

Revised 8/8/2006



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Board Meeting: 8/10/2006
Arlington, Texas

Cyndi Taylor Krier, Chairman
John W. Barnhill, Jr.
H. Scott Caven, Jr.
Judith L. Craven, M.D.
Robert A. Estrada
Colleen McHugh

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1. **U. T. System: Brief updates by academic presidents and discussion by Interim Executive Vice Chancellor Malandra and Academic Affairs Committee members about initiatives to align programs with K-12 education and to graduate more K-12 teachers**

REPORT

The academic presidents, Interim Executive Vice Chancellor Malandra, and Academic Affairs Committee members may report briefly on new developments taking place at each campus.

These reports will include discussion of the campus initiatives to graduate more K-12 teachers and related initiatives.

2. **U. T. Dallas: Discussion and appropriate action regarding proposed revisions to Mission Statement**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs and President Daniel that proposed changes to the U. T. Dallas Mission Statement as set forth below be approved by the U. T. System Board of Regents and forwarded to the Texas Higher Education Coordinating Board for approval.

Revised Mission Statement

The University of Texas at Dallas serves the Metroplex and the State of Texas as a global leader in innovative, high quality sciences, engineering, and business education and research.

The University is committed to (1) producing engaged graduates, prepared for life, work, and leadership in a constantly changing world, (2) advancing excellent educational and research programs in the natural and social sciences, engineering and technology, management, and the liberal, creative, and practical arts, and (3) transforming ideas into actions that directly benefit the personal, economic, social, and cultural lives of the citizens of Texas.

Current Mission Statement

The mission of The University of Texas at Dallas is to provide Texas and the nation with the benefits of educational and research programs of the highest quality. These

programs address the multidimensional needs of a dynamic modern society driven by the development, diffusion, understanding, and management of advanced technology.

Within the context of this mission, the goals of the University are:

To provide able, ambitious students with a high-quality, cost-effective education that combines the nurturing environment of a liberal arts college with the intellectual rigor and depth of a major research university;

To discover new knowledge and create new art that enriches civilization at large and contributes significantly to economic and social progress;

To enhance the productivity of business and government with strategically designed, responsively executed programs of research, service and education.

BACKGROUND INFORMATION

Dr. David E. Daniel began his post as President of U. T. Dallas in June 2005. His first official act was to appoint a broad based Strategic Planning Committee. Between the time of his appointment by the Board of Regents until he arrived on campus on a full-time basis, Dr. Daniel had expressed his desire to have a planning document that would succinctly describe the University's present status and provide clear direction for its intended future.

The University will continue to build upon existing strengths and areas of greatest opportunity, remaining true to the institution's roots and legacy while addressing the need to change and innovate to meet today's and tomorrow's challenges. This Strategic Plan sets forth a set of bold actions that over time will secure a place for U. T. Dallas as one of the world's great universities.

Twenty-one committees with over 200 members representing students, faculty, staff, administration, and community supporters and leaders worked throughout the summer and fall of 2005 to develop a revised mission statement and a strategic plan that identified goals, strategic initiatives, and administrative imperatives. Following the incorporation of suggestions from a University-wide review of the plan, President Daniel presented the plan to the Executive Vice Chancellor for Academic Affairs and subsequently to members of the Academic Affairs Committee of the Board of Regents during the Compact presentation on February 8, 2006. Work on the development of a business plan that will ensure the University has the resources and business practices necessary to achieve its objectives is ongoing as is the development of a detailed set of metrics that will allow the administration to define and measure progress toward implementation of the plan.

3. **U. T. Pan American: Authorization to establish a Ph.D. degree program in Rehabilitation Counseling**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs and President Cárdenas that authorization, pursuant to the Regents' *Rules and Regulations*, Series 40307, be granted to

- a. establish a Ph.D. degree program in Rehabilitation Counseling within the Department of Rehabilitation at U. T. Pan American; and
- b. submit the proposal to the Texas Higher Education Coordinating Board for review and appropriate action.

BACKGROUND INFORMATION

Program Description

U. T. Pan American proposes to create a Ph.D. degree program in Rehabilitation Counseling. The degree will be administered by the College of Health Sciences and Human Services through the Department of Rehabilitation. The Department of Rehabilitation currently offers a B.S. degree in Rehabilitative Services as well as a nationally accredited (Council on Rehabilitation Education) M.S. degree in Rehabilitation Counseling. Both programs have a significant number of students with approximately 100 and 56 students in each, respectively. Doctoral students in the proposed program would be engaged in research and teaching future Rehabilitation Counseling practitioners and would be involved in clinical practice. The unique aspect of the proposed program is approximately 85% of the students in the current clinical program are Hispanic and bilingual, thus meeting a critical and growing need in the field for qualified rehabilitation educators and counselors.

Need and Student Demand

The proposed Ph.D. program is responsive to a clear and urgent demand in the profession for not only producing doctoral-level rehabilitation educators, but also those of Hispanic origin. Specifically, it is expected that approximately 50% of the estimated 670 rehabilitation educators across the United States will retire within the next 10 years. Additionally, over the past several years, there have been, on average, approximately 20 new tenure-track position openings nationally in rehabilitation counseling or a related field. This proposal is even more responsive to the fact that less than 3% of all rehabilitation educators are Hispanic. With the Hispanic population recently becoming the largest and fastest-growing minority group in the U.S., U. T. Pan American is poised as the only institution in the country to prepare significant numbers of Hispanic and

bilingual doctoral-level rehabilitation educators. There is no other Rehabilitation Education program in the country that has an approximate 90% student body of primarily Mexican-Americans.

The need for doctoral-trained rehabilitation professionals does not stop at the academic level. Graduates will also be trained as rehabilitation counselors who are eligible for certification and can provide direct client services. Other career paths will include graduates assuming positions in university administration, research, and in management in nonprofit agencies. The projected demand in these areas is equally as critical as for educators.

