basic earnings exceed \$4,166.66 per month. All premiums and benefits are payable 12 months per year.
- 7.3 The plan guarantees benefits of 65% of the monthly rate of pay up to maximum monthly benefits of \$2,708.33 per month, and any extra compensation is excluded. The plan will pay all of the 65% guarantee if the insured is not eligible for "other income benefits." If he is eligible for "other income benefits," the plan will add to the total of "other income benefits" to make up this 65% guarantee. In general, the plan counts as "other income benefits" any wages, salary, or other remuneration a person might receive from his component institution, or from any other employer, while he is eligible for income benefits from the plan. Also counted are any disability benefits payable under any law or under any plan sponsored by the System.
- 7.4 Covered employees will be eligible for the first income payment from the plan after having been "totally disabled" throughout a qualifying period of 90 days. Payments will be made as of the end of each calendar month. Benefits continue to be paid as long as a person is "totally disabled"; however, all income payments will stop when a person recovers, dies, or reaches age 65, whichever happens first.
- 7.5 No medical examination is required if application is made for insurance within 60 days from date of employment. After the 60-day period, an "Evidence of Insurability" form prepared by the company and available through the personnel office is required. No medical examination is required if this form is accepted by the company after review, but, if it is not so accepted, the applicant must have a medical examination at his expense.
- 7.6 Each policyholder receives a certificate issued by the company which is prepared and transmitted through the business office or personnel office.
- 7.7 The insurance of any employee under this policy shall terminate at the earliest time specified below:
- 7.71 Upon discontinuance of the policy.
- 7.72 At the end of a policy month during which the employee's

SEP 16 1977

employment with the System in the classes eligible for the insurance terminates.

7.73 On the date the employee attains the age of 65 years.

7.8 A person may continue to keep the coverage during periods of official Leave of Absence upon the direct payment of premiums through the business office of the appropriate component institution.

Sec. 8 Group Accident Insurance.

8.1 Group Accident Insurance was made available to employees of the System by a rider to the Long Term Disability Insurance Master Policy with the Aetna Life Insurance Company. The Group Accident Plan became effective February 1, 1968, and is available to any employee under age 70 employed at least one-half time or more. Eligible employees can join the plan either during the first 60 days of their employment or during an annual enrollment period in December of each year for coverage effective February 1.

8.2 Coverage under the Group Accident Plan is provided to insure against accidental death (in such areas as travel by automobile and travel on an aircraft being used solely for the transportation of passengers, and the coverage is extended to travel outside of the United States). The death benefit is also provided if an individual becomes totally disabled while insured before age 60 as a result of an accident of the type covered by the plan. Scheduled dismemberment benefits are also provided for specified losses.

8.3 The amount of coverage that may be selected ranges in multiples of \$10,000 from the minimum of \$20,000 to the maximum of \$200,000; however, no eligible employee may select an amount of coverage that exceeds 10 times his annual salary (for academic personnel the 12-month equivalent of their 9-month contract salary is used in computing the maximum amount of coverage allowable). Employees who select coverage for themselves may also take coverage for their spouses in an amount between \$10,000 up to a maximum of 50 percent of the amount actually taken for themselves. Unmarried children under age 19 are automatically covered for \$1,000 from the spouse's coverage, unless waived by the employee. Also, unmarried children 19 years of age and over who are regularly attending school and depend solely upon the employee for support are eligible as dependents until their 23rd birthday.

Sec. 9 Workers' Compensation Insurance.

9.1 The Workers' Compensation Insurance Program is on a System-wide, self-insuring basis, financed by setting aside not more than 2 percent of the annual payroll of covered employees, and provides certain benefits for injuries sustained on the job. These benefits include payments for reasonable medical aid, hospitalization, etc.; total or partial incapacity; specific losses; and death.

9.2 The System Personnel Director, with the cooperation and assistance of other appropriate officials of the System or its component institutions, investigates accidents and injuries, and endeavors to develop, publish, and enforce safety rules and regulations. His office keeps a

complete record of all injuries on the job and is responsible for reporting them to the Industrial Accident Board. His office is responsible for the System-wide coordination of occupational safety and health activities, and for administration and enforcement of state and national laws and standards applicable to occupational safety and health.

- 9.3 All employees whose names appear on the payrolls are eligible.
- 9.4 Eligible employees who do not wish coverage may waive all rights to the benefits at the time of appointment. However, the waiver may be revoked at any time during continuous employment.
- 9.5 The institution shall give notice to all workers that such insurance has been provided.
- 9.6 The percentage of annual payroll, within the 2 percent mentioned in Subsection 9.1 above, is approved by the Board, and the amount is set aside from available appropriation other than itemized salary appropriations. Institutional chief business officers shall prepare and send to the System Personnel Director a monthly report of covered employees showing the source of their salaries and a check and/or state warrant for the amount due. These checks will be deposited in a depository bank and the State Comptroller will be requested to transfer the amounts due on payrolls paid from State funds to the Workers' Compensation Insurance Fund.
- 9.7 The System shall furnish such medical aid, hospital services, and medicines as may reasonably be required at the time of the injury, and at any time thereafter to cure and relieve the injured employee from the effects naturally resulting from the injury.
- 9.71 Each employee shall have the right to select or choose the persons or facilities to furnish medical aid, chiropractic, osteopathic, podiatric, hospital and nursing services.
- 9.72 Excessive charges or unreasonable expenses for services can be appealed to the Industrial Accident Board by the System.
- 9.73 Although the employee has the right to select or choose the person or facilities to furnish reasonable treatment, each component institution may provide guidance in that choice, if the employee desires, by referring the injured employee to reputable specialists or general practitioners, depending on the nature of the injury.
- 9.8 The supervisor of a covered employee who is injured during the course of employment must file a complete report with the supervisor of the Workers' Compensation Insurance Office whether or not time is lost from work. If time is lost, a supplemental report is filed when the employee returns to work. When the time lost is over 60 days, this report is filed at the end of each 60-day period. The same form is used if the employee is disabled later due to the original injury. In the event of death of the injured employee, the form is filed immediately.
- 9.9 The employees' supervisors are also responsible for keeping in close touch with injured employees and their attending physicians and investigating medical attention to see that unnecessary aid and visits are avoided. They approve the statement from the physician as to services rendered although not actual charges for treatment.

- 9.(10) A covered employee disabled from work due to an on-the-job injury may remain on the payroll until his earned vacation and sick leave are exhausted or may request use of any reasonable portion thereof, during which time full medical benefits will remain available. Should an employee continue to remain disabled from work after earned vacation and sick leave are exhausted, provided such accrued leave totals seven days or more, there will be no waiting period before weekly compensation benefits accrue. Employees who have no sick leave or vacation accrued will be subject to a 7-day waiting period, for which they will be compensated in the event disability lasts 28 days or more. Vacation and sick leave used due to an on-the-job injury, are not charged against holidays, weekends, or other authorized days off.
- 9.(11) The weekly compensation benefit for a covered employee injured in the course of his work is equal to $66 \frac{2}{3}$ percent of the average weekly earnings for the 12 months immediately preceding injury, though not more nor less than the amount set forth in Article 8306, Section 29, Vernon's Texas Civil Statutes. Compensation to an employee on less than a full work day basis is not more than $66 \frac{2}{3}$ percent of his average weekly earnings, with the same maximum as the amount set forth in Article 8306, Section 29, Vernon's Texas Civil Statutes. Benefits may be paid for no longer than 401 weeks from date of removal from payroll for total incapacity and no longer than 300 weeks for partial incapacity for work. For specific injuries, the supervisor has information available on request concerning benefits for specific injuries such as the loss of a hand or eye. In case of death, benefits shall be the same as those provided in Article 8306, Section 8, Vernon's Texas Civil Statutes.
- 9.(12) Payment for medical aid, hospitalization and compensation is through the System Personnel Office.
- 9.(13) The System Personnel Office shall issue an annual report through proper channels to the President of the System and to the Secretary to the Board for the information of the members of the Board which shall include at least the following information for each component institution: the total claims and number of days lost, total compensation and medical benefits paid, receipts, and total expenditures including allocation of overhead. The report shall also include the balance in the fund at the beginning of the fiscal year, total receipts including interest, total disbursements, and balance in the fund at the end of the fiscal year.

Sec. 10 Unemployment Compensation Program.

- 10.1 The System Unemployment Compensation Program, effective January 1, 1972, and thereafter, is administered on a System-wide basis. Under the program, certain weekly benefits are payable to former employees who were separated from employment with the System under conditions specified in the Texas Unemployment Compensation Act and are unable to find suitable employment. Two methods of funding the cost of approved claims for such former employees will be in effect, as follows:
- 10.11 For former employees whose salaries were paid from State General Revenue Funds, the cost of approved claims chargebacks are paid by the State Comptroller as provided in the current State General Appropriation Act. Initially, the Texas

- Employment Commission (TEC) pays approved claims and, quarterly, notifies the State Comptroller's Office and the appropriate System component institution of the claims amounts paid by individual. TEC bills the State Comptroller's Office, which makes payments to TEC from State General Revenue Funds appropriated for this purpose. Administration of claims, periodic reporting of salaries paid, and other aspects of administering the program for employees whose salaries are paid out of State General Revenue are the same as for those whose salaries are not paid out of State General Revenue, except that the assessments provided in Subsection 10.4 are not applied to salaries paid from State General Revenue Funds, or such other exceptions as are deemed by the System Personnel Director to be necessary for effective administration.
- 10.12 For former employees whose salaries were paid from funds other than State General Revenue, the cost of approved claims chargebacks is paid initially by the State Comptroller as specified under 10.11 above. Quarterly, or periodically as otherwise required by the State Comptroller, the System, by check made payable to the State Comptroller, reimburses the State General Revenue Fund from the System Unemployment Compensation Insurance Fund, a self-insurance fund described in Subsection 10.4.
- 10.2 The System Personnel Director, working in close cooperation with the System Comptroller and other appropriate officials of the System and its component institutions, is responsible for:
- 10.21 Administering the Unemployment Compensation Program for all employees of the System, with the assistance of appropriate institutional officials.
- 10.22 Determining the System's official position regarding claims protests in questionable cases, and assisting component officials in protest hearings.
- 10.23 Representing the institutions in all cases where claims are appealed to Appeals Tribunal or Commission Review and assisting the State Attorney General as required in representing the System with institutional participation in all cases in court actions provided for in the law.
- 10.24 Establishing and maintaining such additional policies and procedures as are necessary for the effective administration of the program as provided under existing statutes and these Rules and Regulations, including requirements for employee separation and claims administration, informing affected personnel about the Unemployment Compensation Program, and analyzing statistical data as needed.
- 10.25 Administering the Unemployment Compensation Insurance Fund and all policies and procedures necessary to bring about effective fund management and loss control for the Unemployment Compensation Program.
- 10.26 Maintaining records of all claims filed and paid, all chargebacks, and other records necessary to separate approved claims information applicable to student employment and extending such record-keeping to any additional group(s) of employees for which such analysis may be deemed by the System Personnel Director to be necessary for effective administration, including records necessary to determine individual

"benefit ratios" under Subsection 10.61 for each of the following categories of fund sources:

- 10.261 State General Revenue
- 10.262 Other than State General Revenue
 - (a) Organized Research (including contract research and services)
 - (b) Educational Service Agreements (including training grants)
 - (c) Organized Activities Related to Educational Departments (including hospitals and clinics)
 - (d) Auxiliary Enterprises
 - (e) All Other

- 10.3 All services performed in the employ of the System are deemed to constitute employment and are provided for under the Unemployment Compensation Program. However, benefits based on service in an instructional, research, or principal administrative capacity are not payable between two contractual periods of service, as specified in the Texas Unemployment Compensation Act.
- 10.4 The System-wide Unemployment Compensation Insurance Fund is established January 1, 1972, to accumulate necessary funds to pay reimbursements to the State Comptroller for claims of former employees whose salaries were not paid out of State General Revenue Funds. Sources of all salaries other than State General Revenue are charged an assessment beginning on the effective date and each month or payroll period thereafter. Checks covering these charges will be forwarded monthly to the System Personnel Director for deposit in the Unemployment Compensation Insurance Fund. Following the close of each calendar quarter, or such other reporting period as may be deemed by the System Personnel Director to be necessary for effective administration, institutional chief business officers will prepare and send to the System Personnel Office reports itemizing by employee the salaries reported to the TEC and the amounts of such salaries subject to assessment. The reported assessable salaries will be reconciled to the checks submitted monthly in payment of the assessments. The reports will also contain such other information as may be required for effective reporting. In instances in which amounts may be due the Unemployment Compensation Insurance Fund from the State Comptroller for adjustments on claims paid, assessments, or as otherwise deemed necessary by the institutional chief business officers for effective and commensurate allocation of assessments or approved claims chargebacks, the State Comptroller is requested to issue a State warrant for the amount due.
- 10.5 Separate and apart from all other System monies or funds, an Unemployment Compensation Fund, administered under the same custodianship as other monies administered by the System, is established and maintained in one or more regular depositories of the System, secured by collateral in accordance with state statutory requirements. The fund consists of all assessments collected, all interest earned on deposits of any monies in the fund, and all other monies received for the fund from any other source. This fund is designated as a "revolving fund" under the "University of Texas Central Services Account" provision of the current General Appropriation Act. Expenditures from the Unemployment Compensation Insurance Fund are restricted to direct costs: payments and chargebacks of approved Unemployment Compensation claims, and System administrative costs not to exceed five percent per year of the balance in the fund at the beginning of

SEP 16 1977

each preceding year. Investments or time deposits of such funds are in accordance with regular System policies.

- 10.6 The System Unemployment Compensation Insurance Fund operates under principles and methods generally consistent with those established by the Texas Unemployment Compensation Act for operation of the State Unemployment Compensation Fund.
- 10.61 After an initial development period (as provided in Subdivision 10.62) assessment rates will be computed based upon principles and methods consistent with provisions in the Texas Unemployment Compensation Act for determination of "Contribution" rates. In applying these principles, "benefit ratios" will be developed for determination of basic rates which will be adjusted (decreased or increased, respectively) by one-tenth of one percent for each \$25,000 or fraction thereof by which the amount in the Unemployment Compensation Insurance Fund exceeds \$1,755,000 or is less than \$1,215,000. Such computation will be made at the beginning of each calendar year, and the assessment rate(s) so calculated, but in no event less than one-tenth of one percent, will be applicable to the fiscal year beginning within that calendar year.
- 10.62 Compensation experience and fund balances will be developed during the period January 1, 1972 through August 31, 1976. Assessment rates during this initial development period are as follows:
- 10.621 January 1, 1972 through August 31, 1973, the assessment rate is 2.7 percent applied to salaries and wages up to \$4,200 per employee per calendar year.
- 10.622 September 1, 1973 through August 31, 1976, the assessment rates are subject to approval of the Board based upon determinations by System Administration after review of all available data on loss experience and levels of fund balances.
- 10.63 A single assessment rate is charged to all affected fund sources on a nondiscriminatory basis throughout the System, unless differential rates are found to be desirable as between categories of funding sources and such differential rates are approved by the Board.
- 10.7 In the event that the amount in the Unemployment Compensation Insurance Fund is fully depleted and further reimbursement payments create a deficit in the fund, at the end of any month, such deficit will be recovered by additional emergency assessments which the component institutions will fund by distribution of the costs to all accounts based upon the covered wages which had been charged to the accounts during the month and paid from funds other than State General Revenue.
- 10.8 The System Personnel Office will issue an annual report to include separate reporting of income and disbursements by institution, fund categories, and such other information as may be deemed necessary for effective administration.

Sec. 11 Social Security (Old Age and Survivors Insurance).

- 11.1 As an employer, the System complies with the relevant provisions of the Social Security Act. All employees are required to participate in the Federal Social Security Program as a condition of employment.

SEP 16 1977

Sec. 12 Deferred Compensation Plan.

- 12.1 As an employer, the System complies with the relevant provisions of Senate Bill 872, 63rd Legislature, Regular Session, which authorized the Deferred Compensation Plan for public employees (Article 6252-3b, Vernon's Texas Civil Statutes).
- 12.2 The State Comptroller is the administrator of the program. The System Administration has been authorized by the Board to develop administrative and fiscal procedures for operation of the program.

Sec. 13 Premium Sharing.

- 13.1 The System provides each full-time employee with the full amount of Premium Sharing specified in the current Appropriations Bill, for payment of certain group insurance premiums. Employees appointed half-time or more, but less than full-time, are provided an amount of Premium Sharing which is proportionate to the percentage of time employed.
- 13.2 Each employee employed half-time or more will automatically be covered under a basic plan of insurance effective September 1, 1977, or on the first date of employment following that date. Each such employee may elect optional coverages within 60 days of the automatic coverage date, or waive at any time subsequent to the automatic coverage date. Only those employees who do not elect optional coverages shall be provided automatic coverages. The total premium for the basic coverages provided under the automatic coverage plan shall not exceed the amount of the employer contributions to which the employee is entitled.

Sec. 14 U. S. Savings Bonds.

- 14.1 The System provides each employee with the opportunity to participate in the purchase of U. S. Savings Bonds by payroll deduction.

CHAPTER VII

PHYSICAL PROPERTIES

- Sec. 1 Except as otherwise specifically authorized, property of the System shall be used only for official business. Only library books and other items of similar nature of well-established use may be used for the personal benefit or pleasure of employees. The chief administrative officer of each component institution shall designate a property manager.

Sec. 2 Inventories.

- 2.1 An actual physical inventory of property of the System shall be made each fiscal year in accordance with the State Property Act, as amended (Article 6252-6, Vernon's Texas Civil Statutes), and in compliance with appropriate regulations issued thereunder. The chief business officer of each component institution shall issue the necessary implementing instructions.
- 2.2 Department heads are responsible for all System property in their care and for the taking of the inventory on the prescribed record forms.
- 2.3 Inventories as of August 31 include all equipment on hand as defined by the State Board of Control under the State Property Act. Items that

are worn out or discarded shall be deleted in accordance with the regulations of the State Board of Control.

Sec. 3 Motor Vehicles.

- 3.1 Any motor vehicles permitted under State law to be owned and operated by the System shall be used only on official business. Each vehicle shall carry an inscription on both sides as prescribed by law.
- 3.2 As required by statutes, a daily report shall be prepared by the person using the vehicle on the forms approved by the State Auditor and shall be filed within ten days in a central location designated by the chief business officer.
- 3.3 The operators of System-owned vehicles must hold, at their expense, an appropriate operator's license for the type of vehicle operated.
- 3.4 System-owned vehicles are subject to the compulsory inspection required by law.
- 3.5 It shall be the obligation of the chief business officer of each of the component institutions to see that all employees who are required to drive System-owned vehicles are fully informed of their personal responsibility and liability for their negligent operation.
- 3.6 Each component institution shall be cognizant of and render reports on operation of motor vehicles as required by the current appropriations bill.

Sec. 4 Insurance on Property of the System.

