



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

November 5-6, 2014
El Paso, Texas

	Board Meeting	Page
<u>November 5, 2014</u>		
COMMITTEE MEETINGS	<i>10:30 a.m. - 5:00 p.m.</i>	
RECESS	<i>5:00 p.m.</i>	
<u>November 6, 2014</u>		
CONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS	<i>8:30 a.m.</i>	
1. U. T. El Paso: Overview of the institution, including Centennial celebration	<i>8:30 a.m.</i> Report/Presentation <i>President Natalicio</i>	7
2. U. T. System Board of Regents: Annual Meeting with Officers of the U. T. System Employee Advisory Council	<i>9:00 a.m.</i> Report/Discussion <i>Ms. JoAnn Rios, Chair</i>	8
3. U. T. System Board of Regents: Approval of Consent Agenda items and referral of any items to the full Board or to Committee	<i>9:30 a.m.</i> Action	12
4. U. T. System Board of Regents: Discussion and appropriate action regarding additions to Regents' <i>Rules and Regulations</i>, Rule 10402, Section 1.7 (Duties of the Academic Affairs Committee) and Section 1.8 (Duties of the Health Affairs Committee) related to review and approval of mission statements	<i>9:35 a.m.</i> Action	13
5. U. T. System Board of Regents: Discussion and appropriate action regarding changes to Regents' <i>Rules and Regulations</i>, Rule 10501 (Delegation to Act on Behalf of the Board), Section 2.2.13 (Bowl Games) to expand the delegation of authority to U. T. System institutions to negotiate and execute agreements related to athletic games	<i>9:37 a.m.</i> Action	14
6. U. T. System Board of Regents: Discussion and appropriate action regarding amendment of Regents' <i>Rules and Regulations</i>, Rule 20201, Presidents, to add a new Section 5 on evaluations	<i>9:39 a.m.</i> Action	15
7. U. T. System Board of Regents: Discussion and appropriate action regarding changes to Regents' <i>Rules and Regulations</i>, Rule 20601, regarding Aircraft Use, to revise reporting requirements, to incorporate former University of Texas Systemwide Policy UTS179 Donor Aircraft Policy with revisions, and to require additional review for potential conflicts of interest	<i>9:41 a.m.</i> Action	16
8. U. T. System: Presentation on seekUT	<i>9:43 a.m.</i> Report <i>Dr. Huie</i>	26

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9. U. T. System: Discussion and appropriate action related to use of group purchasing contracts through the Texas Department of Information Resources and other sources and issues related to competitive bidding, justification for exclusive acquisitions, and requirements for Board approval	10:00 a.m. Action Chancellor Cigarroa Dr. Kelley	27
10. U. T. System Board of Regents: Certificate of appreciation to Chancellor Cigarroa and recognition of his service	10:15 a.m. Presentation	28
STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD	10:30 a.m.	
RECESS TO EXECUTIVE SESSION PURSUANT TO <i>TEXAS GOVERNMENT CODE</i> , CHAPTER 551 (working lunch at noon)	10:45 a.m.	
1. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074		
a. U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions), U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors), other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive), and U. T. System and institutional employees		
b. U. T. Austin: Discussion and appropriate action, if any, of individual personnel matters related to presidential search		
c. U. T. System: Discussion and appropriate action related to the hiring of a Chief Executive Officer for University Lands (Regents' <i>Rules and Regulations</i>, Rule 20204, regarding compensation for highly compensated employees)		
d. U. T. Pan American: Consideration of recommendation of Faculty Hearing Tribunal regarding faculty member		
2. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071		
a. U. T. System Board of Regents: Discussion with Counsel on pending legal issues		
b. U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning settlement of claims and litigation		
c. U. T. System Board of Regents: Discussion and appropriate action regarding legal issues related to ongoing independent investigation of admissions practices at U. T. Austin by Kroll Associates		
d. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding legal issues involved with a patent license dispute and the hiring of outside legal counsel on a contingent fee basis to provide representation associated with the matter		

Board Meeting

- e. **U. T. Brownsville: Discussion and appropriate action regarding legal issues related to authorization to acquire by gift and bargain purchase from the City of Brownsville, a tract of land improved with park facilities and consisting of approximately 47.96 acres currently known as Lincoln Park, located immediately southwest of the 21.2-acre tract at the southwest corner of West University Boulevard and U.S. Highways 77/83 in Brownsville, Cameron County, Texas, for future programmed development of campus expansion; lease back of said land to the City of Brownsville; resolution regarding parity debt; and finding pursuant to Chapter 26 of the *Texas Parks and Wildlife Code***