Program Quality

The Department is staffed by eight faculty members: six are tenured, one is on tenure-track, and one tenure-track is to be hired. Two additional tenure-track positions have been approved for hire by administration. During the past five years, department faculty published 67 refereed journal articles and 15 book chapters. Faculty also made over 158 professional presentations at regional, national, and international levels. In addition, since 1991, faculty and professional staff have acquired over \$9 million in external training and research grant funding. Among current faculty, four have either chaired or sat on dissertation committees.

Program Cost

The cost of operating the program across five years is approximately \$2,180,000. This includes \$1,155,000 for faculty salaries; \$837,500 for administrative support; \$152,500 for library, supplies, materials and professional development; and \$35,000 for facilities/equipment. Sources of funding are: \$675,000 from reallocated funds, \$681,000 from anticipated new formula funding, and \$824,000 from other state funding.

4. U. T. Permian Basin: Approval to expand preliminary planning authority to offer an Ed.D. degree in Educational Leadership

RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs and President Watts that the U. T. System Board of Regents approve

- a. expansion of preliminary planning authority for U. T. Permian Basin to seek an Ed.D. degree in Educational Leadership; and
- b. submission of the proposal to the Texas Higher Education Coordinating Board for review and appropriate action.

BACKGROUND INFORMATION

U. T. Permian Basin seeks approval to plan a program offering an Ed.D. degree in Educational Leadership. This request is in response to broad and extensive citizen input from the leaders in the service area of U. T. Permian Basin. It was initiated by an advisory group of representative regional leaders and was reinforced by a "listening tour" of some 19 different towns, communities, and population centers in West Texas by U. T. Permian Basin administrators and academic leaders this past year. Predominant among that group's recommendations was the need for the University to establish an Ed.D. in Educational Leadership for the educators in the region.

Once preliminary planning authority has been approved, U. T. Permian Basin will submit the degree program for approval by the U. T. System Board of Regents and the Coordinating Board. The program will be administered by the Office of Graduate Studies and Research through the faculty of the School of Education, consisting of a Dean and Assistant Dean, five program coordinators, 14 full-time tenure-track faculty members including four in Educational Administration, as well as eight visiting lecturers. Programs of study or certification are offered in 32 areas of specialization. To support the growth of its highly productive master's degree program, the administration has approved the hiring of two senior tenure-track faculty positions for the Educational Leadership program. A national search was initiated in May 2006 for both positions, requiring candidates to have successful experience in doctoral-level teaching, student advising, directing dissertation research, and publishing, with appointment anticipated for the Fall 2006 semester.

5. U. T. San Antonio: Authorization to establish a Ph.D. degree program in Psychology

RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs and President Romo that authorization, pursuant to the Regents' *Rules and Regulations*, Series 40307, be granted to

- a. establish a Ph.D. in Psychology degree program at U. T. San Antonio; and
- b. submit the proposal to the Texas Higher Education Coordinating Board for review and appropriate action.

BACKGROUND INFORMATION

Program Description

U. T. San Antonio proposes to offer a Ph.D. in Psychology degree program. The program is designed to prepare students to be leading professionals in the field of psychology with a strong background in psychological theory, research methods, techniques of statistical analysis, and grant-writing components. The addition of this program meets the national need for doctoral-level psychologists who are trained as behavioral researchers and meets the state's need for more doctoral programs in psychology.

Students admitted to the program will take 48 semester credit hours of post-master's coursework. The program requires 27 hours of organized coursework beyond the master's degree distributed as follows: 24 hours of core courses in research methods, statistics, and theory, and 3 hours of designated electives, which may include courses outside the field of psychology, such as statistics. The program also requires 9 hours of supervised research and 12 hours of dissertation.

Need and Student Demand

Projections indicate increased need for psychology Ph.D.s with a strong research background in academic and nonacademic settings. The need for behavioral researchers is particularly pronounced in the areas of health care evaluation, disease prevention, and testing and measurement. The proposed program also meets the need for more psychology Ph.D. programs in Texas. In 2000, Texas universities awarded 154 doctoral degrees in psychology whereas California awarded 828 and Illinois awarded 328. In that year, there were 1700 applicants for psychology programs in Texas with fewer than 200 applicants accepted for admission. A recent survey of U. T. San Antonio psychology majors demonstrated that there is strong demand among these students for a doctoral program in psychology at U. T. San Antonio, as 53% of those surveyed responded that they were "extremely interested" in pursuing a Ph.D. in psychology at U. T. San Antonio.

Program Quality

The Psychology Department has 19 tenured and tenure-track faculty members who will comprise the core faculty. All are active, publishing researchers who currently have over \$3 million in external research funding. All are capable of teaching courses and supervising student research in the proposed program. The Department of Psychology controls approximately 4,400 square feet of research space for general faculty use and 2,700 square feet of research space dedicated to special grant activities. The program will require additional office space for new faculty and graduate teaching assistants, as well as an increase in total research space to approximately 8,000 square feet.

Funds to renovate existing research space to better accommodate researchers are also requested. Current equipment is adequate for faculty needs, but additional computers and software will be needed to accommodate doctoral students' needs.

Program Cost

The cost of operating the program across five years is approximately \$1,698,421. This includes \$180,000 for faculty salaries, \$75,000 for administrative support, \$1,227,800 for graduate student support, \$70,500 for staff support, \$115,621 for renovation of facilities, \$10,000 for library and information technology resources, and \$19,500 for equipment, supplies, and materials. Revenues of \$746,424 from formula funding, \$884,955 from federal funding for research support for graduate students, and the reallocation of \$819,125 in existing university resources are expected to be sufficient to fully fund the program.

6. U. T. Tyler: Authorization to establish a Ph.D. degree in Nursing

RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs and President Mabry that authorization, pursuant to the Regents' *Rules and Regulations*, Series 40307, be granted to

- a. establish a Ph.D. degree in Nursing at U. T. Tyler; and
- b. submit the proposal to the Texas Higher Education Coordinating Board for review and appropriate action.