- 4.1 The following types of insurance coverage shall be maintained on a System-wide basis:
 - Fire and Extended Coverage Insurance
 - Boiler and Machinery Insurance
 - Blanket Position (Fidelity) Bond
 - Money and Securities Insurance
 - Motor Vehicle Liability Insurance on State Owned Vehicles
] may be one policy
- 4.2 The terms of the policies covering the risks indicated above are negotiated by the Vice President for Operations in accordance with procedures approved by the President of the System and the Board.
- 4.3 When it is necessary or advisable to insure risks on a basis other than System-wide, insurance policies covering such risks shall be approved by the Vice President for Operations on an individual basis upon recommendation by the chief business officer of the component institution affected.
- 4.4 At the time a loss occurs applicable to either System-wide or individual insurance policies, the Vice President for Operations shall be notified by the chief business officer, and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board.

Sec. 5 Safe and Vault Combinations. -- The combinations to all vaults and safes used by component institutions shall be filed under seal with the chief business officer.

SEP 16 1977

Sec. 6 Police and Security Officers.

- 6.1 Police and other security officers are employed at the component institutions to protect and safeguard the property of the institution.
- 6.2 Employees shall cooperate in the security program by exercising caution to safeguard the equipment and supplies in their offices.

Sec. 7 Telephones. --The director of physical plant, or the chief business officer, shall be responsible for the installation of telephones and the administration of all telephone facilities. Personal toll calls shall not be charged to institutional telephones. Charges for telephones and toll calls shall be under the supervision of the persons named above.

Sec. 8 Disposal of Property of the System.

- 8.1 Whenever any item of equipment becomes obsolete or useless for the needs and purposes of the department concerned, a written report of such fact shall be made to the chief business officer. Upon receipt of such report, it shall be the responsibility of the chief business officer to determine whether or not such item of equipment is needed by any other department and, if so, to transfer and assign the equipment to such department.
- 8.2 If the chief business officer shall determine that the equipment is not needed for any department and that it is not practicable to store the equipment for possible future use, he shall proceed to sell the item concerned.
- 8.3 For items of little value or limited use where sale on competitive bids is not practicable, the chief business officer shall have the authority to dispose of the property on the basis of negotiated bids in amounts under \$2,000.
- 8.4 Sale of property estimated to bring \$2,000 or more shall be made on a basis of competitive bids.
- 8.5 Sales in amount of \$10,000 or more shall be approved in advance by the President of the System and ratified by the Board through the institutional docket.
- 8.6 Sales to U. T. Employees. --Sales of surplus equipment may be made to employees of the System or of any of its component institutions only after authorization by the chief administrative officer and approval of the President of the System. Such sales shall be reported in the institutional docket.

Sec. 9 Transfer of Property. --Property may be transferred from one State agency to another when it becomes surplus. Such transfers from one component institution to another, or from a component institution to another State agency shall have the advance approval of the chief business officer concerned and shall be reported to the chief administrative officer. The chief business officer or his delegate shall advise departments and administrative offices as to the procedure to be followed in disposing of or acquiring property by this means.

CHAPTER VIII

PHYSICAL PLANT IMPROVEMENTS

Sec. 1 New Building Construction Exceeding the Amount of \$5,000 per Project.

- 1.1 After the Board approves the construction of new buildings, the procedures shall be as follows:
- 1.11 The Institutional Building Advisory Committee shall hold necessary hearings and make proper investigations to translate the approved academic program into priorities for new construction, with suggestions as to total project area and function, and make such recommendations to the chief administrative officer.
- 1.12 The Institutional Building Advisory Committee shall be relieved of further direct responsibility whenever a building contract is awarded, but shall be available for consultation as the building progresses, as requested by the chief administrative officer, the President of the System, or his delegate, and the project architect.
- 1.13 New projects shall be submitted to the Board for approval, including proposed funding, upon recommendation of the chief administrative officer, the President of the System, or his delegate.
- 1.2 Project Development.
- 1.21 The Board will employ a project architect for each new major building project at all component institutions.
- 1.22 The chief administrative officer may appoint according to the Institutional Handbook of Operating Procedure an Ad Hoc Project Building Committee composed of but not limited to representatives of the departments or divisions that will occupy the building. The committee shall work with the Office of Facilities Planning and Construction to prepare a detailed program of the needs for each project.
- 1.23 The chairman of the Institutional Building Advisory Committee, or his delegate, shall be an ex officio member of each Ad Hoc Project Building Committee.
- 1.24 The project architect shall be given the detailed program and will work in conjunction with the Office of Facilities Planning and Construction to prepare preliminary plans, exterior design, outline specifications, cost estimates, etc., which shall be submitted to the Board for approval upon the recommendation of the institutional head, the President of the System, or his delegate.
- 1.25 After approval of the preliminary plans, the Board shall authorize the preparation of the working drawings and specifications. In the preparation of the final plans and specifications, the project architect shall work with the Ad Hoc Project Building Committee and the Office of Facilities Planning and Construction.
- 1.26 The final working drawings and specifications shall be submitted to the Board for approval upon the recommendation of the institutional head, the President of the System, or his delegate.

- 1.3 Bidding and Construction Phase of Project.
- 1.31 After the Board approves the final plans and specifications, the Board shall authorize the Office of Facilities Planning and Construction to advertise for bids. Advertisements for bids for buildings shall be in accordance with State law and shall be published for four consecutive weeks unless the urgency, limited scope of work, or economy, as determined by the President of the System, shall justify a lesser period of time.
- 1.32 The President of the System, or his delegate, shall receive and open bids, with the project architect and others, tabulate and study such bids, and make recommendations to the Board.
- 1.33 The Board will award the contracts for all work in excess of the amounts of \$5,000 for new construction and \$50,000 for major remodeling/repair projects. The contract will be signed by the contractor(s) involved and the Chairman of the Board and approved by the Board in accordance with law.
- 1.331 In the event the lowest bidder is found to be not responsible, or other facts and circumstances necessitate award of contract to other than the lowest bidder, the bidder(s) submitting proposal(s) lower than the bidder to whom award is proposed shall be notified of the Board's proposed decision for award.
- 1.332 If the lowest bidder fails to timely state his protest of such award and requests to present evidence, the Board's proposed award will be final.
- 1.333 If the lowest bidder timely files notice of protest, the Board will hear the protest or will delegate to the President of the System the authority to appoint a Hearing Officer who shall promptly convene and conduct a hearing and subsequently prepare and submit a report of his findings through the President of the System to the Board. The Board shall make a final decision based upon the records of the hearing before the Hearing Officer.
- 1.334 The contract documents will be prepared by the Project Architect and approved by the President of the System, or his delegate, and the General Counsel for the System, or his delegate, before submission to the Chairman of the Board.
- 1.335 At the time contracts are awarded, additional appropriations will be made if required.
- 1.34 The President of the System, or his delegate, shall approve contractor's estimates, sign change orders, and provide general supervision of all new construction. He shall advise the Board if developments during construction require additional funds or other decisions of the Board.
- 1.35 The President of the System, or his delegate, shall inspect the completed building and recommend final acceptance and final payment.

Sec. 2 New Building Construction Involving Less than \$5,000 per Project.--New construction that involves a total expenditure of \$5,000 or less per project may be handled at the component institution. Necessary funds must have been approved through the proper procedure. In each case, the project must have been approved by the director of physical plant, the chief business officer, and the chief administrative officer of the institution involved.

- Sec. 3 Minor Repairs and Remodeling and Improvements other than Buildings.--Minor repairs and remodeling of the physical plant and construction of improvements other than buildings involving proposed expenditures of less than \$50,000 per project shall be made under the supervision of the director of physical plant and the chief business officer at the component institutions, with the approval of the chief administrative officer, provided that necessary funds have been approved through proper procedure.
- Sec. 4 Major Repairs and Remodeling and Improvements other than Buildings.
- 4.1 Any repair or remodeling project of the Physical Plant and construction of improvements other than buildings involving an estimated expenditure of \$50,000 or more shall be deemed a construction project.
- 4.2 Unless otherwise approved by the Board, the procedures and regulations pertaining to new building construction shall apply to major repairs and remodeling projects.
- Sec. 5 Professional Services.--Each component institution is authorized to make use of architects, engineers, and other professional services up to a maximum cost of \$3,000 with the approval of the President of the System on recommendation of the chief business officer.
- Sec. 6 Constitutional and Legislative Restrictions.
- 6.1 Section 18, Article VII, of the Texas Constitution requires approval by the Legislature, or an agency designated by the Legislature, prior to the construction of physical improvements financed by bonds authorized under this section at the component institutions other than The University of Texas at Austin and at El Paso.
- 6.2 Under the provisions of the current Appropriation Bill, prior to the allocation, expenditure or encumbrance of any funds provided under the authority of Article VII, Sections 17 and 18, of the Texas Constitution, for individual building construction projects costing in excess of Twenty-five Thousand Dollars (\$25,000), other than classroom, library and laboratory building projects. Notice of intent shall be filed with the Legislative Budget Board and the Governor's Budget Office.
- 6.3 New construction projects not otherwise authorized by law, in excess of \$100,000 and all major repair and rehabilitation projects in excess of \$100,000, must be approved by the Coordinating Board, Texas College and University System, as to purpose and gross dimensions. Format for submission will be as prescribed by the Coordinating Board. Submission will be prepared by the component institution, in consultation with and assisted by the Office of Facilities Planning and Construction, if necessary, and forwarded to System Administration for review, approval and handling of submission. It is the objective to submit the necessary documents to the Coordinating Board when the project scope and estimated cost are sufficiently defined to meet the Coordinating Board's requirements for approval. Normally, submission will be made when the Board approves preliminary plans and specifications and the related cost estimate.

SEP 10 1977

Sec. 7 Modification of Bids.

- 7.1 No bid shall be changed, amended, or modified by telegram or otherwise after it has been submitted or filed in response to an advertisement for bids in connection with the construction or erection of permanent improvements at any of the component institutions of the System under Article 2593, Revised Civil Statutes of Texas, 1925.
- 7.2 The substance of this requirement shall be stated in the advertisement for such bids; provided, however, that this requirement shall not be construed to prohibit the submission of filing of more than one separate and independent bid by any bidder.

Sec. 8 Institutional Building Advisory Committees.

- 8.1 At each of the component institutions there shall be an institutional building advisory committee.
- 8.2 The committee shall be appointed by the chief administrative officer in the same manner as other institution-wide committees are appointed.
- 8.3 The composition of the institutional building advisory committee shall be set forth in the Institutional Handbook of Operating Procedure of each component institution.
- 8.4 The President of the System, or his delegate, and the chief business officer of the institution shall be ex officio members of such committees.

CHAPTER IX

MATTERS RELATING TO THE OFFICE OF INVESTMENTS,
TRUSTS AND LANDSSec. 1 Authorizations re Sales, Assignments, Conveyances, Receipt of Property and Proxies.

- 1.1 Authority to Purchase, Exchange, and Sell Securities for and on Behalf of the Permanent University Fund of The University of Texas (hereinafter sometimes referred to as "PUF") and the Board. --The President of the System or his delegate, or the Executive Director for Investments, Trusts and Lands, or the investment officer, are each authorized to purchase, exchange and sell any and all securities for and on behalf of the PUF or the Board, and to execute any and all documents necessary to the consummation of any purchases or exchanges.
- 1.2 Authority to Assign and Transfer Securities Held by the PUF and the Board of the System. --The President of the System, the Executive Director for Investments, Trusts and Lands or any trust officer may assign and transfer any and all securities of any description, whatever, and execute any and all documents necessary to the consummation of any sale, assignment or transfer of any securities registered in the name of the PUF or the Board, or in any other form of registration of such securities held for the account of the PUF or the Board in whatever manner, including all fiduciary capacities, and including those registered in the names of trusts or foundations managed and controlled by said Board.

SEP 10 1977

- 1.3 Authority to Execute Instruments Relating to Land and Mineral Interests. --The Chairman of the Board, the Vice-Chairman, the President of the System, and the Executive Director for Investments, Trusts, and Lands are each authorized to execute conveyances, deeds, surface and/or mineral leases, easements, rights of way, oil and gas division orders, and transfer orders, geophysical and material source permits, water contracts, pooling and unitization agreements and any other instruments as may be necessary or appropriate from time to time, relating to the handling, management, control, and disposition of any real estate or mineral interests held or controlled by the Board as a part of the PUF or as a part of any trust or special fund.
- 1.4 Authority to Receive and Collect Money and/or Property. --The President of the System, the Executive Director for Investments, Trusts and Lands, or any trust officer are each authorized and empowered to ask, demand, collect, recover, and receive any and all sums of money, debts, dues, rights, property, effects, or demands, whatever, due, payable, or belonging, or that may become due, payable, or belonging to any of the above funds, from any person or persons, whatever, and to execute any and all necessary or proper receipts, releases, and discharges therefor.
- 1.5 Authority to Execute Proxies. --The President of the System or the Executive Director for Investments, Trusts and Lands, or any trust officer, or the director of stock research are each authorized to execute proxies within the approved investment policies.

Sec. 2 Investment Policy for PUF.

- 2.1 Investments Authorized for Purchase.
- 2.11 Bonds of the United States, the State of Texas or counties of said State, or in school bonds of municipalities, or in bonds of any city of said State, or in bonds issued under and by virtue of the Federal Farm Loan Act approved by the President of the United States, July 17, 1916, and amendments, thereto.
- 2.12 Bonds or other obligations issued, insured, or guaranteed in any manner by the United States Government or any of its agencies.
- 2.13 Bonds, debentures, or obligations, and preferred and common stocks issued by corporations, associations, or other institutions.
- 2.14 Convertible securities, of all kinds, issued by corporations on the approved list.
- 2.2 Standards as to Quality.
- 2.21 Corporate Stocks:
- 2.211 Stocks eligible for purchase shall be restricted to stocks of companies incorporated within the United States which have paid dividends for five (5) consecutive years or longer immediately prior to the date of purchase.
- 2.212 Except for bank and insurance shares, stock must be listed upon an exchange registered with the Securities and Exchange Commission or its successors.
- 2.213 Common stocks and convertible securities are eligible for purchase if they are issued by corporations which have been approved by the Board.

- 2.22 Corporate Obligations and Preferred Stocks: Corporate Bonds and Preferred Stocks must be rated "A" or better by Moody's Investors Service, Inc., or by Standard and Poor's Corporation. Bonds or preferred stocks offered by private placement and not rated may be purchased if in the opinion of the University's Investment Counsel they are of "A" quality or better. Commercial Paper must be rated in the two highest quality classes by Moody's Investors Service, Inc., or Standard and Poor's Corporation to be eligible for purchase.
- 2.23 FHA Mortgage Loans:
- 2.231 Loan Standards:
- 2.2311 The security for the loans shall be single family, owner occupied residences (including Row or Town Houses) of good design and construction, in good condition, and comparable in value to other homes in the neighborhood.
- 2.2312 Borrower must have a good credit rating and have adequate income to support the loan.
- 2.2313 Loans shall be for \$10,000 or more and shall be fully insured by the FHA to the maximum extent permitted under the law.
- 2.2314 Title and hazard insurance policies, written by companies acceptable to the Board, shall be furnished with respect to each loan purchased. Hazard insurance policies must be written by companies having a Best's rating of A-BBB or better.
- 2.2315 No loan shall be purchased from any Seller-servicer until a formal contract has been entered into with such Seller-servicer on a form approved by the Board.
- 2.232 Minimum standards for Seller-servicers from which FHA loans are purchased:
- 2.2321 The Seller-servicer must be an approved FHA Mortgagee, and must have satisfactory credit rating, and an unimpaired capital and surplus of at least \$250,000.
- 2.2322 It must have been actively engaged for at least five years in the mortgage loan business, and except for commercial banks, the mortgage loan business must be its principal business, and must have a capable and experienced organization, together with the necessary equipment to furnish timely accountings on a block basis.
- 2.2323 It must be servicing at least \$25,000,000 of loans, and its clients (other than Federal National Mortgage Association) must include at least three institutional investors, and must have a capability of producing not less than \$1,000,000 per year in FHA loans.
- 2.2324 It must carry a Mortgage Bankers Blanket Bond in an amount not less than \$250,000.

SEP 16 1977

- 2.233 Implementation of FHA Mortgage Loan Purchase program: The President of the System, the Executive Director for Investments, Trusts and Lands or any trust officer, are each authorized
- 2.2331 To recommend the Seller-servicers with which Purchase and Servicing Agreements should be made, and after approval by the Board, to execute the Purchase and Servicing Agreements on the approved forms.
- 2.2332 To perform such acts and execute such documents as may be necessary from time to time in carrying out the provisions of any such Purchase and Servicing Agreement, including authority to accept or reject loans tendered under such agreements, to execute releases of the liens securing any loan or loans when paid in full, and to execute assignments of any notes and liens when appropriate to do so.
- 2.2333 To take any and all steps as may be considered necessary or advisable to protect the interest of the PUF in event of default occurring with respect to any FHA Insured First Mortgage note held by such Fund. Not by way of limitation, but by way of illustration only, such authority shall include power to acquire title on behalf of the Board to the property securing any such note, by Trustees sale, foreclosure, or otherwise; to execute on behalf of the Board the necessary deed conveying the properties so acquired to the Federal Housing Administration; to handle any properties so acquired pending conveyance to the Federal Housing Administration; and to incur and pay such reasonable expenses as may be necessary in the acquisition and care of any such properties.
- 2.3 Diversification.
- 2.31 Not more than 5% of the voting stock of any one (1) corporation shall be owned at any given time by the PUF.
- 2.32 Not more than 1% of the book value of the PUF shall be invested at any given time in securities issued by any one (1) corporation.
- 2.4 Standard of Care.
- 2.41 Prudent Man Rule: In making or retaining each and all investments for the PUF, and in management, purchase, and sale of such investments from time to time, there shall be exercised the judgment and care under the circumstances then prevailing that men of ordinary prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income therefrom as well as the probable safety of their capital.

- 2.5 **Policies with Respect to Stock Rights, Fractional Shares, and Proxies.**
- 2.51 As a general rule, stock rights received are to be exercised. In each instance, exercise or sale of the rights is to be made at the discretion of the President of the System or the Executive Director for Investments, Trusts and Lands.
- 2.52 As a general rule, fractional shares received from stock dividends, etc., are to be sold. In each instance, the decision to round out fractional shares or to sell will be made by the President of the System or the Executive Director for Investments, Trusts and Lands.
- 2.53 As a general rule voting stocks held are to be voted by returning proxies to present management. When the Executive Director for Investments, Trusts and Lands determines that a vote with management would not be in the shareholder's best financial interest, or when a proposal under consideration is of a social nature, the matter will be referred to the President of the System or, in his absence, to the Chairman of the Land and Investment Committee.
- 2.6 **Implementation of Policies.**
- 2.61 **Approved List.** A list of companies whose stocks are considered suitable for purchase or retention shall, after consultation with the Staff Investment Committee, the Investment Counsel, and the Investment Advisory Committee, be submitted by the President of the System, or the Executive Director for Investments, Trusts and Lands for approval by the Board through the Regents' Land and Investment Committee. This list will be reviewed annually.
- 2.62 **Authority regarding purchase and sale of securities.** Within the limitations of these Rules and Regulations, the President of the System or the Executive Director for Investments, Trusts and Lands is authorized to buy, sell or exchange, from time to time, securities issued by the companies within the approved list, provided that sales in any one calendar month of stocks owned shall not exceed 2 1/2% of the book value of the PUF. With the approval of the Chairman of the Land and Investment Committee, or the Chairman of the Board, the President of the System or the Executive Director for Investments, Trusts and Lands may sell stocks in excess of 2 1/2%, but not in excess of 5%, of the value of the PUF. Sales of stocks in any one month in excess of 5% of the value of the PUF require prior approval of the Board.
- 2.63 **Exchange of Bonds.** The President of the System or the Executive Director for Investments, Trusts and Lands is authorized to exchange bonds owned from time to time, on a par for par basis (with such cash adjustments as may be required) for other eligible bonds or obligations. In any such exchange the cost of the bonds exchanged out (plus or minus the cash adjustment involved) shall be carried forward as the cost of the bonds or obligations acquired, even though the sale and purchase may be effected through different brokers.
- 2.64 **Advice of Investment Advisory Committee.** --The President of the System or the Executive Director for Investments, Trusts and Lands shall seek the advice and counsel of the Investment Advisory Committee at its regular quarterly meetings on all of the major matters involving the PUF.