3. **Negotiated Contracts for Prospective Gifts or Donations – Section 551.073**

Dr. Safady

- a. **U. T. Austin: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**
- b. **U. T. San Antonio: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**
- c. **U. T. Medical Branch - Galveston: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**
- d. **U. T. Health Science Center - Houston: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**
- e. **U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**

4. **Deliberation Regarding Security Devices or Security Audits – Section 551.076**

U. T. System Board of Regents: Discussion and appropriate action regarding safety and security issues, including security audits and the deployment of security personnel and devices

5. **Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072**

- a. **U. T. Brownsville: Discussion and appropriate action regarding the purchase of approximately 8.438 acres of vacant and submerged land at the southeast corner of Monroe Street and Marina Drive, Port Isabel, Cameron County, Texas, for a price not to exceed fair market value as established by an independent appraisal, for coastal research and future programmed campus expansion; and resolution regarding parity debt**
- b. **U. T. El Paso: Discussion and appropriate action regarding the purchase of approximately 443 acres of land out of the J. Baker Survey #10 and the I. F. Harrison Survey #54, located on Paisano Drive and Interstate Highway 10 in El Paso, El Paso County, Texas, commonly known as the former ASARCO smelter site, from ASARCO Texas Custodial Trust, for future programmed campus expansion**

*President Bailey
Mr. Tames*

Mr. Tames

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<p>c. U. T. Brownsville: Discussion and appropriate action regarding authorization to acquire by gift and bargain purchase from the City of Brownsville, a tract of land improved with park facilities and consisting of approximately 47.96 acres currently known as Lincoln Park, located immediately southwest of the 21.2-acre tract at the southwest corner of West University Boulevard and U.S. Highways 77/83 in Brownsville, Cameron County, Texas, for future programmed development of campus expansion; lease back of said land to the City of Brownsville; resolution regarding parity debt; and finding pursuant to Chapter 26 of the <i>Texas Parks and Wildlife Code</i></p>	<p><i>Mr. Tames</i></p>	
<p>RECONVENE IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS AND TO CONSIDER AGENDA ITEMS</p>	<p><i>1:45 p.m. approximately</i></p>	
<p>11. U. T. El Paso: Discussion and appropriate action regarding the purchase of approximately 443 acres of land out of the J. Baker Survey #10 and the I. F. Harrison Survey #54, located on Paisano Drive and Interstate Highway 10 in El Paso, El Paso County, Texas, commonly known as the former ASARCO smelter site, from ASARCO Texas Custodial Trust, for future programmed campus expansion</p>	<p>Action</p>	<p>28</p>
<p>12. U. T. System: Discussion and appropriate action concerning U. T. System legislative priorities for the 84th Regular Session</p>	<p>Discussion/Action <i>Mr. McBee</i></p>	
<p>ADJOURN</p>	<p><i>2:00 p.m. approximately</i></p>	

1. **U. T. El Paso: Overview of the institution, including Centennial Celebration**

REPORT

President Natalicio will provide an overview of U. T. El Paso and the Centennial Celebration.

2. **U. T. System Board of Regents: Annual Meeting with Officers of the U. T. System Employee Advisory Council**

REPORT

Representatives of the U. T. System Employee Advisory Council will meet with the Board to discuss the Council's activities from the past year, as set forth on the following pages.

Council members scheduled to attend are:

Chair 2014: Ms. JoAnn Rios, Senior Administrative Health Care Assistant, U. T. Health Science Center - San Antonio

Vice Chair: Mr. Gerald Cleveland, Director, Health Promotions, U. T. Medical Branch - Galveston

Secretary: Mrs. Tara Andrews, Operations Manager of Parking Services, U. T. Southwestern Medical Center

Historian: Mr. Ronnie Garcia, Assistant Director, Career Services, U. T. Pan American

BACKGROUND INFORMATION

The U. T. System Employee Advisory Council (EAC) was established in August 2000 to provide a vehicle for communication and to facilitate the flow of ideas and information between and among the Board of Regents, U. T. System Administration, and the institutions. The EAC functions to define, analyze, and make recommendations on employee issues to the Board through the Chancellor.