BACKGROUND INFORMATION

Program Description

U. T. Tyler proposes to offer a Ph.D. in Nursing degree program. The program will offer the advanced education necessary to prepare nurse educators and researchers for the future. Consistent with the United Nations Millennium Development Goals, the proposed program will "address the complex interplay of socioeconomic determinants with health and provide an important contextual milieu to regional health priorities." The College of Nursing and Health Sciences is well situated to provide a global perspective to health care, which is critical for today's practitioners, researchers, and educators in the culture of globalization.

Need and Student Demand

The United States is in the midst of an unprecedented shortage of Registered Nurses. This shortage will persist because of the increasing demand for health care as baby boomers approach retirement, the aging nursing workforce, and the decline of interest in nursing as a career because of expanding opportunities for women in previously male-dominated professions. The U.S. Department of Labor projects a 21% increase in the need for nurses nationwide from 1998 to 2008, compared with a 14% increase in all other occupations. 75% of all hospital vacancies are for nurses. The College of Nursing and Health Sciences, which serves both urban and rural constituencies, has a long history of addressing the needs of rural communities and reaching out to nurses in those settings. Using online technology to bring education to nurses allows students to further their education while remaining in their community, contributing to the health of the population they serve and filling critical faculty roles in underserved areas. The College of Nursing and Health Sciences has a long-standing commitment to providing access to higher education and career mobility. As a result, faculty members are proficient in the use of multiple distance teaching strategies.

Program Quality

The nursing programs are recognized for quality and credibility at both the undergraduate and graduate level, as is evident from the rapid growth of both programs. The programs are fully accredited by both the Board of Nurse Examiners for the State of Texas and the Commission on Collegiate Nursing Education. Early in the planning phases for the Ph.D. program, faculty identified a National Advisory Board of experts in doctoral education for nursing and global health. This panel of consultants has visited Tyler, reviewed the resources, and provided input into the proposal.

A number of faculty are nationally and internationally known for their scholarship in the areas of health care, workplace issues, and health policy. Students come from diverse backgrounds and have high success rates on their licensure or credentialing examinations.

The College of Nursing and Health Sciences moved into a world class 34,447 square-foot facility in Fall 2003. The David G. and Jacqueline M. Braithwaite Building houses state-of-the-art classrooms, computer labs, and the Office for Nursing Research and Scholarship in addition to faculty, staff, administrative offices, and student study/lounge areas.

Program Cost

Program start-up costs are consistent with others of similar scope and emphasis. The total costs to the institution are \$2,147,974. Of this amount, \$100,945 is designated for the salary of the program coordinator (all reallocated funds) and \$1,587,029 for program faculty (\$474,602 of new money and \$1,111,427 reallocated). Salaries for Graduate Assistants represent \$100,000 in new money as does \$39,000 for clerical staff.

Expendable supplies require \$21,000 and equipment needed to support the program will require \$50,000. Library and Informational Technology resources represent \$250,000 in the total budget; the bulk of this was purchased during the planning period.

7. **U. T. San Antonio: Request to rename a portion of John Peace Boulevard as UTSA Circle**

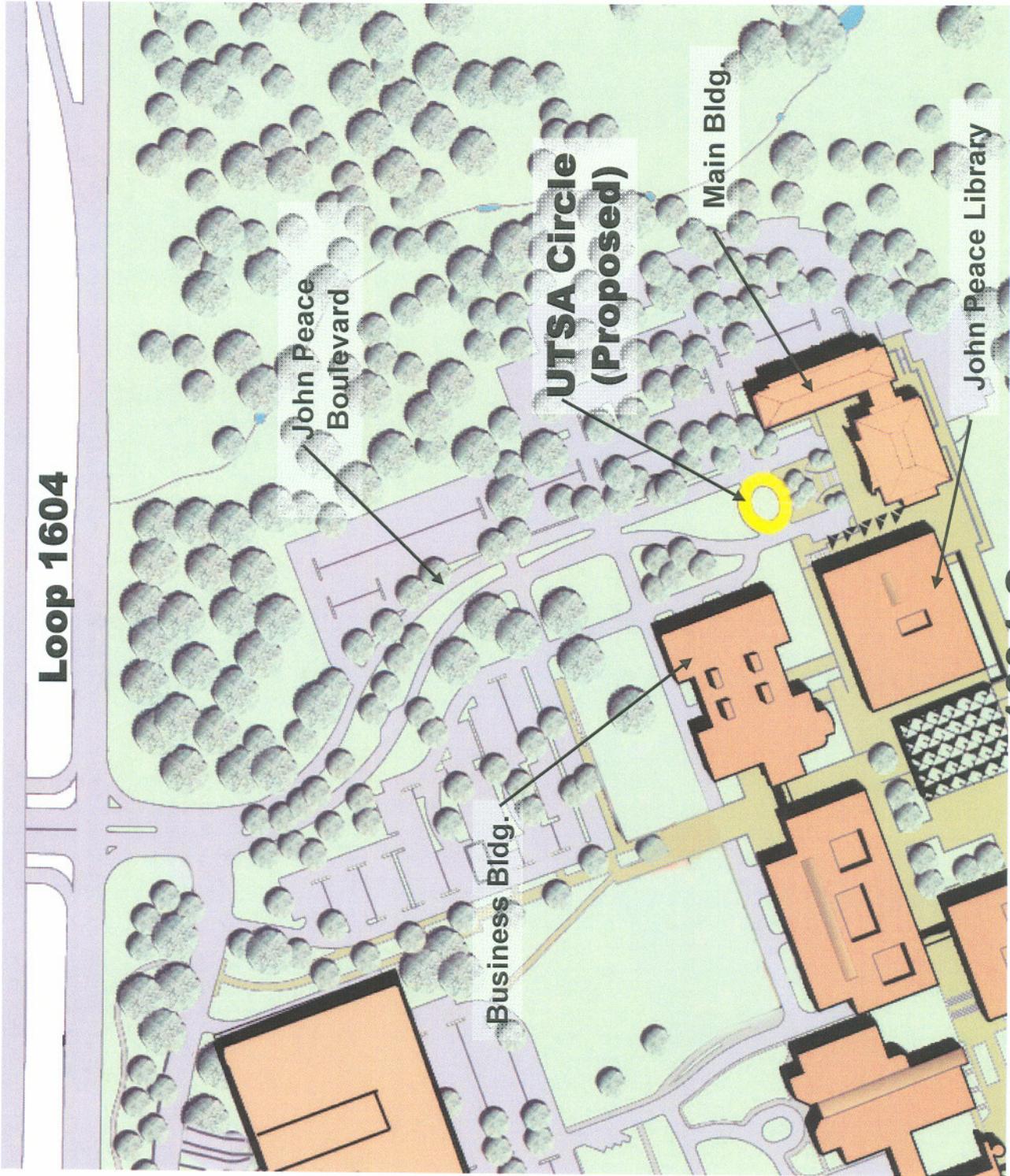
RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs, the Vice Chancellor for External Relations, and President Romo that the U. T. System Board of Regents approve the renaming of a portion of John Peace Boulevard as UTSA Circle.