- 2.05 Reports of purchases, sales, and exchanges of Investments.--
All purchases, sales, and exchanges of investments shall be reported for ratification by the Board through the Regents' Land and Investment Committee at each meeting of the Board.

Sec. 3 Investment Policy for Trust and Special Funds.

- 3.1 Investments authorized for purchase:
- 3.11 Unless otherwise limited by the terms of the instrument by which the fund was created, trust and special funds under the control of the Board shall be invested and reinvested in such securities and investments as are permitted by the Texas Trust Act as legal investments for funds held by trustees.
- 3.12 Except as broadened by the foregoing Section 3.11, the general statement of policies outlined in Section 2 with respect to the PUF shall likewise apply to the investment and management of any trust or special funds under the control of the Board.
- 3.2 Implementation of Policies.--The provisions of Section 2.6 with respect to the implementation of policies for the investment and management of the PUF shall likewise apply to trust and special funds, provided that approval of the Board shall be required before any stock is purchased which is not on the approved list.

Sec. 4 Investment Policy for Common Trust Fund.--The policies for the investment and management of funds for the System Common Trust Fund shall be the same as those outlined in Section 3 with respect to trust and special funds.

Sec. 5 Staff Investment Committee.

- 5.1 Membership.--The Staff Investment Committee shall consist of the President of the System, the Executive Director for Investments, Trusts and Lands, the investment officer, and such other members as may be designated from time to time by the President of the System or the Executive Director for Investments, Trusts and Land
- 5.2 Duties.--The Staff Investment Committee shall cooperate and advise with the President of the System or the Executive Director for Investments, Trusts and Lands on matters relating to the management of investments for which he is responsible.

Sec. 6 Investment Advisory Committee.--The Investment Advisory Committee is and has been established in order to assist and advise the President of the System and the Executive Director for Investments, Trusts and Lands with respect to matters relating to the management of investments for which said Executive Director is responsible. The following rules shall apply to such Committee:

- 6.1 Membership.--Five members of the Committee shall be selected because of their particular qualifications and experience in the field of investments, including experience in bond and corporate stock investments.
- 6.2 Selection Procedure.--Appointments to such Committee shall be made by the Board after recommendation by the President of the System or the Executive Director for Investments, Trusts and Lands.

- 6.3 Term of Office. --Each member shall serve a five year term on a rotating basis, with the term of one member expiring each August 31.
- 6.4 Meetings. --Meetings shall be held quarterly and at such other dates as may be considered advisable by the President of the System or the Executive Director for Investments, Trusts and Lands.
- Sec. 7 Investment Transactions: Sales, purchases and exchanges shall be effected through investment dealers or brokers in accordance with normal investment practices, if, in the judgment of the President of the System or the Executive Director for Investments, Trusts and Lands, these services will produce the maximum benefit to the System.

CHAPTER X

AUXILIARY ENTERPRISES

- Sec. 1 Auxiliary Enterprises are those operated primarily for service to students and staff. Such enterprises are expected to be self-supporting. Examples of such enterprises are residence halls, dining halls, student hospitals, student unions, bookstores, and any activities supported from fees collected as Student Activities Fees, whether such fees are optional or mandatory.
- Sec. 2 Annual budgets for these activities shall be prepared and submitted through regular administrative channels, and expenditures shall be within budgets approved by administrative officials and the Board. Income of Auxiliary Enterprises is not deposited with the State Treasurer, however, and any balances or deficits at the end of a fiscal year may be reappropriated for the succeeding year.
- Sec. 3 With the exception of intercollegiate athletic departments, to which the general and special provisions of the Appropriation Bill do not apply, the same regulations and applicable laws shall govern as apply to the budgeting and expenditure of general funds unless otherwise specifically authorized. The Board, upon recommendation of appropriate administrative officials, approves the regulations for the management and operation of athletic departments.
- Sec. 4 Rentals and related policies and rates for dormitories and housing facilities shall be approved in advance by the chief administrative officer, the President of the System, and the Board.
- Sec. 5 Rules and regulations for the administration of dormitories, other housing facilities, dining halls, and other eating facilities, shall be promulgated by administrative officials and the chief administrative officer at the institution concerned.
- Sec. 6 The money values of meals, lodging, and other services the employees are authorized to receive in lieu of additional wages or salary, are recommended to the chief administrative officer by the chief business officer and approved by the President of the System and the Board.
- Sec. 7 Statutory Provisions Currently in Effect. --Auxiliary Budgets shall comply with statutory provisions and rider provisions of current Appropriation Bill.
- Sec. 8 Student Publications (The University of Texas at Austin).
 - 8.1 All assets of the former Texas Student Publications, Inc., now vested

in the Board of the System shall be delivered to, and recorded in the accounting records of, The University of Texas at Austin, to be used for the maintenance and support of student publications as an auxiliary enterprise of The University of Texas at Austin. The recording, budgeting and expenditure of these assets will be in accordance with the Rules and Regulations for the management of this type of funds and account.

- 8.2 The day-to-day operations of student publications on the campus of The University of Texas at Austin are under the control and jurisdiction of a Publishing Board, constituted as hereinafter set out. The Publishing Board shall transact all business connected with student publications on the campus of The University of Texas at Austin, pursuant to these Rules and Regulations.
- 8.3 The Publishing Board is responsible for the issuance, publication, and distribution of the student publications on the campus of The University of Texas at Austin. Such publications presently consist of The Daily Texan, The Summer Texan, The Texas Ranger Magazine, Cactus, Peregrinus, Texas Engineering and Science Magazine, and Riata. The Publishing Board may authorize other publications.
- 8.4 The Publishing Board shall consist of eleven voting members, composed as follows:
- (1) Four undergraduate students out of the Journalism Department of The University of Texas at Austin elected (two to be elected in even-numbered years and two to be elected in odd-numbered years after the initial election; at the initial election under these rules all four shall be elected with provision for staggered terms as hereinafter set out) by those students certified by the chairman of such department as being journalism majors. Said election is to be held at least three weeks before the spring government election each year pursuant to the rules established by the Publishing Board. No student shall be eligible to be a candidate for a position on the Publishing Board unless he has completed or will have completed by the end of the spring semester in which the election is held twelve hours of journalism courses; is in good standing (not on scholastic probation); and has completed at least one semester in residence in the long term at The University of Texas at Austin. The eligibility of a candidate must be certified to by the Chairman of the Department of Journalism prior to the time of said election.
 - (2) Two undergraduate students elected at large from the student body of The University of Texas at Austin (one to be elected in even-numbered years and one to be elected in odd-numbered years after the initial election; at the first election under these rules both shall be elected with provision for staggered terms as hereinafter set out) at the same time as the editor of The Daily Texan pursuant to Subsection 8.(10) of this section. If the President of the Students' Association is not one of the students elected at the election, then the President of the Students' Association shall serve as an ex officio member of the Publishing Board without vote.
 - (3) Two members of the faculty out of the voting faculty of the Department of Journalism and one member of the faculty out of the voting faculty of the College of Business Administration, all three to be appointed directly by the chief administrative officer of The University of Texas at Austin.

- (4) Two professional newspapermen appointed by the chief administrative officer of The University of Texas at Austin.

8.5 Voting members of the Publishing Board shall serve a term of two years beginning June 1 of each calendar year. However, in order to provide staggered terms, the following procedure shall be used concerning the first Publishing Board selected under this section, to take office June 1, 1972.

- (1) The four journalism students elected from the Department of Journalism shall draw lots in the presence of a quorum of the Publishing Board to determine which two shall serve initial terms of one year and which two shall serve initial terms of two years.
- (2) The two undergraduate students elected at large from the student body of The University of Texas at Austin shall draw lots in the presence of a quorum of the Publishing Board to determine which one shall serve an initial term of one year and which one shall serve an initial term of two years.
- (3) The chief administrative officer of The University of Texas at Austin shall appoint one of the faculty out of the Department of Journalism for an initial term of one year, and he shall appoint the other journalism faculty member for an initial term of two years. The chief administrative officer of The University of Texas at Austin shall appoint the remaining faculty member for an initial term of two years.
- (4) The chief administrative officer of The University of Texas at Austin shall appoint one of the professional newspapermen for an initial term of one year, and shall appoint the other professional newspaperman for an initial term of two years.

8.6 Should any voting member or members of the Publishing Board resign, become ineligible, or for any other reason fail to serve, the chief administrative officer of The University of Texas at Austin shall, after consultation with the Publishing Board, select a successor or successors to fill the unexpired term.

8.7 In addition to the aforementioned voting members of the Publishing Board, the following persons shall serve as ex officio, nonvoting members: the Dean of Students or his representative; the Editorial Manager of The Daily Texan; the General Manager of the publications; the Editor and Managing Editor of The Daily Texan; and the student editors of all other publications published by the Publishing Board.

8.8 The number and method of selection of the Publishing Board may be changed only by amendment to these rules.

8.9 The officers of the Publishing Board shall be a President, a Vice President, and a Secretary and such other officers as the Publishing Board may from time to time find necessary to carry on the business of the publications. Officers shall be elected from among the voting members of the Publishing Board at the first meeting after June 1 of each year. Officers' terms shall be for one year, but a person is eligible to serve one additional one-year term.

8.(10) At least three weeks prior to the spring student government elections there shall be a student publications election on the campus of The University of Texas at Austin. At such election there shall be elected the Editor of The Daily Texan by the students of The University of

Texas at Austin, but voting members of the Board shall appoint the Editor of The Daily Texan in the case of a vacancy. The eligibility of a candidate for Editor of The Daily Texan must be certified to by the Publishing Board on standards set out in their Handbook prior to the time of said election. The Publishing Board shall set out in its Handbook the conditions under which said elections may be held, including length of the campaign. The Editor of The Daily Texan shall serve for a term of one year beginning June 1. There shall also be elected at this election the two student members of the Publishing Board (one student to be elected each year after the first spring election) as provided in Subsection 8.4(2).

- 8.(11) In the performance of all of its duties and in the exercise of all of its powers the Publishing Board shall be subject to the direction of the Regents' Rules and Regulations. The Publishing Board shall conduct its meetings in strict adherence to Roberts' Rules of Order.
- 8.(12) There shall be an Executive Committee of the Publishing Board to be composed of three faculty members and two journalism students to be elected by the Publishing Board from its membership.
- 8.(13) The Executive Committee shall appoint a General Manager who shall be selected annually during the month of May for the fiscal year beginning September 1. The Executive Committee shall determine the compensation of the General Manager. The duties of the General Manager shall be prescribed by the Executive Committee, subject to basic policies set forth by the Publishing Board. The Editorial Manager(s) will be appointed by the Executive Committee, subject to basic policies set forth by the Publishing Board. The Executive Committee shall determine compensation of the Editorial Manager(s). The Editorial Manager of The Daily Texan shall be authorized to coordinate the activities between The Daily Texan and the Department of Journalism so as to secure the most effective use of the journalism laboratories and classes in the preparation of material for The Daily Texan. The Executive Committee shall fix the compensation of all editorial workers on student publications, subject to the final approval of the Publishing Board. The Executive Committee shall appoint and fill all vacancies for Editor and Managing Editor of every publication, except The Daily Texan, and shall fix their compensation subject to final approval of the Publishing Board at its next regular meeting.
- 8.(14) The Executive Committee is authorized to implement, and is responsible for implementation of, the policies of the Publishing Board between meetings of the Publishing Board.
- 8.(15) A definitive relationship between the Department of Journalism of The University of Texas at Austin and The Daily Texan published by the Publishing Board must exist. Accordingly, the chief administrative officer of The University of Texas at Austin shall promulgate an operating procedure to establish this relationship. The operating procedure may be amended from time to time by mutual agreement between the Department of Journalism, through its chairman, and the Publishing Board, with the concurrence of the chief administrative officer of The University of Texas at Austin. In the event the Chairman of the Department and the Board of Directors are unable to agree on amendments, the chief administrative officer of The University of Texas at Austin shall make the final decision.

- 8.(10) There shall be established within the Publishing Board a Review Committee which shall be composed of one member of the journalism faculty, one journalism student, and one professional newspaperman. Such members are to be elected by the Publishing Board out of its membership. All appeals on material withheld from publication by the Editorial Manager, or respective publications supervisors, shall be considered by the Review Committee within 24 hours of the action. A decision of the Review Committee may be appealed to the Publishing Board, but seven affirmative votes of the Publishing Board are required to overrule said decision of the Review Committee. In all such matters, the actions of the Publishing Board shall be final and complete without review outside the Publishing Board.
- 8.(17) It shall be the duty of the Publishing Board to furnish on request to the chief administrative officer of The University of Texas at Austin, the President of the System, and the Board of the System, within two weeks of such request, any special reports requested by such officials.
- 8.(18) At least eighteen copies of the minutes of all meetings of the Publishing Board shall be delivered promptly to the chief administrative officer of The University of Texas at Austin for distribution to the President of the System, the Vice President for Academic Affairs, the members of the Board, the Secretary to the Board, and such members of The University of Texas at Austin administration as the chief administrative officer of The University of Texas at Austin may direct. No action of the Publishing Board shall have any force or effect unless included in the minutes and until it has been approved by the chief administrative officer of The University of Texas at Austin, except actions of the Publishing Board pertaining to decisions of the Review Committee, and except as to actions of the Publishing Board with respect to the appointment, discipline, or removal of editors, which actions need only be reported in the minutes for information, but are not reviewable outside the Publishing Board.
- 8.(19) No budget or budget amendment adopted by the Publishing Board shall have any force or effect until such budget or budget amendment has been approved by the Board.
- 8.(20) No expenditure shall be made by the Publishing Board unless it is made in accordance with and pursuant to a budget item that has been previously adopted by the Publishing Board and approved by the Board.
- 8.(21) Within 90 days following the close of each fiscal year, the chief administrative officer of The University of Texas at Austin shall be furnished for distribution to the President of the System and to the members of the Board, the Secretary to the Board, and to such members of The University of Texas at Austin administration as the chief administrative officer of The University of Texas at Austin may direct, at least fifteen copies of a complete audit of the fiscal year.
- 8.(22) All employees, editors, editorial workers, and staff members employed to work on student publications under the control and jurisdiction of the Publishing Board, including all employees of the former corporation known as Texas Student Publications, Inc., holding office or employed as of the effective date of this section of these rules and regulations shall continue in office or employment (unless disciplined

SEP 16 1977

or removed from office in accordance with this section) at the same wage rates and under the same terms of their current office or employment (unless changed by the Publishing Board in accordance with this section).

8. (23) Subject to Subsection 8.22 of this section, the Publishing Board shall have the authority: (1) to appoint the Managing Editor of The Daily Texan, from among qualified students; (2) to take disciplinary action against the employees, editors, editorial workers, and staff members of student publications, including the removal from office after due notice, for a violation of the policies of the Publishing Board or for nonperformance of duties; such removal shall require a majority vote (action of the Publishing Board in the matter of the appointment discipline, and removal of editors shall be final and complete); provided, however, that no action taken by the Publishing Board with respect to the employment, dismissal, salary, or duties and responsibilities of either the General Manager or the Editorial Manager(s) shall have any force or effect until it has been approved by the Board; and (3) to determine the character and policies of all student publications.
8. (24) Since all funds utilized in the operations of student publications are under the direct control of an agency of the university. The Publishing Board, the Vice President for Business Affairs of The University of Texas at Austin, and the director of The University of Texas at Austin Personnel Office shall immediately make arrangements for assuring that all appropriate personnel are placed under the budgetary and personnel regulations applicable to other University of Texas at Austin employees.
8. (25) The Publishing Board shall promulgate and implement a handbook which shall contain the operating policies of the Publishing Board.
8. (26) As an interim measure, to assure the uninterrupted operation of student publications on the campus of The University of Texas at Austin, the chief administrative officer of The University of Texas at Austin shall appoint two journalism faculty members, one college of business administration faculty member, two professional newspapermen, and six students, who shall serve only until June 1, 1972, when a Publishing Board selected under procedures set out in this section will take office. This interim board will arrange for the election of the Editor of The Daily Texan and Publishing Board members as required under Subsections 8.4 and 8. (10) for the new year of offices beginning June 1, 1972.

Sec. 9 The Texas Union (The University of Texas at Austin).

- 9.1 Subject to all relevant provisions of the Rules and Regulations of the Board of Regents and the rules and regulations of The University of Texas at Austin, the Board of Directors of the Texas Union shall recommend to the chief administrative officer of The University of Texas at Austin rules, regulations, and procedures regarding the operation and use of the Texas Union, shall review the Texas Union Budget, shall advise the chief administrative officer in the appointment of the Union Director and shall be involved in the future development of the Texas Union. The Texas Union is designed to provide facilities, services and programs for the students, faculty and staff of The University of Texas at Austin, including the coordination of beneficial co-curricular activities of students and faculty members, programs for intellectual,

social, cultural and recreational development, for the promotion of genuine democracy, for the cultivation of a more intelligent interest in and deeper affection for The University of Texas at Austin.