**THE UNIVERSITY OF TEXAS SYSTEM
EMPLOYEE ADVISORY COUNCIL
REPORT
TO THE BOARD OF REGENTS
THE UNIVERSITY OF TEXAS SYSTEM**

Introduction

The Employee Advisory Council (EAC) worked to achieve excellence this past year through establishing a culture of engagement, accountability, and collaboration among the committee membership and throughout the institutions that they represent. Highlights of the EAC's achievements this year include:

1. **Engagement** – EAC Standards of Conduct were developed and awareness of the role of EAC was increased at the institutional level.
2. **Accountability** – The EAC has self-examined its role and purpose in order to best utilize its resources for making recommendations that benefit U. T. System institution employees. The recommendations in this report are intended to meet this objective by promoting increased manager effectiveness, efficiency, and productivity.
3. **Collaboration** – The EAC strategically engaged its membership to work cooperatively with institutional leadership as well as with executive committees of the Faculty Advisory Council (FAC) and the Student Advisory Council (SAC).

Executive Summary of Recommendations

1. We recommend the Board of Regents support institutional initiatives that provide employee assessment tools to new and current managers to improve key management skills. In addition, we recommend the use of surveys to determine training needs and preparedness of new and current managers. The EAC further recommends the use of standards of performance for assessing managerial skills. The EAC has developed survey tools that can be shared with institutions for the purpose of determining training needs for managers.
2. We recommend that institutions consider the use of the Career Resources Toolkit, which is housed on the EAC webpage at (<https://www.utsystem.edu/sites/employee-advisory-council/resources-and-historical-information>). If each institution prefers to create their own toolkit, the EAC recommends the following items be considered for inclusion:
 - Individual development plan – a resource to aid employees in aligning their career growth and objectives with those of the department and institution.
 - Formal training within the institution

- Coaching/mentoring resources
 - Educational and motivational literature
 - External education (i.e., collegiate curriculum, SkillSoft)
3. We ask for the support of the Board of Regents and the Chancellor in communicating and endorsing the U. T. System Founders Day and recommend introductory communication of this event be provided by the Board of Regents' Chairman and the Chancellor annually, with a communication from institutional presidents to follow.

Background for Recommendations

Professional Results in Dedication to Excellence in Management and Development Committee

The committee created the EAC Standards of Conduct by which future EAC Committee members will be held accountable. The committee created a targeted survey and self-evaluation rubric to provide to new and current managers to help them assess and improve their management skills. As U. T. System continues to advance higher learning and the quality of life, it is crucial to recruit, retain, and develop a high-quality team of leaders. Management training can greatly impact the productivity, engagement, and success of employees across the U. T. System. The tools created by this committee are available on the EAC website for use by U. T. System institutions and U. T. System Administration to assist in the process of training and developing high-quality leadership.

Career Development Committee

In May 2013, the Society for Human Resource Management (SHRM) Workplace Forecast reported one of the top ten workplace trends for 2013 and beyond includes "Greater economic uncertainty and market volatility." With over 216,000 students and 87,000 faculty and staff, such a forecast has the potential to dramatically impact the workforce of U. T. System. The objective of the Career Development Committee is to promote workforce career development plans to support and encourage satisfaction, retention, and growth as opportunities avail themselves.

A Systemwide survey was conducted to assess which institutions offered development and leadership programs. Based on survey results, the Career Development Committee created a Career Resources Toolkit. The Career Resources Toolkit is available for all on the EAC website and includes:

- A sample individual development plan – A resource to aid employees in aligning their career growth and objectives with those of the department and institution
- Available leadership programs throughout the U. T. System
- Coaching/mentoring resources
- Educational and motivational literature

- Available external educational tools (i.e., collegiate curriculum, SkillSoft)
- A sample “how to” manual on creating a management and leadership development program

Team Unity Committee

In the spirit of collaboration, Team Unity was created to connect students, faculty, and staff at all U. T. System institutions to develop a more unified culture of family throughout the U. T. System.

Accomplishments of this committee include:

- U. T. System Founders Day, approved by the Board of Regents in FY 2013, was successfully launched on November 8, 2013.
- A Campus Collage was created with pictures, names, and mascots of all U. T. System institutions. Each institutional president and System Administration was presented with a copy to remind them that we are a collective system of higher education.
- Interviews with long-standing U. T. System employees were conducted to exhibit the dedication and commitment of these employees to their respective campus and U. T. System.

The EAC will continue supporting the U. T. System Founders Day to be held the 2nd Friday of November of each year. In collaboration with the FAC and SAC, the EAC will provide annual assistance in the planning and celebration of U. T. System Founders Day. To assist the institutions with planning this event, the EAC created a helpful *U. T. System Founders Day Preparation Task List*, which can be found on the EAC website.