BACKGROUND INFORMATION

U. T. San Antonio recommends that a portion of the existing John Peace Boulevard be renamed to provide U. T. San Antonio with a unique and simple address for this public institution of higher education. Mr. John Peace served as Chairman of the U. T. System Board of Regents from 1971-1973. Specifically, U. T. San Antonio recommends that the circle drive in front of the recently constructed Main Building be renamed UTSA Circle (see attached map on Page 192). U. T. San Antonio expects to use One UTSA Circle as the primary address for the campus located on North Loop 1604 West.

Many universities enjoy a unique address identifying their institution. One UTSA Circle will be easily remembered and readily identified with U. T. San Antonio.



1604 Campus



UTSA

8. **U. T. San Antonio: Honoring naming of new street as Sam Barshop Boulevard**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs, the Vice Chancellor for External Relations, and President Romo that the U. T. System Board of Regents approve the naming of a new street at U. T. San Antonio as Sam Barshop Boulevard.

BACKGROUND INFORMATION

The planned new roadway, expected to be completed in January 2008, will allow north-south travel across the campus at U. T. San Antonio (see attached map on Page 194). The proposed name of the roadway will be Sam Barshop Boulevard in honor of Mr. Sam Barshop who was a U. T. System Regent and a community leader.

Former Regent Barshop has distinguished himself throughout his career and service to the U. T. System by serving as a member of the U. T. System Board of Regents from 1987-1993, including as Vice Chairman from 1989-1991. He served on the Development Boards of U. T. Austin, U. T. San Antonio, and U. T. Health Science Center - San Antonio in addition to various University of Texas Advisory Boards. Former Regent Barshop gave generously to The University of Texas by working tirelessly to gain private funding for the University, including gift support for The Sam and Ann Barshop Center for Longevity and Aging Studies at U. T. Health Science Center - San Antonio. He established numerous endowed scholarships and professorships at U. T. Austin and was inducted into the Texas Philanthropy Hall of Fame.

The proposed naming of the street at U. T. San Antonio to recognize the distinguished contributions of former Regent Sam Barshop is consistent with the Regents' *Rules and Regulations*, Series 80307, relating to honoring naming of streets.



1604 Campus



9. **U. T. Austin: Texas Memorial Museum - Request for approval of acceptance of gift of outdoor work of art**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for External Relations, and President Powers that the U. T. System Board of Regents accept a gift of outdoor work of art, specifically a statue of a saber-toothed cat, in accordance with Regents' *Rules and Regulations*, Series 60101, for display at U. T. Austin on the east (Trinity Street) side of Texas Memorial Museum.

BACKGROUND INFORMATION

In Spring 2003, Dr. and Mrs. Ernest Butler informed Dr. Edward Theriot, Director of the Texas Memorial Museum, that they would like to make a gift of \$150,000 to the Museum for art, and they asked him for a proposal. The Butlers accepted the proposal, which included \$80,000 for a bronze sculpture of a saber-toothed cat, to be placed on the east side of the Museum (Trinity Street), the main entry point for visitors to the Museum. The Sarah and Ernest Butler Family Fund gave the Museum \$150,000 in two installments of \$70,000 (January 2005) and \$80,000 (January 2006). The remaining \$70,000 is being used for a variety of improvements: an outdoor classroom, digital enhancements of the Paleontology Laboratory, and Fishes of Texas configuration (Phase One). Phase Two improvements include signage on the third floor and taxidermy/diorama improvements (in addition to the bronze sculpture).

Longtime philanthropists, Sarah and Ernest Butler's other gifts to U. T. Austin include \$2 million to fully endow the opera theater program in the School of Music and \$1 million to endow a gallery in the new Jack S. Blanton Museum of Art complex. The Butlers also give generously to Austin's professional opera, symphony, and ballet companies, as well as to the Austin Museum of Art. In 2004, the couple was inducted into the Austin Arts Hall of Fame.

The saber-toothed cat (*Smilodon fatalis*) was selected because of its inherent charisma and its appropriateness to a natural history museum. The Museum is redesigning the Trinity Street entry area to make it more engaging, and it is envisioned that the saber-toothed cat will become a destination sculpture and perhaps even an icon of the Museum. Photos of the maquette for the proposed sculpture are on Pages 197 - 198.