- 9.2 The Board of Directors of the Texas Union shall consist of nine voting members: Six students and three faculty members. The Dean of Students, or his/her delegate, the Secretary of the Board of Directors, and the Union Director shall be ex officio members without vote.
- 9.21 The faculty members shall be appointed by the chief administrative officer for three-year overlapping terms, one to be appointed each year. New faculty member appointments shall become effective on May first of each year.
- 9.22 The six student members of the Board shall be as follows: the President of the Students' Association, the Coordinator of the Texas Union Program Council, and four other students to be appointed for two-year overlapping terms. The four non-ex officio student members shall be registered for at least six semester hours during each long session semester of service and shall be selected as follows: A public announcement of Union Board vacancies shall be published in The Daily Texan and an interview process shall be conducted by the Executive Officers of the Students' Association, or by the appropriate committee of the Students' Association. Appointments shall be ratified by a 2/3 vote of the Student Senate. New student appointments shall become effective on May first of each year.
- 9.3 The officers of the Board of Directors of the Texas Union shall be as follows: Chairman; Vice-Chairman; Secretary; and Union Director. The Chairman shall be elected each year from the student membership of the Board of Directors by the voting members of the Board. In order to qualify for election as Chairman, a student shall have at least one year's experience on either the Texas Union Program Council or the Board of Directors. The Vice-Chairman shall be the President of the Students' Association, and the Secretary and the Union Director shall be elected by the voting members of the Board of Directors. The officers of the Board of Directors shall perform the usual duties of their respective offices.
- 9.31 The Chairman shall be elected each year to serve a term to extend from the first official Board meeting of the Fall Semester until May 15th.
- 9.32 An Interim Chairman shall be elected each year to serve a term from May 15th until the first official Board meeting of the following Fall Semester. The Interim Chairman shall have the same qualifications as the Chairman.
- 9.4 The Board of Directors may, at its discretion, authorize any three voting members of the Board to serve as an executive committee acting for the Board of Directors between meetings, but only during the period from May 15th until the first day of registration for the fall semester, or during official UT semester break or holiday periods. All actions taken by the Executive Committee are subject to later ratification by the Board of Directors.
- 9.5 At least two copies of the minutes of all meetings of the Board of Directors and the Executive Committee shall be delivered promptly to the chief administrative officer of The University of Texas at Austin.

SEP 16 1977

No budget or budget amendment adopted by the Board of Directors of the Texas Union, or of any committee or subcommittee of such Board, shall have any force or effect until such budget or budget amendment has been approved by the Board of Regents.

9.6 No expenditure shall be made by the Board of Directors of the Texas Union, unless it is made in accordance with and pursuant to a budget item which has previously been adopted by the Board of Directors of the Texas Union and approved by the Board of Regents.

9.7 Within ninety days following the close of each fiscal year of the Texas Union, there shall be furnished to the chief administrative officer of The University of Texas at Austin for distribution to the President of the System, to the members of the Board of Regents, to the Secretary to the Board of Regents, and to such other members of the administration as the chief administrative officer of The University of Texas at Austin may direct, at least 15 copies of a complete audit of the fiscal affairs of the Texas Union during the preceding fiscal year.

9.8 The Board of Directors of the Texas Union shall meet at least once a month during each Long Session, setting its own date for meetings, formulating its own rules of procedure, setting up and appointing such committees as it may deem necessary and desirable for the proper use of the facilities of the Union Building, and exercising all powers not specifically assigned herein.

9.9 The Union Director shall serve as chief executive official in the Union Building. The Board of Directors of the Texas Union shall recommend annually on June 1 through the chief administrative officer of The University of Texas at Austin to the President of the System and the Board of Regents the appointment of the Union Director. His term of service shall extend from September 1 through the following August 31. The Union Director shall have the responsibility for the day-to-day operation of the Union Building and its programs or activities. He shall be charged with coordinating the various functions of the Building and the interests of the various groups served by the Building. The Union Director shall consult with the Texas Union Board of Directors regarding the appointment of appropriate staff members. He shall employ, supervise, and direct the work of all subordinate employees. The Union Director shall be a member of all committees without vote. On May 1 annually he shall make a complete report to the Board of Directors of the Texas Union covering the activities in the Union Building. The report shall be transmitted through the chief administrative officer of The University of Texas at Austin to the President of the System, to the Board of Regents, to the Secretary to the Board of Regents, and to such other members of the administration as the chief administrative officer of The University of Texas at Austin may direct. The Union Director shall perform such additional services as may be required by the Board of Directors and approved by the Board of Regents.

9.(10) While various parts and facilities of the Union Building are reserved primarily for the general use of students and faculty, provision is made by extending the use of portions of the Building to special groups for their exclusive use when this can be done in such manner as not to interfere with the regular program of the Union, and in such cases a rental price may be charged. However, when persons, groups, or organizations officially designated by the chief administrative officer of The University of Texas at Austin, by the President of the System, or by the Board of Regents as guests of the University desire to use the facilities of the Union, such privilege shall be granted and shall

be granted without cost to the guest group. It is understood, of course, that all requests for the use of the facilities of the Union shall be subject to the principle that prior reservations will be respected, and for that reason requests for the use of the Building or any part of it should be made as early as possible.

- 9.(11) Notwithstanding any other provision of this section, every action of the Board of Directors of the Texas Union, and every action of any committee or subcommittee of such board, shall be reviewed by the chief administrative officer of The University of Texas at Austin and the chief administrative officer of The University of Texas at Austin may approve, reverse, or modify each such action. After reviewing the minutes of the Board of Directors, the chief administrative officer of The University of Texas at Austin shall deliver to the President of the System two copies of such minutes and a copy of the action, if any, taken by the chief administrative officer with regard to the approval, modification, or reversal of any action of the Board of Directors. Nothing in this section shall be deemed to limit or restrict the authority of the Board of Regents.

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

- 10.1 At least two copies of the minutes of all meetings of the Athletics Council at The University of Texas at Austin shall be delivered promptly to the chief administrative officer of The University of Texas at Austin. No budget or budget amendment adopted by the Athletics Council, or of any committee or subcommittee of such Council, shall have any force or effect until such budget or budget amendment has been approved by the Board.
- 10.2 The chief administrative officer of The University of Texas at Austin shall review the minutes of all meetings of the Athletics Council and may subsequently approve, reverse, or modify any action therein. After reviewing the minutes of a meeting of the Athletics Council, the chief administrative officer of The University of Texas at Austin shall deliver to the President of the System two copies of such minutes and a copy of the action, if any, taken by the chief administrative officer with regard to the approval, modification, or reversal of any action of the Athletics Council. Nothing in this section shall be deemed to limit or restrict the authority of the Board.

Sec. 11 Employment of a Students' Attorney.

- 11.1 If an attorney is retained in any manner by a component institution or by a Students' Association or other agency of student government at any component institution of the System to serve as a students' attorney, said attorney shall not act as counsel of record nor represent any student, faculty member, or staff member, or any group of combination of students, faculty members, or staff members, or System Administration or any component institution of the System:
- 11.11 In any matter that required an administrative decision to be made by any officer, committee, board, or agency of a component institution of the System, the System, or the Board.
- 11.12 At any stage of any criminal proceeding in any federal, state, county, or local court.
- 11.13 At any stage of any civil proceeding in any federal, state, county, or local court where such proceeding is directly or indirectly against or antagonistic to the interest of the System

or any component institution thereof, or against or antagonistic to the interests of any person who is sued in his official capacity as an officer of the System or any component institution thereof.

11.2 Any contract or agreement for legal services entered into by a Students' Association or other agency of student government or other agency of a component institution with an attorney whose remuneration will be paid from funds under the control and management of the Board, including funds from student fees whether mandatory or optional, is expressly subject to the applicable provisions of the Regents' Rules and Regulations, including, but not limited to, the foregoing provisions of this Section 11 and the following:

- Section 8.8 of Chapter I of Part One;
- Section 1.1 of Chapter III of Part One;
- Section 1.3 of Chapter III of Part One;
- Section 11 of Chapter III of Part One;
- Section 5.15 of Chapter VI of Part One; and
- Section 5.21 of Chapter VI of Part One.

CHAPTER XI

CONTRACTS AND GRANTS FOR RESEARCH, TRAINING, AND EDUCATIONAL SERVICES, INCLUDING INSTITUTIONAL SUPPORT GRANTS

Sec. 1 Contracts, grants, and agreements from or with outside agencies for research, training, and educational services, including institutional support grants, (except as provided in Subsection 1.1 below) shall be approved by the chief administrative officer and ratified by the Board via the institutional dockets.

- 1.1 Contracts or agreements with foreign governments, agencies thereof, and with institutions, enterprises or individuals subject to the jurisdiction of foreign governments, shall be submitted to System Administration for prior review sufficiently in advance of effective date for prior approval of the Board, if such prior approval is deemed appropriate by the Office of General Counsel and the President of the System.
- 1.2 The Office of the President of the System will issue special instructions for those contracts and grants requiring special approvals other than as provided in this section.
- 1.3 Funds shall not be encumbered or expended under any contract or grant prior to the approval of the contract or grant as indicated above.
- 1.4 Institutional support grants include NSF Institutional Grants for Science, NIH General Research Support Grants, Health Professions Education Improvement and/or Capitation Grant Programs, and other such grants awarded on a formula basis rather than a budgeted project basis.

Sec. 2 Proposals for such contracts, grants and agreements, whether with government agencies, industry, foundations, or other private granting agencies, shall

SEP 16 1977

be initiated by the faculty member (or other appropriate official who will direct the work) and shall be approved by designated administrative officials, including the chief administrative officer. These proposals will receive such System Administration review and approval as directed by the President of the System. Proposals to private foundations for support should be forwarded via the Office of the System Comptroller to the Chancellor for further approval. The chief business officer at each component institution is responsible for the business aspects of the proposals.

- Sec. 3 Copies of contracts, grants, and agreements specified in Section 1 of this chapter shall be filed with the Secretary to the Board, together with a copy of the proposal or application, if any, that resulted in the contract, grant, or agreement.
- Sec. 4 Detailed budgets are generally included in the proposals that result in a contract or grant for a specific research, training, or educational project, and expenditures should conform to such budgets, unless amended by authorized procedures. For those institutional or "formula" type grants identified in Subsection 1.3 of Section 1 of this chapter, a proposed budget must be submitted to the Office of the President of the System for review, approval, and submission to the Board.
- Sec. 5 Proposals as to overhead rates and specialized rates for fringe benefits, computers, and other facilities chargeable to cost-reimbursement contracts and other government contracts and grants shall be worked out in preliminary form by the chief business officer concerned and shall be reviewed and approved by the System Comptroller before being submitted. Subject to approval of the President of the System, the System Comptroller shall negotiate all such rates for the component institutions of the System.
- Sec. 6 Information as to overhead and specialized rates applicable to the type of contract, grant or agreement to be entered into shall be secured from the System Comptroller via the business officers and/or the appropriate research administration officer.
- Sec. 7 To the extent that indirect cost recoveries from the application of overhead rates are derived from use charges for buildings, other improvements, or equipment, the funds so derived shall be designated for renewals and replacements of plant fund assets or for other purposes specified and approved in the budgetary processes as related to the indirect cost recoveries.

SEP 16 1977

STATEMENT BY CHAIRMAN SHIVERS RELATING TO TITLE CHANGES IN REVISION OF REGENTS' RULES AND REGULATIONS, PARTS ONE AND TWO; APPOINTMENT OF POLICY COMMITTEE. --Chairman Shivers read the following statement relating to title changes in the revision of the Regents' Rules and Regulations including the appointment of a Policy Committee:

"The changes in System Administration titles authorized at the last meeting of the Board of Regents, coupled with the amendments to the Regents' Rules and Regulations approved today, complete the implementation of an administrative design initiated about two years ago.

"The University of Texas System is now an immense academic, research, and public service enterprise. It represents an educational opportunity for about 100,000 students, a source of compensation for over 40,000 personnel, an annual budgeted expenditure from all funds for this year in excess of \$750 million, and leadership in higher education for this state and nation which must be effectively and efficiently administered both at operational and executive levels.

"The Board of Regents is convinced that, in the division of responsibilities between Chancellor LeMaistre as chief executive officer and President Walker as chief operating officer, an administrative design has been found that utilizes the talents and expertise of both men to the maximum benefit of The University of Texas System.

"In recent years the number and importance of external groups and constituencies which have the potential to impact upon The University of Texas System have increased significantly. Higher education has found it essential for survival to develop the competence to deal effectively with those external forces which threaten the integrity and influence the future of higher education. While many of these factors relate to the pervasive influence of the spending power of the federal purse, the concerns of the business and economic community and the field of private philanthropy with regard to the value of higher education have required increased attention. Of necessity, the role of Chancellor, as chief executive officer of the system, has increasingly become an external one designed to ensure and enhance the governmental, business, and philanthropic climate in which The University of Texas System could continue to develop and attain the standards of excellence to which we are all committed.

"Two years ago Chancellor LeMaistre recognized the importance of this trend and recommended that the Chancellor be freed of ongoing day-to-day administration to deal with issues of long-range significance. During the last two years, I have worked closely with Chancellor LeMaistre on most difficult and time-consuming issues of great consequence to The University of Texas System. Chancellor LeMaistre has been eminently successful in a wide range of activities from preservation of the Permanent University Fund to indirect cost support of research, from health manpower policies to higher education's creditability, from international education to maintaining access to higher education for all Texans. These are but a few of those from the past, and the list of upcoming challenges is even more impressive.

SEP 16 1977

"I believe this area to be one of increasingly vital significance to The University of Texas System and one we dare not neglect. Today I am appointing a committee of Regents to be known as the Policy Committee to serve this important need. The Chairman of the Board will chair the committee and Vice-Chairman Williams and Regent Law will serve as members. Working closely with Chancellor LeMaistre, the committee will meet periodically and address itself to the broad question of higher education and public policy as it applies to our institutions. Only by effective and realistic planning and the subsequent translation into policy can The University of Texas System hope to enhance its mandate as a 'University of the first class.'

"With Chancellor LeMaistre's permission, I want to close this statement on a personal note.

"Eighteen months ago, Dr. LeMaistre initiated confidential discussions with regard to his strong personal desire to return to duties more directly related to medical education and administration but only at a time convenient to the Board of Regents. Various combinations of circumstances, political uncertainties, and programmatic brush-fires dictated that I not concur in his desire in the past, and he gracefully accepted my decision each time we discussed the matter.

"Several months ago he again accepted my judgment on the matter, but this time my reasons were different. I know of no other individual who can perform the difficult and sensitive assignments of the Chancellor as well as Dr. LeMaistre, and I hope the Board of Regents joins unanimously in that statement. We are pleased that he will continue in this role."

The statement was unanimously adopted and ordered placed in the Minutes.

U. T. SYSTEM: AUTHORIZATION TO REQUEST STATE COMPTROLLER FOR TRANSFER OF FUNDS BETWEEN LEGISLATIVE APPROPRIATION ITEMS DURING 1977-79 [ARTICLE IV, H.B. 510, 65TH LEG., R.S., 1977].-- Upon motion of Regent Law, seconded by Vice-Chairman Williams, the following resolution was unanimously adopted:

Pursuant to the appropriate transfer provisions of Article IV, H.B. 510, 65th Legislature, Regular Session, 1977, it is hereby resolved that the State Comptroller be requested to make necessary transfers within the Legislative Appropriations from the General Revenue Fund for each of the following components as authorized by the appropriate administrative officials of The University of Texas System institution concerned:

- 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
- The University of Texas at San Antonio
- The University of Texas Health Science Center at Dallas
- The University of Texas Medical Branch at Galveston
- The University of Texas Health Science Center at Houston
- The University of Texas Health Science Center at San Antonio
- The University of Texas System Cancer Center
- The University of Texas Health Center at Tyler

SEP 16 1977

U. T. SYSTEM: AMENDMENT TO ROSTER OF DEPOSITORY BANKS BY ADDING THE FIRST NATIONAL BANK AND THE MIDLAND NATIONAL BANK, BOTH OF MIDLAND, TEXAS. --The recommendation of System Administration to amend the roster of depository banks of The University of Texas System by adding The First National Bank and The Midland National Bank, both of Midland, Texas, was approved subject to the banks being willing to execute the standard depository agreements previously adopted by the Board of Regents.

U. T. SYSTEM - SYSTEM-WIDE BOILER AND MACHINERY INSURANCE POLICY: THREE-YEAR POLICY TO THE HARTFORD FIRE INSURANCE COMPANY. --A written report was received from System Administration with respect to negotiations for a three-year System-wide Boiler and Machinery Insurance Policy.

Based on the negotiations, authorized by the Board of Regents in February 1977, and upon recommendation of System Administration, a three-year policy effective July 1, 1977 was approved with The Hartford Fire Insurance Company or a wholly-owned subsidiary subject to annual rate reviews based on manual rates, but providing for a 15% dividend authorized by the State Board of Insurance. An initial policy premium of \$42,728 for the period July 1, 1977 to July 1, 1978 was approved with the premium to be prorated among the component institutions of The University of Texas System. (This rate is computed on manual rates in effect on July 1, 1977 subject to the 15% discount.)

The University is covered under a binder until the issuance of a new policy.

U. T. SYSTEM: AWARD OF CONTRACT FOR SYSTEM-WIDE FIRE AND EXTENDED COVERAGE INSURANCE TO AETNA CASUALTY AND SURETY COMPANY OF HARTFORD, CONNECTICUT, ON BUILDINGS AND CONTENTS COVERED BY BOND ISSUES. --Upon recommendation of System Administration and without objection, the Board of Regents authorized the award through The Time Insurance Agency, Austin, Texas, of a contract to Aetna Casualty and Surety Company, Hartford, Connecticut, for the period September 24, 1977 to September 24, 1980 for a Blanket System-Wide Fire and Extended Coverage Insurance Policy for Buildings and Contents Covered by Bond Issues (pursuant to SRC 102, 62nd. Leg., R.S., 1971). The contract provides:

Policy rate:	.087 per \$100 of buildings and content valuation for the policy period
Premium:	\$373,832 based on 90% coinsurance basis of actual current cash value of buildings and contents (\$429,691,969)
Deductible:	actual cash value of buildings and contents insured with a \$100,000 deductible per loss
Terms:	the coinsurance clause and pro rata distribution clause are not applicable if actual cash values are updated on an annual basis

SEP 16 1977

U. T. ARLINGTON - ON-CAMPUS LOCATION FOR PANHELLENIC HOUSING: REPORT RE STUDY; ADOPTION OF MODEL GROUND LEASE AGREEMENT; AND AUTHORIZATION FOR LEASE AGREEMENT WITH AEGEIDAE HOUSE CORPORATION OF DELTA TAU DELTA FRATERNITY. --A written report was received on a detailed investigative study by the administration at The University of Texas at Arlington with respect to Panhellenic Housing on the campus; a copy of the report is filed in the Office of the Secretary. This study on Panhellenic Housing development related to an area bound by Summit Avenue on the east, Fourth Street on the south, Davis Drive on the west and along both sides of West Second Street on the north, which area is within the boundaries of the U. T. Arlington campus and had been designated by the Board of Regents for this purpose at its meeting on December 10, 1976.

A proposed model Ground Lease Agreement between the Board of Regents of The University of Texas System and fraternities and sororities who wish to build on the campus premises at U. T. Arlington was submitted for approval. The lease was amended upon motion of Regent Law, duly seconded, by inserting in Subsection (2) of Section VI the words "a minimum of" between the words "size of" and "3,000 square feet," and by inserting the words "not less than" between the words "remodeled to" and "8,000 square feet;" so that Subsection (2) of Section VI reads as follows:

"(2) The building to be constructed on the leased premises shall be of a principal size of a minimum of 3,000 square feet, and shall be capable of being remodeled to not less than 8,000 square feet;"

The model lease agreement was approved without objection and is set out on Pages 234-245.