Best Practices Committee

The Best Practices Committee created a best practices document, housed on the EAC website and available to all employees. Change in the workplace allows for better utilization of an organization’s assets, both financial and human, if implemented effectively. By focusing on growth in the areas of inclusiveness, communication, training, and cost estimation, change participants can become ardent supporters and leaders. We encourage U. T. System institutions to use the best practices document as appropriate when implementing change initiatives.

3. **U. T. System Board of Regents: Approval of Consent Agenda items and referral of any items to the full Board or to Committee**

RECOMMENDATION

The Board will be asked to approve the Consent Agenda items located at the back of the book under the Consent Agenda tab.

4. **U. T. System Board of Regents: Discussion and appropriate action regarding additions to Regents' *Rules and Regulations*, Rule 10402, Section 1.7 (Duties of the Academic Affairs Committee) and Section 1.8 (Duties of the Health Affairs Committee) related to review and approval of mission statements**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Rule 10402, Section 1.7 (Duties of the Academic Affairs Committee) and Section 1.8 (Duties of the Health Affairs Committee) be amended as set forth in congressional style below:

1.7 Duties of Academic Affairs Committee. The Academic Affairs Committee shall:

...

(i) Review proposed changes to academic institution mission statements and make recommendations to the Board for approval.

1.8 Duties of the Health Affairs Committee. The Health Affairs Committee shall:

...

(i) Review proposed changes to health institution mission statements and make recommendations to the Board for approval.

BACKGROUND INFORMATION

The recommended revisions clarify the existing requirement that U. T. System institutions submit changes to institutional mission statements to the Board of Regents for approval.

The proposed additions to Sections 1.7 and 1.8 of Rule 10402 require review of mission statements by either the Academic Affairs Committee or Health Affairs Committee, as appropriate.

In 2013, the Texas Legislature repealed *Texas Education Code* Section 61.051(e), which directed the Texas Higher Education Coordinating Board to review the mission statements of public institutions, typically, every four years. However, each institution is still required to have a mission statement under *Texas Education Code* Section 51.359. Additionally, Section 51.352 of the Code, regarding the Responsibility of Governing Boards, requires governing boards to "insist on clarity of focus and mission of each institution under its governance."

5. **U. T. System Board of Regents: Discussion and appropriate action regarding changes to Regents' Rules and Regulations, Rule 10501 (Delegation to Act on Behalf of the Board), Section 2.2.13 (Bowl Games) to expand the delegation of authority to U. T. System institutions to negotiate and execute agreements related to athletic games**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel that the Regents' *Rules and Regulations*, Rule 10501 (Delegation to Act on Behalf of the Board), Section 2.2.13 (Bowl Games) be amended to expand the delegation of authority to U. T. System institutions to negotiate and execute agreements related to athletic games as set forth in congressional style below:

2.2 Contracts Not Requiring Board Approval. The following contracts or agreements, including purchase orders and vouchers, do not require prior approval by the Board of Regents.

...

2.2.13 ~~Athletic Bowl~~ Games. Contracts or agreements related to athletic games, including postseason bowl games, if the contract or agreement exceeds \$1 million in value, subject to a requirement that the contract or agreement must be approved by ~~has been submitted to~~ the Executive Vice Chancellor for Academic Affairs and ~~be is~~ in a form acceptable to the Vice Chancellor and General Counsel.

....

BACKGROUND INFORMATION

The recommended change to Section 2.2.13 of Rule 10501 will provide greater latitude to U. T. System academic institutions to negotiate and execute contracts related to athletic games. Currently, the Rule only delegates the authority to execute contracts related to postseason bowl games, subject to review and approval by the Executive Vice Chancellor for Academic Affairs. The change will expand the authority to other contracts for athletic games that would otherwise require Board approval. This delegation will allow greater flexibility in negotiation and timing.

6. **U. T. System Board of Regents: Discussion and appropriate action regarding amendment of Regents' Rules and Regulations, Rule 20201, Presidents, to add a new Section 5 on evaluations**

RECOMMENDATION

The Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel recommend that the Regents' *Rules and Regulations*, Rule 20201 be amended to include a new Section 5 setting out a process for annual and comprehensive periodic performance reviews of the institutional presidents as set forth below in congressional style:

Sec. 5 Evaluation

- 5.1 Within 12 months of beginning service as president, the new president will provide a statement outlining a vision and plans for the future of the institution. The presentation may be deferred for 6 months, if deemed appropriate by the Chancellor and the appropriate Executive Vice Chancellor after consultation with the Chairman of the Board.**
- 5.2 Each president will have an annual performance evaluation each year, conducted by the Chancellor and the appropriate Executive Vice Chancellor, and presented to the Board for discussion.**
- 5.3 Each president will receive a comprehensive performance review by the appropriate Executive Vice Chancellor, the Chancellor, and the Board at the conclusion of each five-year period, beginning after the first year of service as president. The review will include an interview with the Board in Executive Session during which the president will outline his or her renewed vision and plans for the future of the institution.**

BACKGROUND INFORMATION

The proposed addition of language to Regents' Rule 20201 outlines the process for a new president's initial presentation of vision and goals to the Board within 12 months of becoming president. The new language also outlines the annual evaluation process and provides for a new comprehensive review of all presidents involving a strategic discussion of each president's goals and vision every five years.

7. **U. T. System Board of Regents: Discussion and appropriate action regarding changes to Regents' *Rules and Regulations*, Rule 20601, regarding Aircraft Use, to revise reporting requirements, to incorporate former University of Texas Systemwide Policy UTS179 Donor Aircraft Policy with revisions, and to require additional review for potential conflicts of interest**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel that Regents' *Rules and Regulations*, Rule 20601, regarding aircraft use, be amended as set forth in congressional style on the following pages.

BACKGROUND INFORMATION

The recommended changes to Regents' Rule 20601, regarding Aircraft Use, will clarify and consolidate existing policies and procedures related to State and private aircraft use for University purposes. These changes will make the language consistent with current statutory language and will incorporate existing provisions of University of Texas Systemwide Policy UTS179, regarding Donor Aircraft, for ease of reference.

Proposed changes include eliminating the requirement of an annual report on operating costs to the Legislative Budget Board, consistent with a change in State law. The Board of Regents' Finance and Planning Committee will continue to receive a report on flights twice a year. Proposed new language requires an assurance that the use of a donor aircraft is in furtherance of University business, will not create a conflict of interest, and is subject to appropriate levels of review. Institutional Presidents, or their designees, shall review donor plane use for institutional employees, and the Chancellor, or his or her designee, will review such use by Presidents and System Administration employees. Finally, the Rule provides a uniform standard for review of the proposed travel.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 20601

1. Title

Aircraft Use

2. Rule and Regulation

Sec. 1 Official Use. The U. T. System aircraft or any leased or chartered aircraft will be used only in the scope and conduct or furtherance of official State business and only in compliance with the travel regulations contained in *Texas Government Code* Section 2205.001 et seq. and any other laws applicable to the use of State-owned or leased aircraft. Donor aircraft used in the scope and conduct or furtherance of official University business is also covered by this Rule.

Sec. 2 Passengers. In accordance with Texas Attorney General Opinion H-1089, the Board of Regents finds that attendance of the spouses of members of the Board of Regents and officials of the Office of the Board of Regents; spouses of the Executive Officers and the Administrative Officers of the U. T. System; and spouses of the presidents of the institutions of the U. T. System at official functions may be in furtherance of official State business. Whether the spouse's attendance is in furtherance of official State business is dependent in part on the nature of the employee's office, the spouse's role, the purpose of the particular trip, and the spouse's connection with that purpose. Examples of instances in which the spouse's attendance is in furtherance of official State business include, but are not limited to, attendance at U. T. System Board of Regents' meetings when there is an official function hosted by an institution and retirement functions honoring long-time key employees of the U. T. System or the institutions.

Sec. 3 Justification for Passenger Use.

3.1 Consistent with State law, ~~The~~ U. T. System aircraft or leased or chartered aircraft will be used to carry passengers only when the destination is not served by commercial carriers, ~~or~~ the time required to use such a carrier interferes with other obligations, or the number of authorized passengers traveling makes the use of State aircraft cost effective.

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Rules and Regulations of the Board of Regents**

Rule: 20601

3.2 Use of a leased or chartered aircraft, including Texas Department of Transportation (TxDOT) aircraft, will be approved only when the U. T. System aircraft is unavailable.