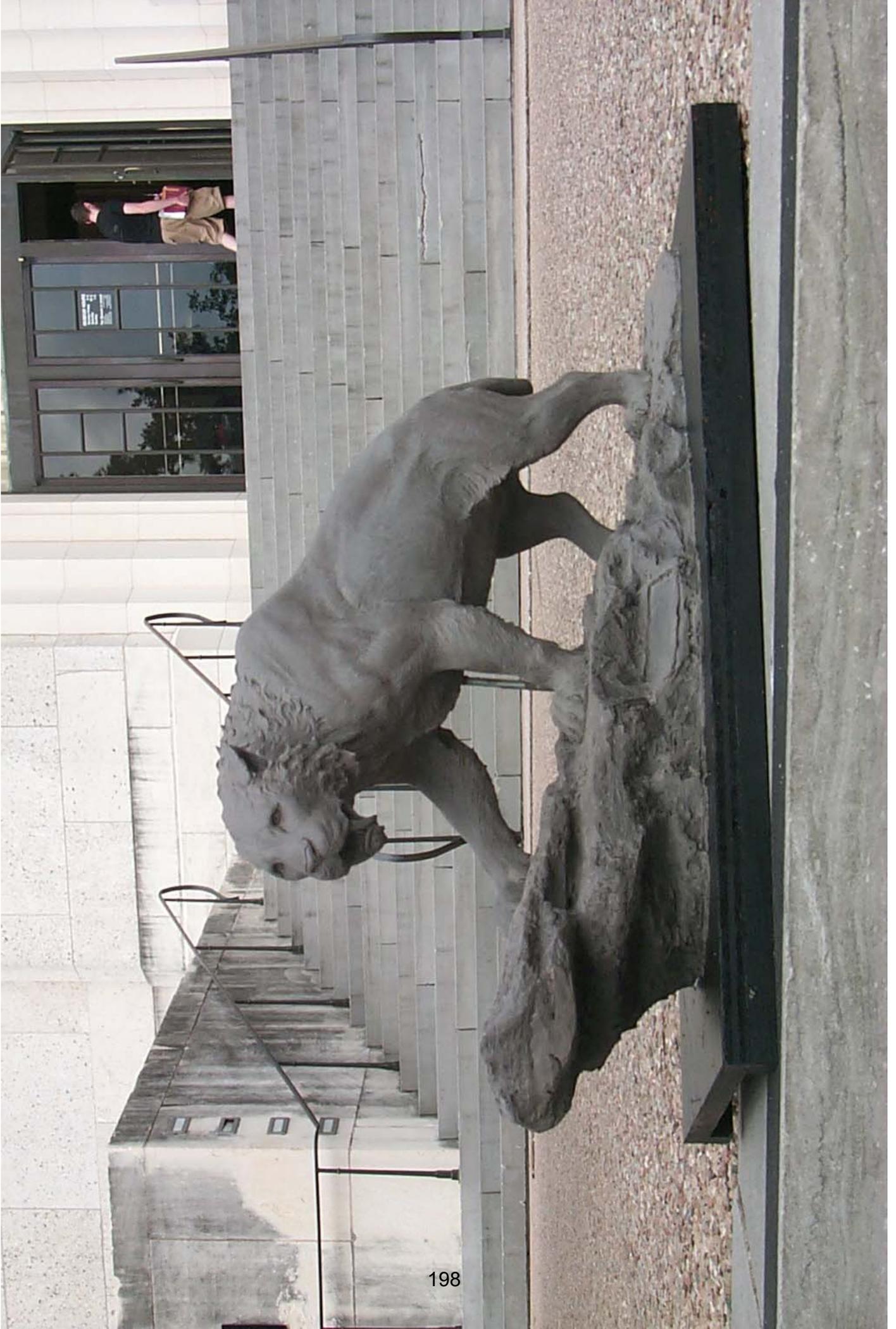
To select the sculptor, U. T. Austin asked the Executive Director of the Texas Commission on the Arts for names of appropriate artists; the pool was supplemented by other names given by the artists and by the Museum, which has on staff a noted sculptor who works on exhibit design, fabrication, and installation. Three proposals were submitted to the Subcommittee for the Review of Artwork (the SRA is a subcommittee of U. T.

Austin's Faculty Building Advisory Committee) from two artists who happen to reside in San Antonio, and one from the staff sculptor, Mr. John Maisano. The SRA unanimously selected the Museum staff artist's proposal.

For this project, the Texas Memorial Museum followed U. T. Austin's Policy and Procedures for Public Art. Since Mr. Maisano is an employee of U. T. Austin, the Museum followed the special protocol for requesting permission to hire a U. T. Austin staff member under separate contract, with the guidance of U. T. Austin's purchasing office and the Vice President for Employee and Campus Services. Former President Larry R. Faulkner approved the request on January 11, 2006, and a contract with Mr. Maisano is pending, to be effective if the statue is approved by the Board of Regents.

All installation charges for this statue will be covered by funds donated to the Texas Memorial Museum at U. T. Austin. Ongoing maintenance charges will be minimal and will be covered by the annual Museum budget or by one of the Museum's local accounts.





10. **U. T. System Board of Regents: Approval of designation of Presidents Emeriti for U. T. Austin, U. T. Brownsville, and U. T. Dallas**

RECOMMENDATION

Chancellor Yudof and Interim Executive Vice Chancellor Malandra recommend that authorization be granted to appoint Dr. Norman Hackerman as President Emeritus at U. T. Austin, Dr. Homer J. Peña as President Emeritus at U. T. Brownsville, and Dr. Bryce Jordan as President Emeritus at U. T. Dallas. Approval of these recommendations is being requested in accordance with the Regents' *Rules and Regulations*, Series 20301.

BACKGROUND INFORMATION

Dr. Norman Hackerman joined the faculty of U. T. Austin in 1945 and served as president of the institution from 1967-1970, following the Board's decision to reinstitute the office of the presidency at U. T. Austin. Dr. Hackerman also served as Vice Chancellor for Academic Affairs at U. T. System from 1963-1967 and later served as president of Rice University from 1971-1985. In 1985, he was named Professor of Chemistry Emeritus at U. T. Austin. Dr. Hackerman continues to be involved with the Robert A. Welch Foundation, serving as Chairman of the Scientific Advisory Board, and with activities on the U. T. Austin campus.

Dr. Homer J. Peña assumed the presidency of Pan American University at Brownsville in 1980 and served as the founding president of U. T. Brownsville in 1991. He led the university at a key time of transition and played an important role in the creation of U. T. Brownsville's unique educational partnership with Texas Southmost College. In October 1991, Dr. Peña was named Executive Director of South Texas Program Development for the U. T. System and served in that position until his retirement in 2003.