Approval was also given for a lease agreement between the Board of Regents of The University of Texas System and Aegeidae House Corporation of Delta Tau Delta Fraternity based on the model just amended and providing for a ground lease of 21,000 square feet at an annual rental of \$1,050 per year computed as follows: 21,000 square feet x \$1.25 per square foot x 4%.

Chairman Shivers was authorized to execute this lease agreement when it had been approved as to content by President Walker and as to form by an attorney in the Office of General Counsel.

Model Ground Lease Agreement

THE STATE OF TEXAS X
 X GROUND LEASE AGREEMENT
COUNTY OF TARRANT X

This GROUND LEASE AGREEMENT made and entered into this _____ day of _____ by and between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for the use and

SEP 16 1977

benefit of The University of Texas at Arlington, located in the City of Arlington, Texas, hereinafter referred to as "Lessor", and

FRATERNITY, a private corporation duly incorporated under and existing by virtue of the laws of the State of Texas, with its principal place of business located in the City of Arlington, Texas, hereinafter referred to as "Lessee";

W I T N E S S E T H :

I. Lease of Premises: Lessor, for and in consideration of the rents, covenants, and promises herein contained to be kept, performed, and observed by Lessee, does hereby lease and demise to Lessee, and Lessee does hereby rent and accept from Lessor, that real property, referred to hereinafter as "leased premises" and more particularly described in Exhibit A, attached hereto and made a part hereof for all purposes; to have and to hold the leased premises, together with all rights, privileges, easements, appurtenances, and immunities belonging to or in any way appertaining thereto.

II. Lease Term: This lease shall be for a term and period of fifty years, commencing on the day of , and ending on the day of , 2027, subject, however, to earlier termination as hereinafter provided. Lessee may renew this lease for a further term and period of forty-nine years, by giving Lessor written notice of Lessee's intention to do so at any time not more than two years nor less than one year prior to the expiration of the lease term, subject to the mutual consent and agreement of Lessor and Lessee to such terms and conditions for such renewal as may then be agreed. If Lessee

shall hold over after the expiration or termination of the lease term, such tenancy shall be from month to month, on the terms, covenants and conditions of this lease.

III. Consideration: Lessee agrees to pay Lessor as rental for the use and occupancy of the leased premises the total sum of _____ Dollars (\$ _____) payable in equal annual installments of _____ Dollars (\$ _____) each, in advance, to Lessor, on the first day of January of each year during the term of this lease; provided, however, that the first of said annual payments shall be made by Lessee to Lessor simultaneously with the execution and delivery of this lease. All installments of rent hereunder, when and as the same becomes due and payable, shall be paid to the Lessor, at its business office in Arlington, Texas, or at such other place as it may from time to time designate in writing, for the term of this lease. Rent installments unpaid on the date due shall bear interest at the rate of _____ percent (_____ %) per annum commencing on the day after such installment was due.

IV. Further Payments: Lessee shall pay or cause to be paid any and all charges for electricity, gas, water and any and all other utilities used on the leased premises throughout the term of this lease. Lessee shall also pay and discharge all taxes, general and special assessments, and other governmental charges of every description which during the term of this lease may be levied on or assessed against the leased premises, including all interests therein and improvements or property thereon. In addition, Lessee shall at all times keep the premises and any improvements thereon insured against loss or damage, with such insurance companies as Lessee shall select and Lessor shall

approve, in amounts not less than the full replacement value of such improvements. Lessee shall also provide, at its own expense and keep in force during the term of this lease, with such insurance companies as Lessee shall select and Lessor shall approve, liability insurance protecting Lessor and Lessee, in amounts to be proposed by Lessee and approved by Lessor, against any liability to employees of Lessee or any other persons, arising out of the occupation and use of the leased premises. Similar liability and property damage insurance shall be obtained by Lessee, with such insurance companies as Lessee shall select and Lessor shall approve, for any demolition, excavation and construction work, when in progress on the premises. Lessee shall furnish Lessor with copies of all insurance policies required by this agreement. Lessor shall not be liable for any loss, damage or injury of any kind or character to any person or property arising from Lessee's use of the leased premises or any part thereof. Lessee hereby agrees to indemnify and hold Lessor entirely free and harmless from all liability for any loss, damage or injury to persons or property during the lease term, and from all costs and expenses arising therefrom.

V. Use of Premises: Lessee shall have the right to use the leased premises, and any improvements thereon, solely for the purposes of a fraternity chapter house and not for any other purpose. Lessee's use and occupancy shall be limited to the active members and alumni of the existing Chapter of Lessee, to the guests of members of said chapter, and, during the summer months only, to any person who shall at such time of occupancy be duly enrolled and in attendance as a student at Lessor's educational institution at Arlington, Texas.

VI. Construction; Maintenance; Repair: Lessee shall have the right at any time and from time to time during the term of this lease, to erect, maintain, alter, reconstruct, build and

replace any improvements on the leased premises, subject to the following general conditions: (1) The cost of any such improvements shall be borne and paid for solely by Lessee; (2) The building to be constructed on the leased premises shall be of a principal size of a minimum of 3,000 square feet, and shall be capable of being remodeled to not less than 8,000 square feet; (3) The leased premises shall at all times be kept free of mechanic's and materialmen's liens; and (4) Lessor shall be notified in advance of the time for commencement of any construction work.

No structure or other improvement shall be constructed or maintained upon the leased premises, in the absence of prior written approval thereof by Lessor. Lessee shall, at its own expense, cause to be prepared all plans and specifications for any new construction or improvements, and same shall be submitted to Lessor for approval. Promptly following receipt thereof, Lessor shall review and either approve the plans or require changes to be made in conformity with the restrictions and limitations imposed by this lease. Lessor's approval of plans and specifications refer to reasonable conformity thereof to the Lessee's general architectural plan for the leased premises, said plan to be developed in consultation with and subject to approval by Lessor; provided however, Lessor's approval shall not be any assumption of liability or responsibility for such plans and specifications or for any construction, use or activity thereunder. Lessee shall, at its sole cost and expense, keep and maintain all buildings and improvements on the leased premises in a good state of appearance and repair, reasonable wear and tear excepted, for and during the term of this lease. In the event the buildings or improvements on the leased premises are in any manner damaged, regardless of the extent thereof, Lessee shall forthwith proceed with plans for repair and shall in any event within one year commence the actual work

of repair, reconstruction or replacement and proceed with the same with reasonable diligence, to restore such improvements to substantially the same condition as existed prior to the damage.

VII. Ownership of Improvements: It is expressly understood and agreed that any and all buildings, improvements, fixtures, machinery and equipment of whatsoever nature at any time constructed, placed or maintained on the leased premises shall then be and immediately become part and parcel of the premises belonging to the Lessor, as do the improvements heretofore built on said premises. All buildings and improvements of any kind, being Lessor's property, may not be removed by Lessee, except upon written agreement of Lessor.

VIII. Assignment; Sublease; Encumbrances: Lessee may not sell, assign or sublet its leasehold estate in its entirety, or in any part of the unexpired term thereof, or in any part of any improvements thereon, except upon prior notice to, and agreement in writing from, Lessor. Lessee may encumber its leasehold interest, by deed of trust, mortgage or similar instrument, subject to written consent obtained in advance thereto from Lessor. Such encumbrances shall in no event constitute a lien on Lessor's title, and Lessee's indebtedness shall at all times remain inferior and subordinate to all rights of Lessor under this lease. Subject to Lessor's approval, any lender on the security of the leasehold estate shall have the right at any time during the term of this lease to prevent forfeiture, by termination or otherwise, of Lessee's rights, and to realize, solely on the security afforded by the leasehold estate, any remedy afforded at law or in equity, to succeed to Lessee's interest hereunder.

IX. Compliance with Law: All buildings, fixtures and improvements presently existing, or to be constructed or reconstructed on the leased premises, and all uses by Lessee thereon,

shall be in compliance with any and all valid and applicable laws, regulations and ordinances of any governmental authority having jurisdiction over the leased premises. In the event of any violations of this provision, upon due notice to Lessee in writing, Lessor may then proceed forthwith to adjudge and determine that Lessee is in violation of such laws, rules and regulations, and upon such determination Lessor may thereafter either suspend Lessee's right to use and occupy the leased premises, pursuant to such terms and conditions as Lessor may require, or Lessor may terminate this lease in accordance with its terms.

X. Termination Upon Default: Should Lessee default in the performance of any covenant, condition or agreement in this lease, including any violation set forth in paragraph IX, above, and should such default not be corrected within ten days after receipt by Lessee of written notice of such default, from Lessor, Lessor may at such day declare in writing that this lease, and all rights and interests established hereunder, are to be terminated. This lease shall thereupon cease and end as if said termination day were the date fixed by this lease for expiration of the term herein. Any termination shall not relieve Lessee from the payment of any sum that shall then be due and payable to Lessor hereunder, or any claims for damages then or theretofore accruing against Lessee hereunder. Any such termination shall not prevent Lessor from enforcing the payment of any sums or claims for damages by any remedy provided by law, or from recovering damages from Lessee for any default hereunder. All rights, options and remedies of Lessor contained in this lease shall be construed to be and shall be cumulative, and no one of them shall be exclusive of the other. Lessor shall accordingly have the right to pursue any one or all of such remedies or any other remedy or relief which may be provided by law, whether or

not stated in this lease. No waiver by Lessor of a breach of any of these covenants, conditions or restrictions shall be construed to be, nor shall any such waiver be held to be, a waiver of any succeeding or preceding breach of the same or any other covenant, condition or restriction herein contained.

XI. Warranties and Options: Lessor warrants and represents that it is the owner, as a matter of law, of the leased premises, subject to the covenants, conditions, restrictions, easements and other matters of record. Lessor covenants and agrees that Lessee, on prompt payment of the rent and other charges herein provided, and on observing and keeping the covenants, conditions and terms of this lease, shall lawfully and quietly hold, occupy and enjoy the leased premises during the term of this lease; provided, however, Lessor may, in the due exercise of its sovereign powers, hereby specifically reserved to Lessor, upon notice, take or sell the leased premises; provided, however, in such event Lessee shall be entitled to the fair market rental value of the improvements provided by it, duly discounted for the remaining years under this lease as of the date of the actual taking of the improvements. In the event, and only in the event, that the leased premises are to be sold or transferred for non-governmental purposes, then such transfer shall be subject to a first option to Lessee, for a period of ninety days after notice, to purchase said leased premises for a consideration which shall not be less than the highest and best price offered to Lessor during such proposed sale.

XII. Government Authority: In the event the leased premises or any part thereof shall be taken for public purposes separate and apart from those reserved by Lessor in paragraph XI, Lessee shall be entitled to the fair market rental value of the improvements provided by it, duly discounted for the remaining years under this lease as of the date of the actual taking

of the improvements. In the event of a taking or transfer of only part of the leased premises, leaving the remainder to be used practicably, in the opinion of Lessee, for its continued operations, then this lease shall continue in full force and effect. A voluntary conveyance by Lessor to any public agency or authority, including transfer by Lessor to itself, shall be deemed to be a taking within the meaning of this paragraph. In the event of any default by Lessee, however, and termination by Lessor in accordance with paragraph X, then the right of Lessee, under this paragraph and paragraph XI shall cease, subject to Lessor's right to damages or such other remedies as are provided under this lease.

XIII. General Protective Provisions: Lessee shall permit Lessor to enter on the leased premises, for inspection purposes, for determination of Lessee's compliance with this lease, or for showing the premises to prospective lessees or purchasers. In the event the undertaking herein contained is delayed by reason of force majeure, which shall be and include any circumstances beyond Lessee's control or the control of any party obligated or permitted under the terms hereof to do or perform the same, each such party shall be excused from doing or performing the same during the period of such delay. The relationship between Lessor and Lessee at all times shall remain solely that of landlord and tenant, as defined by this lease and applicable rules, regulations and provisions declaring Lessor's authority, and this lease shall not be a partnership, joint venture or other undertaking.

XIV. Miscellaneous: This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors, and, where permitted by this agreement, assignees and sublessees. This agreement shall be construed under and in accordance

with the laws of the State of Texas, and all obligations of the parties established hereunder are performable in Tarrant County, Texas. In the event one or more provisions herein contained shall be held invalid or unenforceable for any reason such invalidity or unenforceability shall not affect any other portion of this agreement. This agreement is the sole and only agreement of the parties hereto, and supersedes any prior undertakings or agreements between the parties. No amendment, modification or alteration of the terms of this lease agreement shall be binding unless the same be in writing, dated subsequent to the date hereof and duly executed by the parties hereto. The rights and remedies provided by this lease agreement are cumulative, and the use of any one right or remedy by either party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are granted hereunder in addition to any and all other rights the parties may have as a matter of law. In the event of breach of any of the terms of this agreement whereby the party not in default employs attorneys to protect or enforce its rights hereunder, then the defaulting party agrees to pay the other party such reasonable attorneys' fees and expenses so incurred by the other party, subject to court approval. It is further stipulated that time is of the essence under this agreement. Lessor shall from time to time execute and deliver to Lessee such other documents as Lessee may reasonably request, approving, ratifying and continuing this lease and the leasehold estate hereby established, and shall certify that same is in full force and effect, provided that if any default on the part of Lessee does exist, Lessor shall specify in said certificate each such default.

XV. Notices: All notices, demands or requests from a party to another may be personally delivered or sent by mail, certified or registered, postage prepaid to the addresses stated in this

paragraph, and shall be deemed to have been given at the time of personal delivery or at the time of mailing. All notices to Lessor shall be given to Lessor at _____, or at such other address as Lessor may request in writing. All notices to Lessee shall be given to Lessee at _____, or at such other address as Lessee may request in writing.

THIS LEASE has been duly executed by the parties, as stated below, to be effective on the date and year first above written.

LESSOR

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

ATTEST:

By _____

Approved as to Content:

Approved as to Form:

Deputy Chancellor

University Attorney

LESSEE

AEGEIDAE HOUSE CORPORATION OF DELTA TAU DELTA FRATERNITY

ATTEST:

By _____

THE STATE OF TEXAS X
 X
 COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority, on this day personally appeared ALLAN SHIVERS, Chairman of the Board of Regents of The University of Texas System, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and

SEP 16 1977

15

acknowledged to me that the same was the act and deed of the Board of Regents of The University of Texas System and that he executed the same as the act and deed of said Board for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office, this _____ day of _____, A.D., 19____.

Notary Public in and for
Travis County, Texas

THE STATE OF TEXAS X
 X
COUNTY OF TARRANT X

BEFORE ME, the undersigned authority, on this day personally appeared _____ as _____ a corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act and deed of _____ and that he executed the same as the act and deed of said corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this _____ day of _____, A.D., 19____.

Notary Public in and for
Tarrant County, Texas

U. T. AUSTIN: RELEASE OF COPYRIGHT ON DUTIES AND LIABILITIES OF THE CPA. --It was reported that Dr. Denzil Y. Causey, Jr., of the School of Business at Georgia Southern College and author of Duties and Liabilities of the CPA, had requested that The University of Texas System transfer the copyright of this book from the Board of Regents to the author so that he may try to place it with a commercial publisher for a second revised edition. The Bureau of Business Research at The University of Texas at Austin, the original publisher of Duties and Liabilities of the CPA, does not desire to publish a second revised edition of this book.

Upon the recommendation of President Rogers, concurred in by System Administration, unanimous approval was given to transfer the copyright of Duties and Liabilities of the CPA from the Board of Regents to the author, Denzil Y. Causey, Jr., effective March 15, 1978, for the amount of \$25.

U. T. AUSTIN: EVALUATION REPORT ON "LITTLE CAMPUS" BUILDINGS BY OFFICE OF FACILITIES PLANNING AND CONSTRUCTION - ACTION POSTPONED. --A written evaluation report on "Little Campus" buildings that had been prepared by the Office of Facilities Planning and Construction was received.

Regent Clark was recognized and introduced Professor Emeritus Philip D. Creer, former Dean of the School of Architecture at U. T. Austin. Regent Clark said that he had discussed the "Little Campus" buildings with Professor Creer and that Professor Creer had requested that consideration of this matter be postponed until the Texas Society of Architects could furnish the members of the Board of Regents with a copy of a study that had been conducted with respect to the "Little Campus." Remnant of An Era - The History of the Little Campus Site (1859-1977)

Whereupon, upon recommendation of Regent Clark, seconded by Regent Fly, consideration of the evaluation report on "Little Campus" buildings and recommendations relating thereto was postponed until the November 11, 1977 meeting of the Board of Regents.

On behalf of the Board of Regents, Chairman Shivers extended an invitation to Professor Creer and to Susan S. Barry, who had also expressed an interest in this project, to attend and to be heard at the next meeting of the Board.

Professor Creer indicated that the additional material would be sent to the members of the Board of Regents prior to that time.

U. T. AUSTIN: APPROPRIATION FROM AVAILABLE UNIVERSITY FUND FOR UPGRADING UNDERGRADUATE TEACHING FACILITIES INCLUDING REPLACEMENT OF WORN-OUT AND OBSOLETE LABORATORY EQUIPMENT. --The Committee's attention was called to the fact that \$500,000 was appropriated in 1974-75 to upgrade undergraduate teaching facilities through well-planned remodeling or renovation projects and provisions for replacing worn-out and obsolete instructional laboratory equipment at The University of Texas at Austin. Each year since, a like amount has been appropriated.

Upon the recommendation of President Rogers, concurred in by System President Walker, the Committee of the Whole unanimously approved an appropriation of \$484,730.70 from the 1976-77 balance of the Available University Fund as follows:

Reserve for Equipment and Improvements
to General Purpose Classrooms and Laboratories

\$484,730.70

Specific project allocations from this source will be recorded in subsequent U. T. Austin dockets.

U. T. AUSTIN: PRIOR APPROVAL OF PATENT PROVISIONS IN PROPOSED AGREEMENT WITH LUFKIN INDUSTRIES, LUFKIN, TEXAS (REGENTS' RULES AND REGULATIONS, PART TWO, CHAPTER V, SECTION 2.4). -- Upon the recommendation of The University of Texas at Austin Patent Committee and President Rogers, concurred in by System Administration, unanimous approval was given to the patent provision in the Memorandum of Agreement awarded to The University of Texas at Austin by Lufkin Industries, Lufkin, Texas, for a project

entitled "Fracture Properties of Ductile Iron." The Memorandum of Agreement states that Lufkin Industries will receive a royalty-free non-exclusive license for any patentable ideas resulting from this project.

The Office of General Counsel had reviewed the patent provision of the proposed agreement and had found the provision consistent with the Regents' Rules and Regulations, Part Two, Chapter V, Section 2.4. A copy of the agreement, when executed, will be reported in a subsequent U. T. Austin docket.