~~Sec. 4 — Scheduling Flights for Regents. Requests for use of the U. T. System aircraft and leased or chartered aircraft by members of the Board of Regents will generally be arranged through the General Counsel to the Board. Leased or chartered aircraft will be provided when the U. T. System aircraft is not available. If circumstances occur that require flight arrangements for Board members to be made through the Chancellor or his or her designee, the General Counsel to the Board will be advised of such arrangements by copy of the completed flight reservation form.~~

Sec. ~~54~~ Priority for Use. ~~Except for r~~Requests by the U. T. System Board of Regents shall be arranged through the General Counsel to the Board. ~~a~~All other flights of U. T. System aircraft or requests for leased or chartered aircraft, including TxDOT aircraft, will be requested from and approved in advance by the Chancellor or ~~his or her~~ designee. Up until 24 hours before a the flight is scheduled to begin, requests for the use of U. T. System aircraft will be approved upon the following order of priority:

1. Chairman of the U. T. System Board of Regents
2. A Vice Chairman of the U. T. System Board of Regents (in order of request)
3. Members of the U. T. System Board of Regents (in order of request)
4. Chancellor and Executive Vice Chancellors (in order of request)
5. Vice Chancellors and other System officers (in order of request)
6. Institutional Presidents (in order of request)
7. Other staff of the U. T. System Administration (in order of request)
8. Other faculty and staff personnel of the institutions of the U. T. System (in order of request)

Sec. ~~65~~ Assignment of Aircraft by Chancellor. ~~The following steps will be taken for assigning the aircraft.~~

- 5.1 During the 24-hour period prior to the beginning of a flight, if the U. T. System aircraft has not been previously

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Rule: 20601

scheduled, the Chancellor ~~will~~ may assign the U. T. System aircraft to any person on the priority list on a first-come first-served basis without regard to the order of priority.

~~65.2~~ If a U. T. System aircraft flight that is scheduled before the beginning of the 24-hour period is cancelled, ~~insofar as practicable,~~ the Chancellor ~~will~~ may assign, ~~as practicable,~~ the aircraft to the person requesting the aircraft that is next in order of priority. If a U. T. System aircraft flight ~~that is~~ scheduled during the 24-hour period is cancelled, the Chancellor or ~~his or her~~ designee ~~will~~ may assign the aircraft to the next person requesting it on a first-come first-served basis without regard to the order of priority.

Sec. ~~76~~ Use by Other State Agencies. In accordance with the expressed intent of the Legislature that State-owned aircraft be utilized by all agencies of the State, use of U. T. System aircraft by other State officials and ~~state~~ personnel on official State business is encouraged and will be authorized by the Chancellor on a space available and first-come first-served basis after the individuals on the priority list indicated in Section ~~64~~ above.

Sec. ~~87~~ Direction of Pilots. The pilots of U. T. System aircraft will report to and act under the direction of the Office of the Controller ~~Chancellor or his or her designee~~. Regents may direct an itinerary or passenger change to an approved flight, provided that the purpose of the flight and the passengers on the flight are in accordance with Section 2205.036 of the *Texas Government Code*. ~~Either the~~ Chancellor or ~~his or her~~ designee must approve all other requests that would substantially change an approved itinerary or passengers. Notwithstanding the foregoing sentence, ~~in the event of an emergency,~~ the pilot may authorize a change of itinerary or passengers in the event of an emergency. ~~All flights must be approved by the Chancellor or his or her designee.~~

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Rules and Regulations of the Board of Regents**

Rule: 20601

- Sec. ~~98~~ Rates Charged. Excluding compensation for contract pilot services, charges to applicable U. T. System departments and the institutions for use of the U. T. System aircraft shall be equal to the rate approved by TxDOT for comparable interagency aircraft services.
- Sec. ~~409~~ Flight Regulations. The U. T. System aircraft shall be operated at all times in accordance with the provisions of the Federal Aviation Agency Administration approved flight manual and the University U. T. System Flight Operations Procedures, which is are in accordance with the Federal Aviation Act (as amended) and Civil Air Regulations. *Texas Government Code* Chapter 2205 gives TxDOT oversight of specific aspects of maintenance and operations for U. T. System aircraft.
- Sec. ~~4110~~ Control of Aircraft in Flight. Under Federal Regulations, the pilot of any aircraft is responsible for and is the final authority as to the flight operation of that aircraft. All decisions concerning the flight itself will rest solely with the pilot. However, the pilot should keep the priority person informed.
- Sec. ~~4211~~ Minimum Number of Pilots. Two pilots are required for each scheduled all passenger flights used in conjunction with conducting official University business. This Section is applicable to U. T. System aircraft, leased aircraft, chartered flights, privately owned aircraft, and donor aircraft.
- Sec. ~~4312~~ Reservation Form Flight Reservations. All flight reservations for the U. T. System aircraft shall be entered on a into the U. T. System Aircraft Reservation form System. Information which should must include, but is not necessarily limited to, the following:
1. departure/estimated arrival, date, time, and place,
 2. name of each passenger,
 3. destination(s) including intermediate stops and return information with date and time, and
 4. purpose of trip for each passenger, and
 5. benefit to the State and university.