Dr. Bryce Jordan served as president of U. T. Dallas from 1971-1981. He had previously served as president ad interim at U. T. Austin. During his tenure at U. T. Dallas, the institution was transformed from a single building and 40 students to a modern metropolitan campus and 7,000 students. By the time Dr. Jordan left the presidency to assume the Vice Chancellor for Academic Affairs position at U. T. System, U. T. Dallas had become a leader among the state's public institutions in the amount of funds it raised through private grants, gifts, and endowments, and in the quantity of per-faculty research dollars it received. He served as president of The Pennsylvania State University from 1983-1990.

11. **U. T. Arlington: Recommended adjustment to allow additional designated tuition for students in the College of Business Administration**

RECOMMENDATION

The Chancellor, Interim Executive Vice Chancellor Malandra, and President Spaniolo recommend that the action of the U. T. System Board of Regents approving tuition and fees on March 28, 2006, which will go into effect as of August 28, 2006, consider the following adjustment:

Approval is recommended to allow the University to charge additional designated tuition of \$15 per semester credit hour to lower-division undergraduate students enrolled in the College of Business Administration, beginning with the Spring 2007 Semester. This approval is requested to correct an error made by U. T. Arlington in its tuition proposal to the Board in March. The Board approved additional designated tuition of \$15 per semester credit hour for upper-division undergraduates enrolled in the College of Business Administration, beginning Fall 2006. The University intended to request approval to charge this additional designated tuition to all undergraduates in the College of Business Administration.

BACKGROUND INFORMATION

Tuition increases recommended for approval by the Board on March 28, 2006, mentioned only increases for the upper-division undergraduates enrolled in the College of Business Administration. U. T. Arlington intended the increase to cover all undergraduates enrolled in the College of Business Administration, including lower-division undergraduates.

12. **U. T. Austin: Authorization to purchase approximately 21,000 square feet of unimproved real property located at 2201 Hidalgo Street, Austin, Travis County, Texas, from Capital Metropolitan Transportation Authority, at a purchase price not to exceed fair market value as established by independent appraisals, for parking and a playground area for the campus of The University of Texas Elementary School**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Powers that authorization be granted by the U. T. System Board of Regents, on behalf of U. T. Austin, to

- a. purchase approximately 21,000 square feet of unimproved real property located at 2201 Hidalgo Street, Austin, Travis County, Texas, from Capital Metropolitan Transportation Authority for a purchase price not to exceed fair market value as established by independent appraisals, plus all due diligence expenses, closing costs, and other costs and expenses to complete the acquisition of the property as deemed necessary or advisable by the Executive Vice Chancellor for Business Affairs or the Executive Director of Real Estate, for parking and a playground area for the campus of The University of Texas Elementary School; and
- b. authorize the Executive Director of Real Estate to execute all documents, instruments, and other agreements, subject to approval of all such documents as to legal form by the Office of General Counsel, and to take all further actions deemed necessary or advisable to carry out the purpose and intent of the foregoing recommendation.

BACKGROUND INFORMATION

U. T. Austin desires to purchase the subject property, consisting of approximately 21,000 square feet of unimproved land, for a purchase price not to exceed fair market value as established by independent appraisals. The property, located at the corner of Hidalgo and Robert Martinez Streets, is adjacent to the campus of The University of Texas Elementary School.

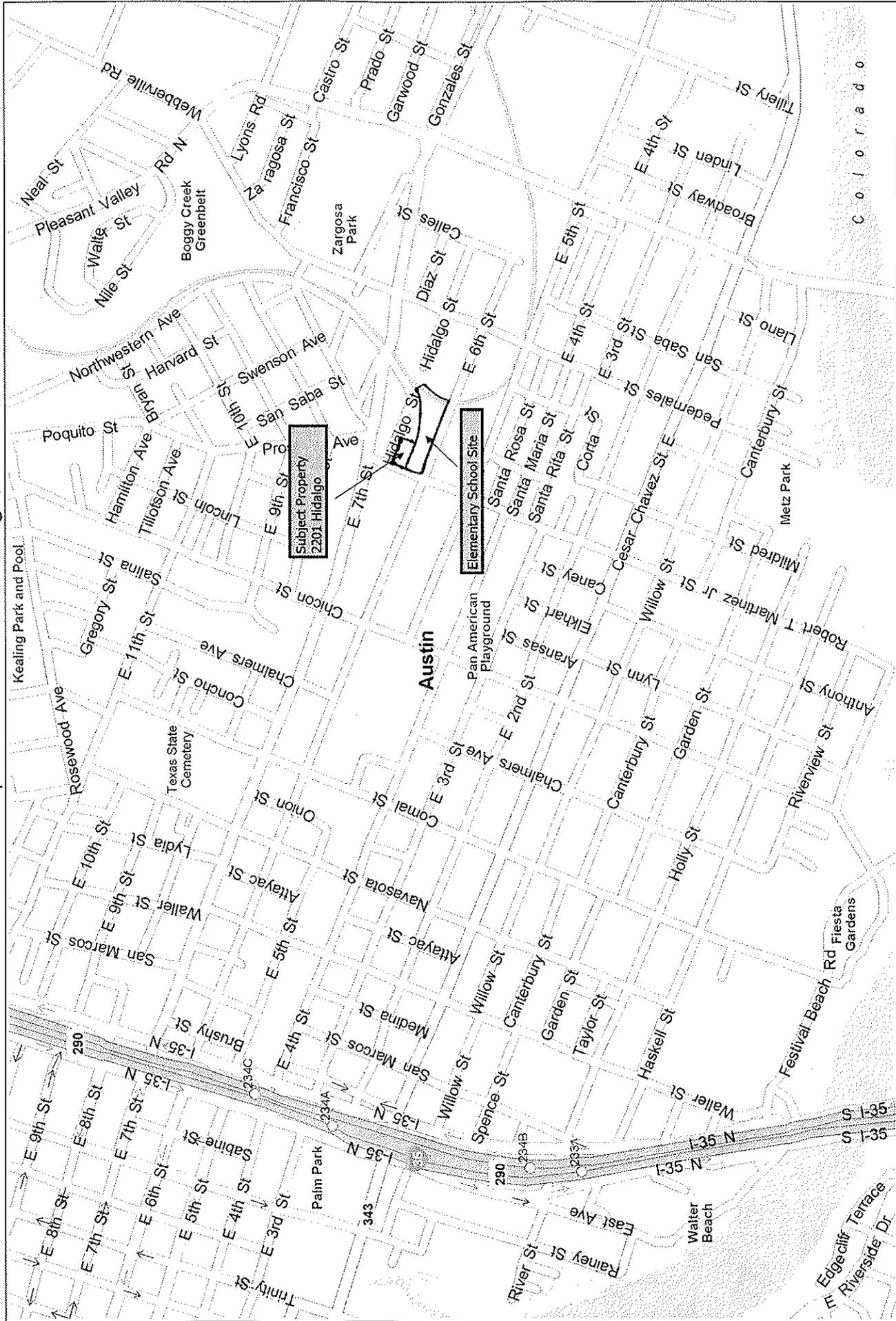
The U. T. System Board of Regents authorized the establishment of The University of Texas Elementary Charter School at its meeting on December 20, 2002. The school opened in August 2003 and will have approximately 220 students enrolled in prekindergarten through Grade Four for the Fall 2006 semester. U. T. Austin operates the school under the name "The University of Texas Elementary School."