U. T. AUSTIN: PERMISSION TO ENTER INTO AGREEMENTS WITH (A) THE INTERNATIONAL EDUCATION AND TRAINING SERVICES, INC., NEW YORK, NEW YORK; (B) THE INSTITUTO CENTROAMERICANO DE INVESTIGACION Y TECNOLOGIA INDUSTRIAL (ICAITIO), DOMINICAN REPUBLIC; AND (C) THE INSTITUTO NACIONAL DE ELECTRIFICACION (INDE) OF GUATEMALA CITY, GUATEMALA. --President Rogers recommended, and System Administration concurred, that The University of Texas at Austin be permitted to enter into agreements with the following entities of three foreign governments. It was reported that the State Department was contacted to determine if there were objections to any of these projects and none was voiced:

- a. The International Education and Training Services, Inc., New York, New York (a Japanese corporation) for special programs for non-credit conversational English and Acculturation
- b. The Instituto Centroamericano de Investigacion y Tecnologia Industrial (ICAITIO), Dominican Republic, for the Marine Science Institute to further marine science research in the Dominican Republic area
- c. The Instituto Nacional de Electrificacion (INDE) of Guatemala City, Guatemala, for the Geophysics Laboratory to further seismic studies in the Guatemala area

The Office of General Counsel had approved the proposed contracts and had found them consistent with the Regents' Rules and Regulations, Part Two, Chapter XI, Section 1.

The Committee of the Whole unanimously approved the participation of U. T. Austin in these agreements and ordered that each contract, if executed, be reported in a subsequent docket.

U. T. AUSTIN - REPORT ON REDEDICATION OF TEXAS MEMORIAL STADIUM TO ALL AMERICAN VETERANS OF ALL WARS, H.S.R. NO. 25, 65TH LEG., R.S., 1977. --President Rogers reported that pursuant to instructions of the Board of Regents on July 29, 1977, the rededication of Texas Memorial Stadium at The University of Texas at Austin as a memorial to all American veterans of all wars had been scheduled for November 12, 1977, during a half-time ceremony at the Texas vs. Texas Christian University football game.

This rededication is pursuant to H.S.R. No. 25, 65th Legislature, R.S., 1977, by Representative Albert Brown of San Antonio, Texas. President Rogers reported that Representative Brown was pleased with the program that had been set up for this ceremony.

HOUSTON HEALTH SCIENCE CENTER: APPOINTMENT OF ADVISORY COMMITTEE FOR THE SELECTION OF A CHIEF ADMINISTRATIVE OFFICER. --It is reported for the record that pursuant to the Regents' Rules and Regulations, Part One, Chapter II, Section 4.1, Chairman Shivers appointed an advisory committee for the selection of a chief administrative officer at The University of Texas Health Science Center at Houston. Dr. Truman G. Blocker, Jr., has been serving as Acting President since the acceptance of the resignation of Dr. Charles A. Berry on April 15, 1977. The committee is set out below:

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

Chancellor of the System

Charles A. LeMaistre, M.D., Chairman

President of the System

Dr. E. D. Walker

Vice President for Health Affairs

Edward N. Brandt, Jr., M.D.

Chief Administrative Officers

Frank Harrison, M.D., President of The University
of Texas Health Science Center at San Antonio

William C. Levin, M.D., President of The University
of Texas Medical Branch at Galveston

Charles C. Sprague, M.D., President of The University
of Texas Health Science Center at Dallas

Board of Regents

Regent Thos. H. Law

Regent Allan Shivers

Regent Walter G. Sterling

Faculty Members

Dr. John A. DeMoss, Houston Medical School

Frank B. Trice, D.D.S., Houston Dental Branch

Marcus M. Key, M.D., Public Health School

Dr. Arlowayne Swort, Houston Nursing School

Edward M. Copeland, M.D., Houston Medical School

Dean of Medicine

Robert L. Tuttle, M.D., Houston Medical School

Student Representatives

Mr. Mike Crist, Fourth Year Student, Houston Dental Branch

Ms. Laurie Bell, Student, Houston Medical School

Other

Mr. Kraft Eidman, Fulbright & Jaworski, Houston, Texas -
President of Houston Health Science Center Development
Board

UNIVERSITY CANCER CENTER: APPOINTMENT OF ADVISORY COMMITTEE FOR THE SELECTION OF A CHIEF ADMINISTRATIVE OFFICER.--
 It is reported for the record that pursuant to the Regents' Rules and Regulations, Part One, Chapter II, Section 4.1, Chairman Shivers appointed an advisory committee for the selection of a chief administrative officer at The University of Texas System Cancer Center. Dr. R. Lee Clark, who has been President of the University Cancer Center since its creation in 1972, has notified the Board of Regents of his intention to retire at the end of this fiscal year, August 31, 1978. The committee is set out below:

Advisory Committee for Selection of Chief Administrative Officer
 for
 The University of Texas System Cancer Center

Chancellor of the System

Charles A. LeMaistre, M.D., Chairman

President of the System

Dr. E. D. Walker

Vice President for Health Affairs

Edward N. Brandt, Jr., M.D.

Chief Administrative Officers

Frank Harrison, M.D., President of The University
 of Texas Health Science Center at San Antonio

William C. Levin, M.D., President of The University
 of Texas Medical Branch at Galveston

Charles C. Sprague, M.D., President of The University
 of Texas Health Science Center at Dallas

Board of Regents

Regent Thos. H. Law

Regent Allan Shivers

Regent Walter G. Sterling

Faculty Members*

Jose Trujillo, M.D., Department of Laboratory Medicine

Dr. David Anderson, Department of Biology

Richard H. Jesse, M.D., Department of Surgery

Eleanor D. Montague, M.D., Department of Radiotherapy

Dr. James Bowen, Department of Virology

Dean*

Robert D. Moreton, M.D., Vice President for Professional
 and Public Affairs

Student*

Antanas Stepanas, M.D., Fellow, Department of Medicine

Other

Mr. J. Leroy Jeffers, Vinson & Elkins, Houston, Texas -
 Member of Board of Visitors

*Since the University Cancer Center is not a degree granting institution, the five faculty positions are filled by members of the clinical and basic science staff, the dean by a vice president, and the student by a fellow in the Department of Medicine.

U. T. SYSTEM: REPORT OF MEMBERSHIP OR STATUS OF ORGANIZATION FOR ALL COMPONENT DEVELOPMENT BOARDS AND ADVISORY COUNCILS -

(A) U. T. ARLINGTON: DEVELOPMENT BOARD; GRADUATE SCHOOL OF SOCIAL WORK, COLLEGE OF BUSINESS ADMINISTRATION, AND SCHOOL OF NURSING ADVISORY COUNCILS;

(B) U. T. AUSTIN: DEVELOPMENT BOARD; SCHOOL OF ARCHITECTURE FOUNDATION, ARTS AND SCIENCES FOUNDATION (HUMANITIES, NATURAL SCIENCES, SOCIAL AND BEHAVIORAL SCIENCES, GENERAL

SEP 16 1977

AND COMPARATIVE STUDIES), COLLEGE OF BUSINESS ADMINISTRATION FOUNDATION, SCHOOL OF COMMUNICATION FOUNDATION, COLLEGE OF EDUCATION FOUNDATION, COLLEGE OF ENGINEERING FOUNDATION, COLLEGE OF FINE ARTS FOUNDATION, GEOLOGY FOUNDATION, GRADUATE SCHOOL FOUNDATION, GRADUATE SCHOOL OF LIBRARY SCIENCE FOUNDATION, PHARMACEUTICAL FOUNDATION, SCHOOL OF SOCIAL WORK FOUNDATION (FORMERLY GRADUATE SCHOOL OF SOCIAL WORK); McDONALD OBSERVATORY AND SCHOOL OF NURSING ADVISORY COUNCILS; NATIONAL ADVISORY COMMITTEE TO THE U. T. AUSTIN MARINE SCIENCE INSTITUTE AT GALVESTON

(C) U. T. DALLAS: DEVELOPMENT BOARD; SCHOOL OF MANAGEMENT AND ADMINISTRATION, CALLIER CENTER FOR COMMUNICATION DISORDERS, GENERAL STUDIES, AND ARTS AND HUMANITIES ADVISORY COUNCILS;

(D) U. T. EL PASO: DEVELOPMENT BOARD;

(E) U. T. PERMIAN BASIN: DEVELOPMENT BOARD;

(F) U. T. SAN ANTONIO: DEVELOPMENT BOARD; COLLEGE OF BUSINESS AND INSTITUTE OF TEXAN CULTURES ADVISORY COUNCILS;

(G) DALLAS HEALTH SCIENCE CENTER: DEVELOPMENT BOARD;

(H) GALVESTON MEDICAL BRANCH: DEVELOPMENT BOARD AND NATIONAL ADVISORY COMMITTEE TO THE MARINE BIOMEDICAL INSTITUTE

(I) HOUSTON HEALTH SCIENCE CENTER: DEVELOPMENT BOARD; HOUSTON MEDICAL SCHOOL, HOUSTON DENTAL BRANCH, GRADUATE SCHOOL OF BIOMEDICAL SCIENCES AND SPEECH AND HEARING INSTITUTE, SCHOOL OF ALLIED HEALTH SCIENCES, AND PUBLIC HEALTH SCHOOL ADVISORY COUNCILS;

(J) SAN ANTONIO HEALTH SCIENCE CENTER: DEVELOPMENT BOARD;

(K) UNIVERSITY CANCER CENTER: BOARD OF VISITORS OF UNIVERSITY CANCER FOUNDATION. --Unless otherwise indicated, membership was

authorized for and nominees were designated to the following development boards and advisory councils on June 10, 1977. The Administration notified the individuals nominated and reports that the following have accepted the appointments. The full membership of each organization is set out below with the new appointments indicated by an asterisk and reappointments by double asterisks. (Pages 250 - 268)

The Regents' Rules and Regulations, Part One, Chapter VII, Subsection 2.31 provide that each development board shall consist of not more than twenty-five appointed members. In those cases where the membership had been increased the necessary rules were waived:

1. The University of Texas at Arlington

Development Board.--The authorized membership of the U. T. Arlington Development Board is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. Robert Alpert, Dallas	1978
Mr. Lewis Bond, Fort Worth	1979
Dr. Malcolm K. Brachman, Dallas	1978
Mr. James T. Brown, Grand Prairie	1979
Mr. Arthur W. Cruse, Dallas	1979
Mr. Rawles Fulgham, Dallas	1978
Mr. Jenkins Garrett, Fort Worth	1978
*Mr. Richard Greene, Arlington	1980
Mr. A. R. Hixson, Arlington	1979
Mr. Burl B. Hulsey, Jr., Dallas	1978
Mr. Dee J. Kelly, Fort Worth	1978
*Mr. H. R. Poynter, Arlington	1980

T. L. Shields, M.D., Fort Worth	1978
Mr. Lee Smith, Dallas	1978
Mr. Marvin Stotler, Arlington	1978
*Mr. John T. Stuart, Dallas	1980
*Mr. Tom Taylor, Arlington	1980
**Mr. Robert Thornton, Jr., Dallas	1980
Mr. Ernest J. Wilcomon, Arlington	1979
**Mr. Sam Woodson, Fort Worth	1980

5 Unfilled Terms

Graduate School of Social Work Advisory Council.--
 The authorized membership of the U. T. Arlington
 Graduate School of Social Work Advisory Council is
 26, and the membership as approved is listed below:

	<u>Term Expires</u>
Doris Adams, M.D., Dallas	1979
R. G. Alexander, D.D.S., Arlington	1979
Mr. Roy Dulak, Dallas	1979
*Mr. Larry Eason, Fort Worth	1980
**Mr. Pete Hinojosa, Fort Worth	1980
Mrs. Tommy G. Mercer, Fort Worth	1979
Mrs. Phil Schepps, Dallas	1978
Rabbi Robert Schur, Fort Worth	1979
Mr. Ralph M. Shannon, Dallas	1978
Mrs. Richard Snider, Arlington	1979
Mrs. Thelma Thornton, Fort Worth	1978
Mr. Ralph A. Wagner, Fort Worth	1978
Mrs. Barbara Wiederaenders, Irving	1978
Mr. Glenn Wilkins, Fort Worth	1979
Unfilled Term	1979
Unfilled Term	1979
Unfilled Term	1979
Unfilled Term	1979
Unfilled Term	1979
Unfilled Term	1979
Unfilled Term	1979
Unfilled Term	1980
Unfilled Term	1980
Unfilled Term	1980
Unfilled Term	1980
Unfilled Term	1980
Unfilled Term	1980
Unfilled Term	1980

College of Business Administration Advisory Council.
 --The authorized membership of the U. T. Arlington
 College of Business Administration Advisory Council
 is 30, and the membership as approved is listed
 below:

	<u>Term Expires</u>
*Mr. Albert H. Cloud, Jr., Dallas	1980
*Mr. Charles Ferguson, Dallas	1980
Mr. Robert C. Findlay, Arlington	1978
*Mr. Joseph Grant, Fort Worth	1980
**Mr. Don Guth, Dallas	1980
Mr. Burvin Hines, Arlington	1979
*Mr. Leonard Hueber, Dallas	1980
**Mr. Charles A. James, Dallas	1980
Mr. Robert A. Johnson, Arlington	1978
*Mr. John Justin, Fort Worth	1980
*Mr. Herb Leitz, Arlington	1980

SEP 16 1977

Mr. Paul Mason, Fort Worth	1978
**Mr. A. Patrick McEvoy, Dallas	1980
Mr. W. N. McKinney, Dallas	1978
Mr. Michael A. Myers, Dallas	1978
Mr. Bill Nugent, Fort Worth	1979
Mr. Harold Patterson, Arlington	1978
Mr. George B. Phillips, Euless	1978
Mr. Richard Poynter, Arlington	1980
**Mr. E. M. Rosenthal, Fort Worth	1980
*Mr. Carl Sewell, Dallas	1980
*Mr. Doyle Smith, Arlington	1979
Mr. Stephen F. Smith, Dallas	1978
Mr. J. P. Tarantino, III, Dallas	1978
Mr. Tom Taylor, Arlington	1980
**Mr. Liener Temerlin, Dallas	1980
**Mr. J. B. Thomas, Fort Worth	1980
*Mr. Tom Vandergriff, Arlington	1979
Mr. Merle Volding, Dallas	1979
Mr. Tom L. Walker, Dallas	1979

School of Nursing Advisory Council.--The authorized membership of the U. T. Arlington School of Nursing Advisory Council is 16, and the membership as approved is listed below:

	<u>Term Expires</u>
Mrs. Gordon Appleman, Fort Worth	1979
Frank C. Council, M.D., Arlington	1978
Mr. R. E. Cox, III, Fort Worth	1979
*Mr. Robert W. Gerrard, Fort Worth	1980
Mr. Arthur I. Ginsburg, Fort Worth	1979
*Reverend R. W. Jablonowski, Jr., Fort Worth	1980
*Mrs. Kay Buck McDermott, Fort Worth	1980
Mr. Rex C. McRae, Arlington	1979
Mr. Harry A. Noah, Arlington	1979
Mrs. J. Clark Nowlin, Fort Worth	1978
Fred Rehfeldt, M.D., Fort Worth	1978
*Mrs. Byron Searcy, Fort Worth	1980
Mr. Sterling Steves, Fort Worth	1979
Mr. Bill Wagner, Euless	1978
2 Unfilled Terms	1980

2. The University of Texas at Austin

Development Board.--The authorized membership of the U. T. Austin Development Board is 26, and the membership as approved is listed below:

	<u>Term Expires</u>
**Mr. Rex G. Baker, Jr., Sugar Land	1980
Mrs. Perry R. Bass, Fort Worth	1979
*Captain Alan L. Bean, Houston	1980
**Senator Lloyd M. Bentsen, Jr., Washington, D. C.	1980
**Mr. L. L. Colbert, Birmingham, Michigan	1980
Mr. Marvin K. Collie, Houston	1979
**Mr. C. W. Cook, Austin	1980
**Mr. B. W. Crain, Jr., Longview	1980
Mr. Franklin W. Denius, Austin	1979

Mr. Bob R. Dorsey, Austin	1979
*Mr. A. Baker Duncan, San Antonio (A)	1980
**Mr. Hayden W. Head, Corpus Christi	1980
Mr. Elton M. Hyder, Jr., Fort Worth	1979
Mr. Dan M. Kraus, Dallas	1979
Mr. Thos. H. Law, Fort Worth	Regent
	Representative
Mr. Ben F. Love, Houston	1979
**Mr. Wales H. Madden, Jr., Amarillo	1980
Mrs. Eugene McDermott, Dallas	1978
Mr. J. Mark McLaughlin, San Angelo	1978
**Mr. V. F. Neuhaus, Mission	1980
Mr. B. D. Orgain, Beaumont	1978
Mr. Preston Shirley, Galveston	1979
Mr. Ralph Spence, Tyler	1979
Mr. Jack G. Taylor, Austin	1979
Mr. John P. Thompson, Dallas	1978
Mr. J. D. Wrather, Jr., Beverly Hills, California	1979

(A) The nomination of Mr. A. Baker Duncan was approved on July 29, 1977 as a replacement for Mr. H. H. Coffield.

School of Architecture Foundation Advisory Council.
 --The authorized membership of the U. T. Austin School of Architecture Foundation Advisory Council is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. Robert L. Armstrong, Austin	1978
*Mr. Joseph E. Blanton, Albany, Texas	1980
Mr. Bill C. Booziotis, Dallas	1979
Mr. David R. Braden, Dallas	1979
Dr. Richard F. Brown, Fort Worth	1978
Mr. J. Herschel Fisher, Dallas	1979
Mr. Joe Edward Guthrie, Dallas	1978
*Mr. Norcell Haywood, San Antonio	1980
**Mr. Karl Kamrath, Houston	1980
Mr. Alwyn S. Koehler, Houston	1978
Mr. Charles E. Lawrence, Houston	1978
Mr. Theodore S. Maffitt, Jr., Palestine	1979
Mr. George P. Mitchell, Houston	1979
**Mr. A. William Modrall, Jr., Houston	1980
**Mr. Edward Mok, San Antonio	1980
Mr. Raymond D. Nasher, Dallas	1978
Mr. J. V. Neuhaus III, Houston	1978
Mr. Louis C. Page, Austin	1978
**Mr. George Pearl, Albuquerque, New Mexico	1980
Mrs. Catherine H. Powell, San Antonio	1979
Mr. A. T. Seymour III, Fort Worth	1978
Mr. Charles Terry, Dallas	1979
Unfilled Term	1979
Unfilled Term	1980
Unfilled Term	1980

Arts and Sciences Foundation Advisory Councils
(Humanities, Natural Sciences, Social and Behav-
ioral Sciences, General and Comparative Studies).