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Rules and Regulations of the Board of Regents**

Rule: 20601

Sec. ~~44~~13 Passenger Manifests. For each flight, the pilot will complete a Passenger Manifest showing the following:

1. flight number and duration,
2. date,
3. aircraft number,
4. flight plan,
5. destination and intermediate stops of flight,
6. names of pilot and copilot, and
7. passenger information
 - name of each passenger
 - department or institution
 - signature of each passenger.

Sec. ~~45~~14 Record Keeping and Reports. The approved reservation requests forms and post-flight passenger manifests will serve as the official record of flights.

~~45~~14.1 The U. T. System Office of ~~Business Affairs~~ the Controller shall prepare and submit the following reports:

- (a) Travel Log. In accordance with *Texas Government Code* Section 2205.039, the passenger manifests for the month will be sent to TxDOT each month following the month in which travel occurred.
- (b) Reports to the Board. Passenger manifests for U. T. System aircraft, TxDOT aircraft flown on behalf of U. T. System, privately owned aircraft, and leased, and charter aircraft, including donor or chartered aircraft paid for by outside entities on behalf of the University, will be sent to the General Counsel to the Board ~~of Regents~~ twice a year in April and October for distribution to the Board's Finance and Planning Committee ~~of the U. T. System Board of Regents~~ for review. For donor aircraft, passenger and donor names may be omitted consistent with State law, but will be provided, upon request, to the Board, to the Chancellor, the appropriate Executive Vice Chancellor, the Vice Chancellor for External Relations, the Vice Chancellor and General

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Rule: 20601

Counsel, and/or the General Counsel to the Board.

~~(c) Annual Aircraft Use Form. In accordance with Texas Government Code Section 2205.041, passenger manifests for the year and the aircraft costs summary will be submitted to the Legislative Budget Board with copies to the General Counsel to the Board of Regents and the Chancellor by November 15th.~~

Sec. ~~4615~~ Leased and Privately Owned Aircraft. No U. T. System employees ~~holding a private or commercial aircraft license~~ may ~~not~~ operate leased or privately owned aircraft in conjunction with official University business unless authorized in writing by the Chancellor or ~~his or her~~ designee.

Sec. ~~4716~~ Chartered Aircraft. The following steps will be taken when securing charter aircraft.

~~4716.1~~ ~~In accordance with~~ Section 2205.035 of the *Texas Government Code* provides that TxDOT ~~must provide~~ requires advance approval by the State Aircraft Pooling Board of charter flights secured with appropriated funds.

~~4716.2~~ Charter operators must meet U. T. System insurance and operator requirements.

~~4716.3~~ If more than one of the priority persons listed in Section ~~54~~ requests the use of the U. T. System aircraft more than 24 hours before the flight is scheduled to begin, the Chancellor will assign the U. T. System aircraft to the person with the highest priority, and will, ~~insofar as necessary and practicable,~~ provide leased aircraft or a chartered flight for the use of the person or persons with the lower priority if necessary and feasible, ~~if scheduled commercial aircraft will not permit the trip.~~

~~4716.4~~ During the 24-hour period prior to the beginning of a flight, if the U. T. System aircraft has been previously scheduled and an additional request for its use is made by a person on the priority list, the Chancellor will, insofar as necessary and practicable, provide a

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leased aircraft or a chartered flight for the use of the person making the subsequent request.

Sec. 17 Donor Aircraft.

(Section 17 language taken from current U. T. Systemwide Policy UTS179, Donor Aircraft Policy; new language noted)

- 17.1 Usage. Approval to use donor aircraft in the scope and conduct or furtherance of official University business is conditioned upon the confirmation of the following requirements prior to the acceptance of flight:
- (a) Use of donor aircraft must be approved in writing and in advance by the Chancellor or designee following submission of a request using a Donor Aircraft Request for Approval form. In evaluating whether to allow the use of a donor aircraft, an individual should first assure that such use does not create a conflict of interest under Regents' Rule 30104. For such travel by U. T. System Administration employees, officers, and institutional presidents, any potential conflict of interest shall be evaluated by the U. T. System Vice Chancellor and General Counsel or designee prior to approval of the use. For other institution employees, the conflict of interest analysis may be performed by the institution's legal counsel and/or ethics advisor. In addition to the conflict of interest review, the Chancellor or designee shall review and approve such proposed travel by U. T. System institutional Presidents and System Administration employees. Presidents shall review and approve such proposed travel of their employees. In every instance, the decision to approve shall be based upon the totality of the circumstances. The reviewing parties may request additional information to assist them in review.
 - (b) U. T. System insurance requirements must be met with a minimum of \$1,000,000 per seat/passenger.
 - (c) Donor aircraft must be multiengine turboprop or jet.
 - (d) Each flight must have 2 current and qualified pilots.
 - (e) The aircraft owner may not serve as pilot or copilot.