To fund the purchase, U. T. Austin will use Unexpended Plant Funds. The terms and conditions of the purchase are reflected in the transaction summary below:

Transaction Summary

Institution:	U. T. Austin
Type of Transaction:	Purchase
Total Area:	Approximately 21,000 square feet
Improvements:	None
Location:	2201 Hidalgo Street, Austin, Travis County, Texas; see attached map
Seller:	Capital Metropolitan Transportation Authority
Purchase Price:	To be determined; not to exceed fair market value as established by independent appraisals
Appraised Values:	\$300,000 (Paul Hornsby & Company, January 15, 2006) Second appraisal pending (Aegis Group, Inc., due August 4, 2006)
Source of Funds:	Unexpended Plant Funds
Intended Use:	Parking and a playground area for the campus of The University of Texas Elementary School

Purchase from Capital Metro - 2201 Hidalgo, Austin, Texas



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13. **U. T. Austin: Authorization to purchase a conservation easement covering approximately 3,261.24 acres of unimproved land known as the Fennessey Ranch located on FM 2678 near Refugio, Refugio County, Texas, and being out of the Refugio Town Tract, A-56, the G.W. Archer Survey, A-74, the G.W. Archer Survey, A-75, The Heirs of Chas Haskell Survey, A-157, the Heirs of Chas Haskell Survey, A-169, the T.W. Johnson Survey, A-201, and the Martin Toole Survey, A-347, from Mr. Brien O'Connor Dunn at less than the fair market value as established by an independent appraisal, for inclusion in the Mission-Aransas National Estuarine Research Reserve**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Interim Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Powers that authorization be granted by the U. T. System Board of Regents, on behalf of U. T. Austin, to

- a. purchase a conservation easement covering approximately 3,261.24 acres of unimproved land known as the Fennessey Ranch located on FM 2678 near Refugio, Refugio County, Texas, and being out of the Refugio Town Tract, A-56, the G.W. Archer Survey, A-74, the G.W. Archer Survey, A-75, The Heirs of Chas Haskell Survey, A-157, the Heirs of Chas Haskell Survey, A-169, the T.W. Johnson Survey, A-201, and the Martin Toole Survey, A-347, from Mr. Brien O'Connor Dunn at less than fair market value as established by an independent appraisal, plus all due diligence expenses, closing costs, and other costs and expenses to complete the acquisition of the property as deemed necessary or advisable by the Executive Director of Real Estate for inclusion in the Mission-Aransas National Estuarine Research Reserve; and
- b. authorize the Executive Director of Real Estate to execute all documents, instruments, and other agreements, subject to approval of all such documents as to legal form by the Office of General Counsel, and to take all further actions deemed necessary or advisable to carry out the purpose and intent of the foregoing recommendation.

BACKGROUND INFORMATION

U. T. Austin desires to purchase a perpetual conservation easement restricting the use of the subject property, consisting of 3,261.24 acres, for \$1,585,000, which is one-half of the easement's fair market value of \$3,170,000 as established by an independent appraisal.

This conservation easement will be included in the newly formed Mission-Aransas National Estuarine Research Reserve (the "Reserve"), located in the Mission-Aransas Estuary and created with the support of the Governor's Office. The Reserve is the 27th created under a program established in the 1970s and overseen by the National Oceanic and Atmospheric Administration (NOAA). It is the first reserve located in Texas, and the only one located in the Gulf of Mexico west of the Mississippi River.

The Fennessey Ranch contains artesian wells, freshwater wetlands, and riparian zones, including over nine miles of frontage along the Mission River. The balance of the Reserve is composed of marine environments in Mission, Copano, Aransas, Mesquite and Ayers Bays, and in the Gulf of Mexico. Rights to conduct research in these marine areas are being acquired by U. T. Austin through a separate lease for research purposes from the General Land Office. The conservation easement and the lease from the General Land Office provide U. T. Austin with access for research to a complete estuarine region from fresh water sources to the marine seas.

Mr. Dunn has managed the property for ecotourism, controlled hunting, limited cattle grazing, oil extraction, and research; large portions of the property are in a natural or nearly natural condition. The conservation easement will restrict the property in perpetuity to these or similar low-impact uses. Additionally, the Marine Science Institute at U. T. Austin will have the right to enter and conduct research on the property.