--The authorized membership of the U. T. Austin Arts and Sciences Foundation Advisory Councils is 36, and the membership as approved is listed below:

Term Expires

Humanities

**Dr. Clarence Cline, Austin	1980
Mr. Ralph T. Hull, Houston	1978
Mr. Lenoir Moody Josey II, Houston	1979
**Mrs. Wales Madden, Amarillo	1980
Mr. William Rudd, Waskom	1978
**Mrs. Theodore Strauss, Dallas	1980
**Mr. Sam P. Woodson, Jr., Fort Worth	1980
Unfilled Term	1980
Unfilled Term	1980

Natural Sciences

Mr. Donald Baeder, Houston	1978
*Dr. Roland K. Blumberg, Seguin	1979
Mrs. Ford Boulware, San Angelo	1978
*Mrs. John Cargile, San Angelo	1980
**Mr. James D. Dannenbaum, Houston	1980
Mr. Richard Lucas, Berclair	1979
Mrs. Horace Nash, Dallas	1979
**Mrs. Alice K. Reynolds Meyer, San Antonio	1980
Dr. Gordon K. Teal, Dallas	1978

Social and Behavioral Sciences

Mr. H. K. Allen, Temple	1978
*Mr. Kenneth D. Carr, Austin	1980
Mrs. Pauline Gill Clements, Dallas	1979
Mrs. Trammell Crow, Dallas	1978
Mr. Harry Lee Hudspeth, El Paso	1978
Mrs. Radcliffe Killam, Laredo	1978
**Miss Nancy E. Lake, Tyler	1980
*Mrs. James C. Wynne, Jr., Tyler	1980
Mr. James H. Young, Corpus Christi	1978

General and Comparative Studies

**Mr. Thomas D. Anderson, Houston	1980
**Mr. R. Gordon Appleman, Fort Worth	1980
Mr. Lowell Lebermann, Austin	1979
*Mrs. Eugene Locke, Dallas	1978
Mrs. Clyde Parker, Kerrville	1979
Mrs. William H. Snyder III, Dallas	1979
Mr. Marshall T. Steves, San Antonio	1979
**Mr. Sterling W. Steves, Fort Worth	1980
Unfilled Term	1978

College of Business Administration Foundation Advisory Council.--The authorized membership of the U. T. Austin College of Business Administration Foundation Advisory Council is 35, and the membership as approved is listed below:

	<u>Term Expires</u>
*Mr. Sam Barshop, San Antonio	1980
Mr. James Bayless, Dallas	1978
Mr. A. C. (Ace) Black, Dallas	1979
Mr. Jack Blanton, Houston	1979
Mr. Robert Buford, Tyler	1978
Mr. Karl Butz, Fort Worth	1979
Mr. Robert C. Drummond, New York, New York	1978
Mr. James Farah, El Paso	1979
**Mr. Edwin Gale, Beaumont	1980
**Mr. Robert W. Goodman, Jr., Houston	1980
Mr. James B. Goodson, Dallas	1978
*Mr. H. B. (Hank) Harkins, Alice	1980
Mr. A. B. Horn, Baton Rouge, Louisiana	1978
Mr. William J. Kaplan, Houston	1979
**Mr. William D. Kennedy, Midland	1980
Mr. Oscar C. Lindemann, Dallas	1978
Mr. Fred H. Moore, Austin	1979
Mr. Sheldon I. Oster, Houston	1978
*Mr. Robert Parker, Houston	1980
Mr. Leslie Peacock, Houston	1978
Mr. James Scurlock, Tyler	1978
Mr. Rex Sebastian, Dallas	1978
Mr. Theodore Strauss, Dallas	1980
*Mr. Daniel B. Stuart, Dallas	1980
**Mr. C. C. "Pete" Sublett, Houston	1979
Mr. Sam Susser, Jr., Corpus Christi	1980
**Mr. Jack G. Taylor, Austin	1980
**Mr. Jere W. Thompson, Dallas	1980
*Mr. John Trotter, Houston	1978
Mr. C. S. Wallace, Jr., Houston	1978
Mr. W. Duke Walser, Houston	1978
Mr. George S. Watson, Dallas	1979
Mr. James Whitcomb, Houston	1980
*Mr. Michael Wisenbaker, Midland	
Mrs. Bonita Granville Wrather, Los Angeles, California	1978

School of Communication Foundation Advisory Council.
--The authorized membership of the U. T. Austin School of Communication Foundation Advisory Council is 23, and the membership as approved is listed below:

	<u>Term Expires</u>
*Mr. Pat M. Baskin, Midland	1980
**Mr. William E. Berger, Austin	1980
Mr. Jean William Brown, Houston	1979
**Paul Burns, M.D., Austin	1980
Mr. Norman Campbell, Dallas	1979
Dr. Elizabeth Carrow-Woolfolk Houston	1978
**Mr. George Christian, Austin	1980
Mr. Jim Clark, Fort Worth	1978
Mr. Jackson Douglas, Fort Worth	1979
Mr. Lee Dubow, Cleveland, Ohio	1979
Mr. Rush K. Evans, Jr., Austin	1978

Mr. Jim Fain, Austin	1978
Mr. Robert E. Huchingson, St. Louis, Missouri	1978
Mr. Richard J. V. Johnson, Houston	1979
Mr. W. Thomas Johnson, Jr., Dallas	1978
Mr. Bill R. Jones, Dallas	1978
*Mr. Roderick K. Keitz, Dallas	1980
**Mr. Robert Marbut, San Antonio	1980
Mr. Wendell Mayes, Jr., Austin	1979
*Mr. A. M. Natkin, Houston	1980
Mr. Wayne C. Sellers, Palestine	1978
Mr. Mike Shapiro, Dallas	1979
Mr. Tom J. Simmons, Dallas	1978

College of Education Foundation Advisory Council.
 --The authorized membership of the U. T. Austin College of Education Foundation Advisory Council was increased from 12 to 14, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. Ralph Anderson, Houston	1978
Dr. C. C. Colvert, Austin	1978
Dr. James W. Edgar, Austin	1978
Mr. Richard A. Haberman, Austin	1978
Dr. M. K. Hage, Jr., Austin	1978
Mrs. Ralph Hanna, Austin	1978
*Mr. Raymond A. Lee, Austin	1980
*Mr. Richard Logan, Austin	1980
Mrs. Hazel Jane Clements Monday, Huntsville	1978
Mrs. Sybil Seidel, Dallas	1978
*Dr. Gordon K. Teal, Dallas	1978
Mrs. Robert Wilkes, Austin	1978
Unfilled Term	1978
Unfilled Term	1980

College of Engineering Foundation Advisory Council.
 --The authorized membership of the U. T. Austin College of Engineering Foundation Advisory Council was increased from 34 to 35, and the membership as approved is listed below:

	<u>Term Expires</u>
**Mr. Fred P. Bergeron, Rockdale	1980
Mr. Z. D. Bonner, Houston	1979
Mr. Perry G. Brittain, Dallas	1979
*Mr. Horace T. Chilton, Jr., Atlanta, Georgia	1980
Mr. Ernest H. Cockrell, Houston	1979
Mr. John H. Duncan, Houston	1978
Mr. Melvin H. Gertz, Dallas	1978
*Mr. Everett Jacob, Houston	1980
Mr. John V. James, Dallas	1979
Mr. Curtis M. Klaerner, New York, New York	1978
*Mr. B. J. Lancaster, Dallas	1980
*Mr. James R. Lesch, Houston	1980
Mr. James P. Malott, Houston	1979
Mr. William F. Martin, Bartlesville, Oklahoma	1978
Mr. R. W. McKinney, Nacogdoches	1978

SEP 16 1977

Mr. G. H. Meason, Houston	1978
Mr. Paul D. Meek, Dallas	1979
*Mr. Robert L. Mitchell, New York, New York	1980
*Mr. R. J. O'Brien, Houston	1980
**Mr. E. L. Paramore, Dallas	1980
Mr. Robert Lee Parker, Tulsa, Oklahoma	1978
**Mr. F. E. Reese, St. Louis, Missouri	1980
Mr. C. A. Rundell, Jr., Dallas	1978
**Mr. W. T. Slick, Jr., Houston	1980
Dr. Judson S. Swearingen, Los Angeles, California	1979
Mr. Roy Tolk, Amarillo	1978
Mr. J. C. Vander Woude, Longview	1979
*Mr. J. C. Walter, Jr., Houston	1980
Mr. T. Wayne Warren, Houston	1979
Dr. T. S. Webb, Fort Worth	1978
Mr. D. L. Wiley, New York, New York	1978
**Mr. R. Earle Wright, Houston	1980
*Mr. Everett B. Yelton, Jr., Wilmington, Delaware	1980
**Mr. F. Randolph Yost, Tulsa, Oklahoma	1980
Unfilled Term	1980

College of Fine Arts Foundation Advisory Council.
 --The authorized membership of the U. T. Austin
 College of Fine Arts Foundation Advisory Council
 is 27, and the membership as approved is listed
 below:

	<u>Term Expires</u>
Mrs. Thomas D. Anderson, Houston	1979
Mrs. Elizabeth B. Blake, Dallas	1978
Mrs. Phil Bolin, Wichita Falls	1979
**Mrs. Marietta Moody Brooks, Austin	1980
Miss Laura Carpenter, Dallas	1978
Mr. Charles D. Clark, McAllen	1978
**Mrs. Fred Thomson Couper, Jr., Houston	1980
*Mrs. B. W. Crain, Jr., Longview	1980
**Mrs. Trammell Crow, Dallas	1980
**Miss Nina Cullinan, Houston	1978
Mrs. Walter Foxworth, Dallas	1978
Mrs. W. St. John Garwood, Austin	1978
Dr. George S. Heyer, Jr., Austin	1978
Miss Ann H. Holmes, Houston	1979
Mr. Edward R. Hudson, Jr., Fort Worth	1979
Mrs. Janet Jessen, Austin	1980
**Mrs. Amy Freeman Lee, San Antonio	1980
**Mrs. Eugene McDermott, Dallas	1980
Mrs. Alexander J. Oppenheimer, San Antonio	1978
Mr. Francis Prinz, Fort Worth	1978
Mrs. D. J. Sibley, Jr., Austin	1979
Mr. Robert D. Straus, Houston	1979
Mr. Robert L. Tobin, San Antonio	1979
Mr. Marshall F. Wells, Houston	1979
Mrs. Isabel B. Wilson, Houston	1978
Unfilled Term	1978
Unfilled Term	1978

Geology Foundation Advisory Council.--The authorized membership of the U. T. Austin Geology Foundation Advisory Council was increased from 30 to 33, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. Charles W. Alcorn, Jr., Victoria	1979
*Mr. Eugene L. Ames, Jr., San Antonio	1980
Mr. J. W. Barbisch, Houston	1979
Mr. Don R. Boyd, Corpus Christi	1979
Mr. Ray A. Burke, Los Angeles, California	1979
Mr. W. Henry Cardwell, Houston	1979
Mr. J. Ben Carsey, Houston	1978
Mr. W. Kenley Clark, Houston	1979
Mr. Morgan J. Davis, Houston	1978
*Mr. L. Decker Dawson, Midland	1980
Mr. Rodger E. Denison, Dallas	1979
Mr. George A. Donnelly, Jr., Midland	1979
Mr. Robert W. Eaton, Tyler	1979
Mr. James H. Frasher, Houston	1978
**Dr. George R. Gibson, Midland	1980
Mr. William E. Gipson, Houston	1978
Mr. R. W. Heggland, Denver, Colorado	1979
**Mr. John A. Jackson, Dallas	1980
Mr. Jack K. Larsen, Amarillo	1978
Mr. John L. Loftis, Jr., Houston	1979
*Mr. Ken G. Martin, Metairie, Louisiana	1980
**Mr. Holland C. McCarver, Houston	1980
Mr. James R. Moffett, New Orleans, Louisiana	1978
*Mr. Joseph F. Moss, Lafayette, Louisiana	1980
*Mr. Fred L. Oliver, Dallas	1980
Mr. Scott Petty, Jr., San Antonio	1978
Mr. M. Allen Reagan, Jr., Houston	1979
Mr. W. F. Reynolds, Wichita Falls	1979
**Mr. Edd R. Turner, Houston	1980
**Mr. Edwin Van den Bark, Bartlesville, Oklahoma	1980
Mr. Jack D. Wallner, Houston	1978
Mr. Joseph C. Walter, Jr., Houston	1978
*Mr. Phillip E. Wyche, Houston	1979

Graduate School Foundation Advisory Council.--This advisory council was approved by the Board of Regents on March 26, 1976 and nominees to membership have not yet been submitted for regental approval.

Graduate School of Library Science Foundation Advisory Council.--The authorized membership of the U. T. Austin Graduate School of Library Science Foundation Advisory Council is 9, and the membership as approved is listed below:

	<u>Term Expires</u>
**Mrs. Phyllis Burson, Corpus Christi	1980
Dr. Robert R. Douglass, Austin	1978
**Mr. David Henington, Houston	1980
Mr. Ray Janeway, Lubbock	1979
Mr. Victor Jeffress, Waco	1978
Mr. Harry J. Middleton, Austin	1979
Dr. Alfredo G. de los Santos, Jr., El Paso	1978

SEP 16 1977

Mr. Dechard Turner, Dallas 1979
 **Dr. Dorman Winfrey, Austin 1980

Pharmaceutical Foundation Advisory Council.--The authorized membership of the U. T. Austin Pharmaceutical Foundation Advisory Council is 24, and the membership as approved is listed below:

	<u>Term Expires</u>
*Mr. Harlus F. Barber, Laredo	1980
Dr. John L. Batey, Abilene	1978
Mr. W. C. Conner, Fort Worth	1979
Mr. John L. Davidson, Jr., Dallas	1979
Mr. Joe R. DeLeon, Jr., Corpus Christi	1979
*Mr. Ben Mike Ethridge, San Antonio	1978
Mr. Ron Gieser, Burleson	1979
Mr. Ralph L. Good, Jr., Tyler	1978
*Mr. Robert A. Gude, Fort Worth	1980
Mr. Tom Gunning, El Paso	1979
Mr. Al Herrera, San Antonio	1979
**Mr. Lonnie F. Hollingsworth, Lubbock	1980
Mr. William Arlyn Kloesel, Austin	1978
Mrs. William L. Pipkin, Bryan	1978
Mr. Russell L. Seitz, San Angelo	1978
Mr. Glenn Smith, Waco	1979
**Mr. C. R. Sublett, Dallas	1980
**Mr. Paul F. Trantham, Sr., Fort Worth	1980
Mr. J. Adan Trevino, Houston	1979
Mr. Tim L. Vordenbaumen, Sr., San Antonio	1979
Mr. Eugene L. Vykukal, Dallas	1979
Mr. Neill B. Walsdorf, San Antonio	1979
**Mr. William R. Whitten, Port Aransas	1980
**Mr. Lonnie J. Yarbrough, Denton	1980

School of Social Work Foundation Advisory Council (Formerly designated as Graduate School of Social Work Foundation Advisory Council).--The authorized membership of the U. T. Austin School of Social Work Foundation Advisory Council is 20, and the membership as approved is listed below:

	<u>Term Expires</u>
Mrs. Robert Ayres, Jr., San Antonio	1978
**Mr. Tom Backus, Austin	1980
**Mr. Ernest M. Briones, Corpus Christi	1980
Mr. John L. Cardenas, San Antonio	1979
Mrs. Kenneth A. Covell, Fort Worth	1978
Mrs. Jim Fain, Austin	1979
Mr. Bert Holmes, Dallas	1978
*Dr. Wayne Holtzman, Austin	1980
Mr. Jacob H. Kravitz, Dallas	1978
Mrs. Margaret Magness, Austin	1979
Mr. James J. Miller, Austin	1979
**Mrs. Carole Pinkett, Baton Rouge, La.	1980
**Mr. Victor Ravel, Austin	1980
Mr. Henry X. Salzberger, Dallas	1979
Mr. A. Fred Swearingen, Corpus Christi	1979
Mrs. Jack Rice Turner, Corpus Christi	1978
Mr. Raymond Vowell, Austin	1978
Unfilled Term	1978
Unfilled Term	1979
Unfilled Term	1980

McDonald Observatory Advisory Council.--The authorized membership of the U. T. Austin McDonald Observatory Advisory Council was increased from 26 to 29, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. Rex G. Baker, Jr., Sugar Land	1979
*Dr. Roland K. Blumberg, Seguin	1980
Mr. Fred P. Brien, Jr., Del Rio	1978
**H. F. Connally, Jr., M.D., Waco	1980
Mr. C. C. Cowell, Jr., Kingsville	1978
Mr. John W. Cox, La Jolla, California	1978
Mr. Louis T. Getterman, Jr., Waco	1979
**Mr. S. T. Harris, Dallas	1980
Mr. Houston Harte, San Antonio	1978
Mr. Leroy Jeffers, Houston	1978
Mr. Jack Josey, Houston	1979
Mr. James Kaster, El Paso	1979
*Mr. Marion T. Key, Lubbock	1980
**Mr. Joe J. King, Houston	1980
Mr. Chris Lacy, Alpine	1978
**Mr. Wales H. Madden, Jr., Amarillo	1980
*Mr. R. W. McKinney, Nacogdoches	1980
Mr. Robert W. Olson, Dallas	1978
C. M. Phillips, M.D., Levelland	1978
*Mr. Peter J. Rempe, El Paso	1980
Mr. Thomas E. Rodman, Odessa	1978
**Mr. W. E. Snelson, Midland	1980
Mr. Walter G. Sterling, Houston	1978
Mr. Chester Higbee Taylor, Jr., Houston	1979
Mr. Curtis T. Vaughan, San Antonio	1979
*Mr. Josiah Wheat, Woodville	1980
*Mr. John Wildenthal, Houston	1980
Unfilled Term	1978
Unfilled Term	1978

School of Nursing Advisory Council.--The authorized membership of the U. T. Austin School of Nursing Advisory Council is 9, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. Cleve Bachman, Beaumont	1979
Mrs. Joe Christie, Austin	1979
Mrs. J. E. Connally, Abilene	1979
Ted Forsythe, M.D., Lubbock	1978
**Max E. Johnson, M.D., San Antonio	1980
Mr. Ike S. Kampmann, Jr., San Antonio	1978
Mrs. Patrick J. Nugent, Austin	1978
Mrs. John R. Rainey, Jr., Austin	1979
Unfilled Term	1980

National Advisory Committee to the U. T. Austin Marine Science Institute at Galveston.--This National Advisory Committee was approved by the Board of Regents on December 12, 1975 and nominees to membership have not yet been submitted for regental approval.

3.