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- (f) No passenger may enter the cockpit or distract pilots during flight, takeoff, or landing.
- (g) Students must be accompanied by a University staff member for the duration of any flight.
- (h) Donor is not a registered lobbyist.
- (i) Donor flight information (date of flight, aircraft tail number, origin/destination) along with a passenger list and emergency contact for each must be maintained by a responsible University individual on the ground.

17.2 Reporting. For each donor flight, the following will be provided:

- (a) Donor Aircraft Request for Approval form will be forwarded to U. T. System Aircraft Operations prior to departure.
- (b) Detailed flight information will be reported as required by Section 17.1 of this Rule.

3. Definitions

Donor Aircraft – aircraft and crew provided at reduced or no cost to transport passengers or cargo to/from a predetermined departure location to a specific destination. Donor Aircraft does not include a reduced or no cost airline ticket on a noncharter commercial airline flight.

None

4. Relevant Federal and State Statutes

Texas Government Code, Chapter 2205 – Aircraft Pooling

5. Relevant System Policies, Procedures, and Forms

~~The University of Texas System Administration Policy UTS179 Donor Aircraft Policy~~

Donor Aircraft Request for Approval

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[Aircraft Reservation System: https://www.utsystem.edu/air/](https://www.utsystem.edu/air/)

~~None~~

6. Who Should Know

~~Administrators-All employees~~

7. System Administration Office(s) Responsible for Rule

~~Controller's Office~~

~~Chancellor's Office~~

8. Dates Approved or Amended

November 6, 2014

December 12, 2013

July 11, 2012

May 12, 2011

Editorial amendments to Sec. 6 and new Sec. 16 made April 27, 2011

Editorial amendment to Sec. 15.1(b) made September 17, 2010

Editorial amendment to Sec. 15.1 made September 1, 2010

December 10, 2004

9. Contact Information

Questions or comments regarding this Rule should be directed to:

- bor@utsystem.edu

8. U. T. System: Presentation on seekUT

REPORT

Vice Chancellor for Strategic Initiatives Huie will present a report on seekUT.

U. T. System recently launched an exciting update to seekUT, a first-of-its-kind website, interactive data tool, and app that provides salary and debt statistics of actual graduates working in Texas one year, five years, and, now, ten years after receiving their degree. The tool now presents data by major for master's, doctoral, and professional degrees, as well as bachelor's degrees. It also provides important data on industries where graduates are working and future job projections for Texas by region.

The project evolved from recommendations by the Student Debt Reduction Task Force, with the express purpose of helping prospective students and their families make informed decisions about their academic careers. seekUT uses data obtained through its partnerships with the Texas Workforce Commission, the Texas Higher Education Coordinating Board, the National Student Clearinghouse, and the Employment Projections program at the U.S. Bureau of Labor Statistics.

For more information, please visit the seekUT website at <http://www.utsystem.edu/seekut/>.

9. **U. T. System: Discussion and appropriate action related to use of group purchasing contracts through the Texas Department of Information Resources and other sources and issues related to competitive bidding, justification for exclusive acquisitions, and requirements for Board approval**

RECOMMENDATION

Chancellor Cigarroa will introduce Executive Vice Chancellor Kelley for a discussion regarding the use of group purchasing contracts through the Texas Department of Information Resources and other sources and issues related to competitive bidding, justification for exclusive acquisitions, and requirements for Board approval.

10. **U. T. System Board of Regents: Presentation of Certificate of Appreciation to Chancellor Cigarroa and recognition of his service**

11. **U. T. El Paso: Discussion and appropriate action regarding the purchase of approximately 443 acres of land out of the J. Baker Survey #10 and the I. F. Harrison Survey #54, located on Paisano Drive and Interstate Highway 10 in El Paso, El Paso County, Texas, commonly known as the former ASARCO smelter site, from ASARCO Texas Custodial Trust, for future programmed campus expansion**

RECOMMENDATION

A recommendation on this item may be made at the meeting.