U. T. Austin will use a grant from NOAA to fund the purchase. The grant is matched by Mr. Dunn's reduction of the purchase price to 50% of the fair market value of the easement interest. As a result of the federal funds contributed to the project, NOAA will also have rights in and to the conservation easement. The easement will permit future conveyances to other public and private entities. The terms and conditions of the purchase are reflected in the transaction summary below:

Transaction Summary

Institution:	U. T. Austin
Type of Transaction:	Purchase of a perpetual conservation easement
Total Area:	3,261.24 acres
Rights Acquired:	Rights to maintain and enforce the conservation values of the property in perpetuity, including prohibiting subdivision of the property, restricting development, limiting use of the property, and limiting the use of water resources; rights to access and conduct research on the property

Location: FM 2678 near Refugio, Refugio County, Texas, and being out of the Refugio Town Tract, A-56, the G.W. Archer Survey, A-74, the G.W. Archer Survey, A-75, The Heirs of Chas Haskell Survey, A-157, the Heirs of Chas Haskell Survey, A-169, the T.W. Johnson Survey, A-201, and the Martin Toole Survey, A-347; see attached maps

Seller: Mr. Brien O'Connor Dunn

Purchase Price: \$1,585,000

Appraised Value: \$3,170,000 (James J. Jeffries, March 22, 2006); \$2,478,000 (Dugger, Canaday, Grafe Inc., February 16, 2006)

Source of Funds: Grant from the National Oceanic and Atmospheric Administration (NOAA)

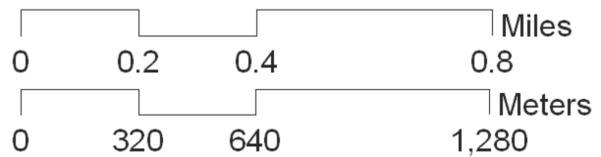
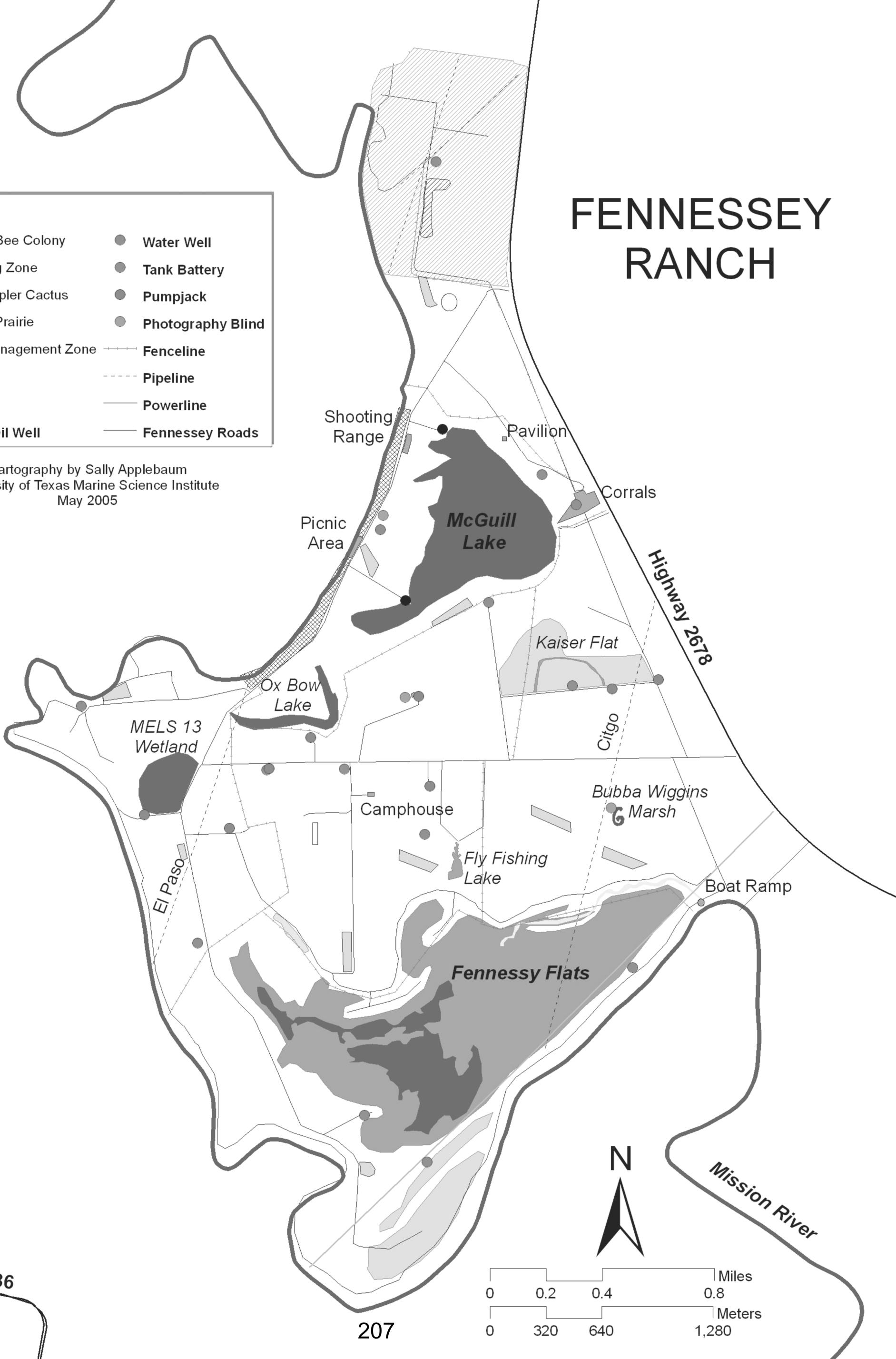
Intended Use: For inclusion in the Mission-Aransas National Estuarine Research Reserve

FENNESSEY RANCH

Legend

- | | |
|---|---|
|  American Bee Colony |  Water Well |
|  No Grazing Zone |  Tank Battery |
|  Horse Crippler Cactus |  Pumpjack |
|  St. Johns Prairie |  Photography Blind |
|  Stream Management Zone |  Fenceline |
|  Food Plot |  Pipeline |
|  Facilities |  Powerline |
|  Plugged Oil Well |  Fennessey Roads |

Cartography by Sally Applebaum
 University of Texas Marine Science Institute
 May 2005



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Mission River