The University of Texas at Dallas

Development Board.--The authorized membership of the U. T. Dallas Development Board is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. J. Fred Bucy, Dallas	1978
Mr. Clifton W. Cassidy, Jr., Richardson	1979
**Mr. A. Earl Cullum, Jr., Dallas	1980
Mr. Robert W. Decherd, Dallas	1979
Mr. Sol Goodell, Dallas	1979
Mr. James B. Goodson, Dallas	1978
Mr. Morris Hite, Dallas	1978
Mr. Robert E. Hollingsworth, Dallas	1979
*Mr. Jack B. Jackson, Richardson	1980
*Mr. George W. Jalonick IV, Dallas	1980
Mr. Gifford K. Johnson, Dallas	1979
Mr. Philip R. Jonsson, Dallas	1978
**Mr. Jack B. Krueger, Dallas	1980
Mrs. William W. Lynch, Dallas	1978
Mr. Richard K. Marks, Dallas	1979
Mr. Mark Martin, Dallas	1978
Mr. Avery Mays, Dallas	1979
**Mr. Mike A. Myers, Dallas	1980
*Mr. W. Lee Sinclair, Dallas	1980
**Mr. James M. Spellings, Dallas	1980
**Mrs. Theodore H. Strauss, Dallas	1980
Mr. Thomas M. Sullivan, Dallas	1978
**Mr. Jere W. Thompson, Dallas	1980
Mr. C. J. Thomsen, Dallas	1979
Mr. Warren G. Woodward, Houston	1978

Advisory Council for the School of Management and Administration.--The authorized membership of the U. T. Dallas Advisory Council for the School of Management and Administration was increased from 16 to 25, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. Ernest T. Baughman, Dallas	1978
*Mr. James G. Blanchette, Jr., Dallas	1980
Mr. Norman E. Brinker, Dallas	1979
*Mr. William E. Cooper, Dallas	1979
Mr. Joe M. Dealey, Jr., Dallas	1978
*Mr. John F. Eulich, Dallas	1980
*Mr. Jerry Farrington, Dallas	1979
*Mr. Richard I. Galland, Dallas	1979
*Mr. Thomas C. Hayman, Dallas	1978
*Mr. Norman B. Keider, Dallas	1978
*Mr. James B. Lendrum, Dallas	1978
**Dr. Kal A. Lifson, Dallas	1980
*Mr. Raymond D. Nasher, Dallas	1979
Mr. Jack O'Callaghan, Dallas	1979
**Mr. W. Dewey Presley, Dallas	1980
*Mr. Jay R. Reese, Dallas	1978
Mr. William H. Seay, Dallas	1978
*Mr. Rex A. Sebastian, Dallas	1978
**Mr. George W. Sullivan, Dallas	1980

*Mr. James R. Voisinet, Dallas	1978
Mr. C. Lee Walton, Dallas	1978
Unfilled Term	1979
Unfilled Term	1980
Unfilled Term	1980
Unfilled Term	1980

Advisory Council for the Callier Center for Communication Disorders.--The authorized membership of the U. T. Dallas Advisory Council for the Callier Center for Communication Disorders is 26, and the membership as approved is listed below:

	<u>Term Expires</u>
**Dr. Willis Adcock, Dallas	1980
Mrs. George V. Charlton, Dallas	1979
Mrs. A. Earl Cullum, Jr., Dallas	1978
Mr. Robert B. Cullum, Dallas	1978
**Dr. Milton K. Curry, Jr., Dallas	1980
Mr. A. I. Davies, Dallas	1979
Mr. Joe M. Dealey, Dallas	1978
Mrs. Robert E. Dennard, Dallas	1978
Mr. Lee Fikes, Dallas	1978
Mr. Gerald Fronterhouse, Dallas	1978
Mr. Jay Goltz, Dallas	1979
Mr. W. Thomas Johnson, Jr., Dallas	1978
Miss Nelle Johnston, Dallas	1979
**Mr. Erik Jonsson, Dallas	1980
Mr. Ben A. Lipshy, Dallas	1978
**Dr. Aris A. Mallas, Jr., Austin	1980
Dr. Walter Rosenblith, Cambridge, Massachusetts	1979
Mr. Herbert G. Schiff, Dallas	1979
Dr. Frederick Seitz, New York, New York	1978
Mr. Harry A. Shuford, Dallas	1979
**Mr. Pat Y. Spillman, Dallas	1980
Dr. Robert Lee Sutherland, Dallas	1979
Mr. C. A. Tatum, Jr., Dallas	1978
Mr. Carl J. Thomsen, Dallas	1979
Mr. R. L. Thornton, Jr., Dallas	1978
Mrs. Jack C. Vaughn, Dallas	1978

Advisory Council for General Studies.--The authorized membership of the U. T. Dallas Advisory Council for General Studies is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
*Ms. Ann Blocker, Dallas	1980
Mr. Sam Bloom, Dallas	1979
Mr. Carlyle H. () an, Jr., Dallas	1978
*Mr. Clyde Clark, as	1980
**Mr. Roy E. Dulak las	1980
Ronald F. Garvey D., Dallas	1979
**Mr. Kenneth P. Johnson, Dallas	1980
**Mr. David Kaplan, Richardson	1980
**Reverend W. B. J. Martin, Dallas	1980
*Mrs. Mamie McKnight, Dallas	1979
Mr. Dan Petty, Dallas	1979
Mr. Edward J. Pfister, Dallas	1978
**Mr. Ernest H. Randall, Jr., Richardson	1980
Mrs. Martha Ritter, Richardson	1979

Mrs. Hortense Sanger, Dallas	1978
**Reverend Louis Saunders, Dallas	1980
Mr. Al Stillman, Dallas	1978
Mr. Charles P. Storey, Dallas	1978
Miss Rhobia Taylor, Dallas	1978
**Mrs. Julius Wolfram, Dallas	1980
Mr. Hector Zamorano, Dallas	1978

Unfilled Term 1979

3 Unfilled Terms

Advisory Council for Arts and Humanities.--The authorized membership of the U. T. Dallas Advisory Council for Arts and Humanities is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
*Mr. Jac Alder, Dallas	1980
Mrs. Alfred Bromberg, Dallas	1978
Mr. Vincent A. Carozza, Dallas	1978
Mrs. James B. Francis, Dallas	1978
Mrs. Robert Glazer, Dallas	1978
Mr. A. C. Greene, Dallas	1980
Mr. Lloyd H. Haldeman, Dallas	1978
Mr. Jerry Lee Holmes, Dallas	1979
Mr. S. Roger Horchow, Dallas	1980
Mrs. William Jagoda, Dallas	1978
Mrs. Bartram Kelley, Dallas	1978
*Mr. Milton P. Levy, Jr., Irving	1979
Mrs. Edward Marcus, Dallas	1978
Mr. Harry S. Parker III, Dallas	1979
Ms. Janet Spencer, Dallas	1980
Mrs. Theodore H. Strauss, Dallas	1979
Mr. Henry Taylor, Dallas	1980
Mr. Liener Temerlin, Dallas	1979
Mr. Lon Tinkle, Dallas	1980
Mr. Jerrold M. Trim, Dallas	1979
Mr. J. T. Whatley, Dallas	1979
Mr. Addison Wilson III, Dallas	1980
Mr. Robert A. Wilson, Dallas	1978
Unfilled Term	1979
Unfilled Term	1980

4. The University of Texas at El Paso

Development Board.--The authorized membership of the U. T. El Paso Development Board is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
**Eugenio A. Aguilar, D.D.S., El Paso	1980
Mr. Richard N. Azar, El Paso	1979
Mr. Marion S. Bell, El Paso	1979
Mr. Julian Bernat, El Paso	1978
Gordon L. Black, M.D., El Paso	1979
Mr. Jack V. Curlin, El Paso	1979
Mr. H. M. Daugherty, Jr., El Paso	1978
*Mr. Charles H. Foster, El Paso	1980
Mr. Hugh K. Frederick, Jr., El Paso	1978
Mr. Robert E. Goodman, El Paso	1979

*Mrs. Robert F. Haynsworth, El Paso	1979
Mr. Robert C. Heasley, El Paso	1979
Mr. Fred Hervey, El Paso	1979
Mr. George V. Janzen, El Paso	1978
Mr. Ted Karam, El Paso	1978
**Mr. Dennis H. Lane, El Paso	1980
**Mr. C. H. Leavell, El Paso	1980
**Mr. George G. Matkin, El Paso	1980
Mr. Louis B. McKee, El Paso	1979
Mr. L. A. Miller, El Paso	1979
**Mr. W. H. Orme-Johnson, Jr., El Paso	1980
**Mr. Jose G. Santos, El Paso	1980
**Mr. Edward F. Schwartz, El Paso	1980
Mr. Tad R. Smith, El Paso	1979
Mr. Sam D. Young, Jr., El Paso	1978

5. The University of Texas of the Permian Basin

Development Board.--The authorized membership of the U. T. Permian Basin Development Board is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
**Mr. James N. Allison, Jr., Midland	1980
Mr. Claude W. Brown, McCamey	1979
**Mr. J. Conrad Dunagan, Monahans	1980
Mr. Mel Z. Gilbert, Snyder	1978
Mr. Norvell W. Harris, Odessa	1979
Mr. Ray F. Herndon, Jr., Midland	1979
Mr. Stanley C. Moore, Midland	1979
Mr. W. D. Noel, Odessa	1978
Mr. Charles R. Perry, Odessa	1979
Mr. Joe Pickle, Big Spring	1978
Mr. Charles H. Priddy, Midland	1978
Mr. James Roberts, Andrews	1978
**Mr. Louis Rochester, Odessa	1980
Mr. W. F. Roden, Midland	1979
**Mr. E. M. Schur, Odessa	1980
**Mrs. Richard C. Slack, Pecos	1980

9 Unfilled Terms

6. The University of Texas at San Antonio

Development Board.--The authorized membership of the U. T. San Antonio Development Board is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. Glenn Biggs, San Antonio	1979
Dr. Roland K. Blumberg, Seguin	1979
**Mrs. Lutcher Brown, San Antonio	1980
Mr. Richard W. Calvert, San Antonio	1979
**Mr. Hugh K. Foster, San Antonio	1980
Mr. Gordon N. George, San Antonio	1979
**Mr. Houston H. Harte, San Antonio	1980
Mr. James H. Helland, San Antonio	1978
**Mrs. B. K. Johnson, San Antonio and La Pryor	1980
Mr. Charles A. Kuper, Sr., San Antonio	1979
Mr. Quincy Lee, San Antonio	1979

Mrs. Dorothy Leonard, Kerrville	1978
**Mr. Bernard L. Lifshutz, San Antonio	1980
Mrs. Walter W. McAllister, Jr., San Antonio	1978
**Gen. Robert F. McDermott, San Antonio	1980
**Merton M. Minter, M.D., San Antonio	1980
Mr. Lewis J. Moorman, Jr., San Antonio	1979
Mrs. Nancy Negley, San Antonio	1978
Mr. Harold E. O'Kelley, San Antonio	1978
Mr. Jesse H. Oppenheimer, San Antonio	1978
Mr. Scott Petty, Jr., San Antonio	1979
**Mr. C. Linden Sledge, San Antonio	1980
Mr. John T. Steen, San Antonio	1978
Mr. Curtis Vaughan, Jr., San Antonio	1978
Edward T. Ximenes, M.D., San Antonio	1978

College of Business Advisory Council.--The authorized membership of the U. T. San Antonio College of Business Advisory Council is 25. The initial meeting of this advisory council will be held in the fall of 1977 and terms will be established at that time. The membership as approved is listed below:

- Mr. Jesse Baker, San Antonio
- Mr. Victor Ferrari, San Antonio
- Mr. Lyman Fink, San Antonio
- Mrs. Katherine Folbre, San Antonio
- Mr. Gordon George, San Antonio
- Mr. Alex Halff, San Antonio
- Mr. Marvin Kline, San Antonio
- Mr. Quincy Lee, San Antonio
- Mr. Steve Lee, San Antonio
- Mr. Byron LeFlore, San Antonio
- Mr. Harold O'Kelley, San Antonio
- Mr. Charles Orsinger, San Antonio
- Mr. Jim Phelps, San Antonio
- General John W. Roberts, San Antonio
- Miss Sue Schoolfield, San Antonio
- Mr. Bob Seal, San Antonio
- Mr. C. Linden Sledge, San Antonio
- Mr. Jim Windlinger, San Antonio

7 Unfilled Terms

Institute of Texan Cultures Advisory Council.---Membership in this advisory council was reported for the record on June 10, 1977 and is included herein so that the reporting of all component institution development boards and advisory councils may be complete. The authorized membership of the Institute of Texan Cultures Advisory Council is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
Mrs. Raye Virginia Allen, Temple	1978
Mr. Joe Belden, Dallas	1980
Mr. Bob Brinkerhoff, Houston	1979
Mrs. Bob Brinkerhoff, Houston	1979
Mrs. Dolph Briscoe, Uvalde	1978
Frank Connally, M.D., Waco	1978
Governor John B. Connally, Floresville and Houston	1979
Mr. Bob R. Dorsey, Austin	1980

SEP 16 1977

Mr. Leonel Garza, Sr., Brownsville	1979
Mrs. John Henderson, Lufkin	1980
Mrs. Don Kaspar, Shiner	1980
Mr. Harris L. Kempner, Galveston	1979
Mrs. Harris L. Kempner, Galveston	1979
Dr. John T. King, Austin	1978
Mr. Tom Lea, El Paso	1979
Mr. Max Mandell, Laredo	1978
Mrs. Nancy Negley, San Antonio	1979
Mr. Vernon F. Neuhaus, Sr., Mission	1980
Mr. Herbert C. Petry, Carrizo Springs	1978
Mr. John Ben Shepperd, Odessa	1979
Mrs. Josephine Sparks, Corpus Christi	1978
Mr. H. B. (Pat) Zachry, San Antonio	1980

3 Unfilled Terms

Ex officio Members

Regent Edward Clark
Regent Walter G. Sterling

7. The University of Texas
Health Science Center at Dallas

Development Board.--With regental approval, the Southwestern Medical Foundation serves in the capacity of a development board for the Dallas Health Science Center. Members of the Board of Trustees of Southwestern Medical Foundation are not subject to regental nomination or approval.

8. The University of Texas
Medical Branch at Galveston

Development Board.--The authorized membership of the U. T. Medical Branch at Galveston Development Board is 28, and the membership as approved is listed below:

	<u>Term Expires</u>
**Mrs. William H. Bauer, La Ward	1980
George Valter Brindley, Jr., M.D., Temple	1979
H. Frank Connally, Jr., M.D., Waco	1978
James T. Downs, III, M.D., Dallas	1978
McIver Furman, M.D., Corpus Christi	1978
*Carlos D. Godinez, M.D., McAllen	1980
Miss Marie Hall, Big Spring	1978
**Walter F. Hasskarl, M.D., Brenham	1980
Jesse B. Heath, M.D., Madisonville	1979
Mr. Sealy Hutchings, Galveston	1978
**Mr. Harris Kempner, Galveston	1980
Thomas D. Kirksey, M.D., Austin	1978
T. C. Lewis, Jr., M.D., Sherman	1979
David McMahon, Jr., M.D., San Antonio	1979
**David C. Miesch, M.D., Paris	1980
**Mr. W. L. Moody, IV, Galveston	1980
Sam Nixon, Jr., M.D., Floresville	1979
C. M. Phillips, M.D., Levelland	1979
Mario E. Ramirez, M.D., Roma	1978
Mrs. Edward Randall, Jr., Galveston	1978
Harvey Renger, M.D., Hallettsville	1978

SEP 16 1977

**William Seybold, M.D., Houston	1980
Mr. Preston Shirley, Galveston	1979
L. S. Thompson, Jr., M.D., Dallas	1979
Courtney M. Townsend, M.D., Paris	1979
Jim M. Vaughn, M.D., Tyler	1978
Mr. John M. Winterbotham, Houston	1979
**Mr. Sam P. Woodson, Jr., Fort Worth	1980

National Advisory Committee to the Marine Biomedical Institute.--This National Advisory Committee serves without fixed term and there were no new members added effective September 1, 1977. The authorized membership to the U. T. Medical Branch at Galveston National Advisory Committee to the Marine Biomedical Institute is 20, and the membership as approved is listed below:

	<u>Term Expires</u>
Mr. Rex G. Baker, Jr., Sugar Land	No fixed term
Mr. William H. Bauer, La Ward	"
Paul B. Beeson, M.D., Seattle, Washington	"
Albert R. Behnke, M.D., San Francisco, California	"
Dr. Theodore H. Bullock, La Jolla, California	"
Dr. Cecil H. Green, Dallas	"
Dr. A. Baird Hastings, La Jolla, California	"
Mr. Jack S. Josey, Houston	"
Dr. Blair Justice, Houston	"
Mr. Rai B. Kelso, Galveston	"
Mr. Carl H. Savit, Houston	"
Dr. Francis O. Schmitt, Boston, Massachusetts	"
Dr. Frederick Seitz, New York, New York	"
Dr. H. Burr Steinbach, Waimanalo, Hawaii	"
Mr. Lee B. Stone, Houston	"
Mr. James C. Storm, Corpus Christi	"
Mr. Clark W. Thompson, Galveston	"

3 Unfilled Terms

NOTE: Hereafter the appointments to this council will be made separate and apart from those of development boards and advisory councils since the focus of this committee is scientific and programmatic rather than developmental.

9.

The University of Texas
Health Science Center at Houston

Development Board, Houston Medical School, Houston
Dental Branch, Graduate School of Biomedical Sciences
and Speech and Hearing Institute, School of Allied
Health Sciences, and Public Health School Advisory
Councils.--President Blocker advises that the
Development Board and Advisory Councils previously
approved by the Board of Regents are in the process
of organization.

10.

The University of Texas
Health Science Center at San Antonio

Development Board.--President Harrison reports that the initial organization of this Development Board from the nominees approved on May 14, 1976 is still in process and a report of the membership will be made at the earliest possible time.

11. The University of Texas System Cancer Center

Board of Visitors of University Cancer Foundation.

--The authorized membership of the University Cancer Center Board of Visitors of University Cancer Foundation is 25, and the membership as approved is listed below:

	<u>Term Expires</u>
*Mr. Max E. Banks, Amarillo	1980
Mrs. Camilla Blaffer, Houston	1978
Mr. Mac O. Boring, Jr., Odessa	1978
Mr. Anthony J. A. Bryan, Houston	1978
Mr. Lester Clark, Breckenridge	1979
Mr. Ernest H. Cockrell, Houston	1978
**Mr. Roy h. Cullen, Houston	1980
**Mr. Ernest Deal, Houston	1980
*Mr. Leroy G. Denman, Jr., San Antonio	1980
Mrs. Charles K. Devall, Kilgore	1979
Mr. John S. Dunn, Houston	1978
Mr. Paul R. Haas, Corpus Christi	1979
Mr. Hub Hill, Dallas	1979
Mr. J. K. Jamieson, Houston	1978
Mr. Belton K. Johnson, San Antonio	1979
*Mr. Lenoir Josey, Houston	1980
The Hon. Joe M. Kilgore, Austin	1978
Mr. Radcliffe Killam, Laredo	1978
**Mr. Charles H. Leavell, El Paso	1980
Mr. Ben F. Love, Houston	1979
*Mr. Richard Merrill, Houston	1980
Mr. Robert Mosbacher, Houston	1979
**Mr. P. H. Robinson, Houston	1980
**Mr. Nat S. Rogers, Houston	1980
Mr. Ernest L. "Pete" Wehner, Houston	1978

SEP 16 1977

269

SCHEDULED MEETINGS. --The place for the November 11, 1977 meeting of the Board of Regents was changed from Austin to Tyler, Texas. Secretary Thedford was instructed to arrange for a bus tour of the new component institution, Tyler Health Center, and also for a meeting of the Buildings and Grounds Committee on the afternoon of November 10.

The Regents were reminded that following the November 11 meeting, there will be a meeting on December 16, 1977, at The University of Texas at Dallas with a meeting of the Buildings and Grounds Committee on the afternoon of December 15 and the Santa Rita Award Dinner that evening.

ADJOURNMENT. --The meeting was duly adjourned at 2:00 p. m.


Betty Anne Thedford
Secretary

September 23, 1977