

MATERIAL SUPPORTING THE AGENDA

VOLUME XLa

This volume contains the Material Supporting the Agenda furnished to each member of the Board of Regents prior to the meetings held on

October 9, 1992
November 4-6, 1992
December 3, 1992

The material is divided according to the standing committees and the meetings that were held and is color coded as follows:

White paper - for documentation of all items that were presented before the deadline date.

Blue paper - all items submitted to the Executive Session and distributed only to the Regents, Chancellor and Executive Vice Chancellors of the System.

Yellow paper - emergency items distributed at the meeting.

Material distributed at the meeting as additional documentation is not included in the bound volume, because sometimes there is an unusual amount and other times some people get copies and some do not get copies. If the Executive Secretary was furnished a copy, then that material goes into the appropriate subject file.



**Material Supporting the Agenda
of the
Board of Regents
The University of Texas System**

Meeting No.: 864

Date: October 9, 1992

Location: Richardson, Texas



BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

CALENDAR

Place: Room 1.212, Conference Center
The University of Texas at Dallas
2601 North Floyd Road
Richardson, Texas

Friday, October 9, 1992

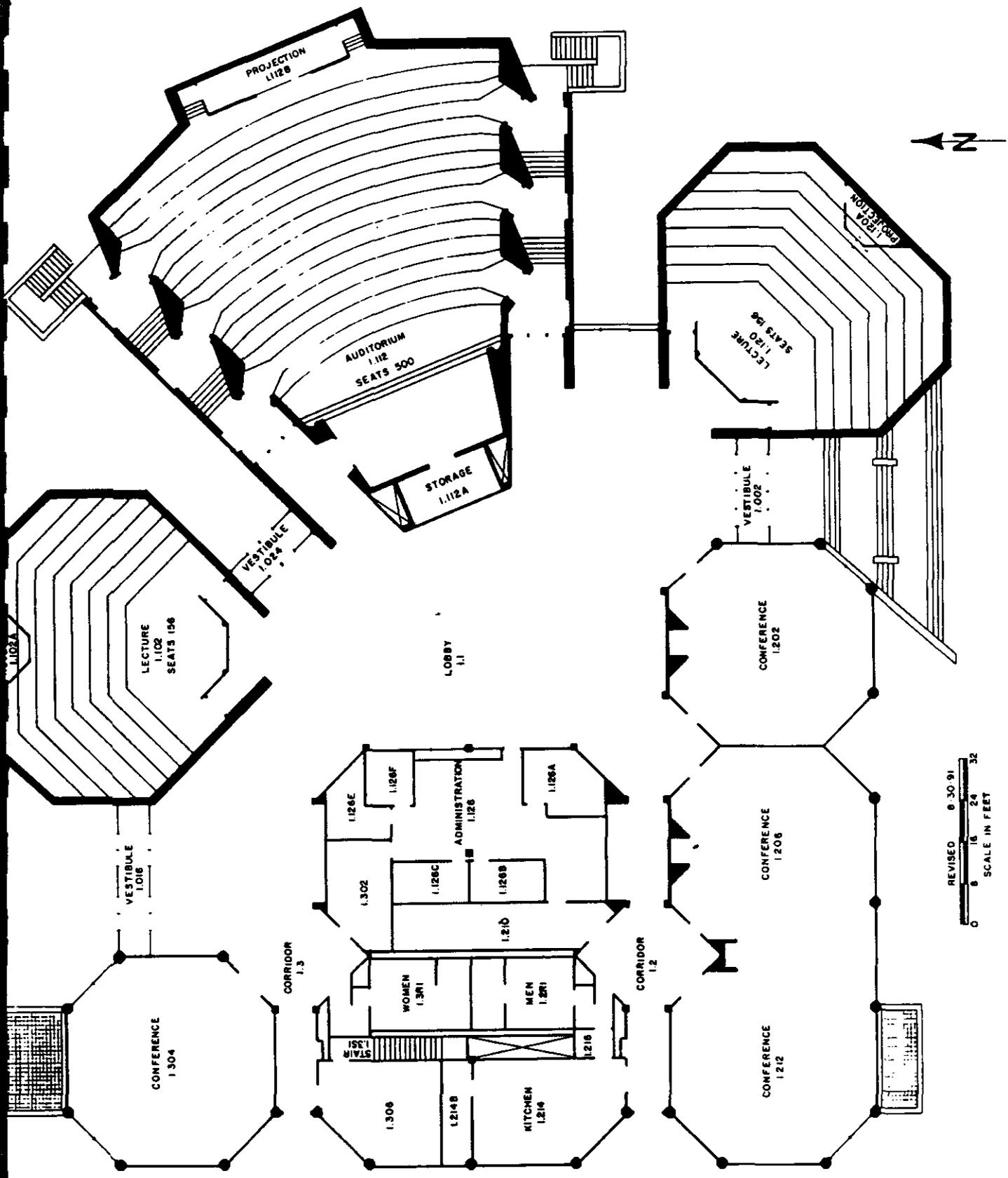
10:00 a.m.

Convene in Open Session with
recess to Executive Session
as per the agenda

See Pages B of R 1 - 9
Items A - O

Telephone Numbers

President Rutford's Office	(214) 690-2201
Conference Center (for calls during the meeting)	(214) 690-2207
Loews Anatole Hotel 2201 Stemmons Freeway	(214) 748-1200



CONFERENCE CENTER FIRST LEVEL

- | | |
|------------|-----------------------------|
| Room 1.212 | Regents' Meeting Room |
| Room 1.304 | Executive Session |
| Room 1.206 | Regents' Secretarial Office |
| Room 1.202 | Telephones for Staff |

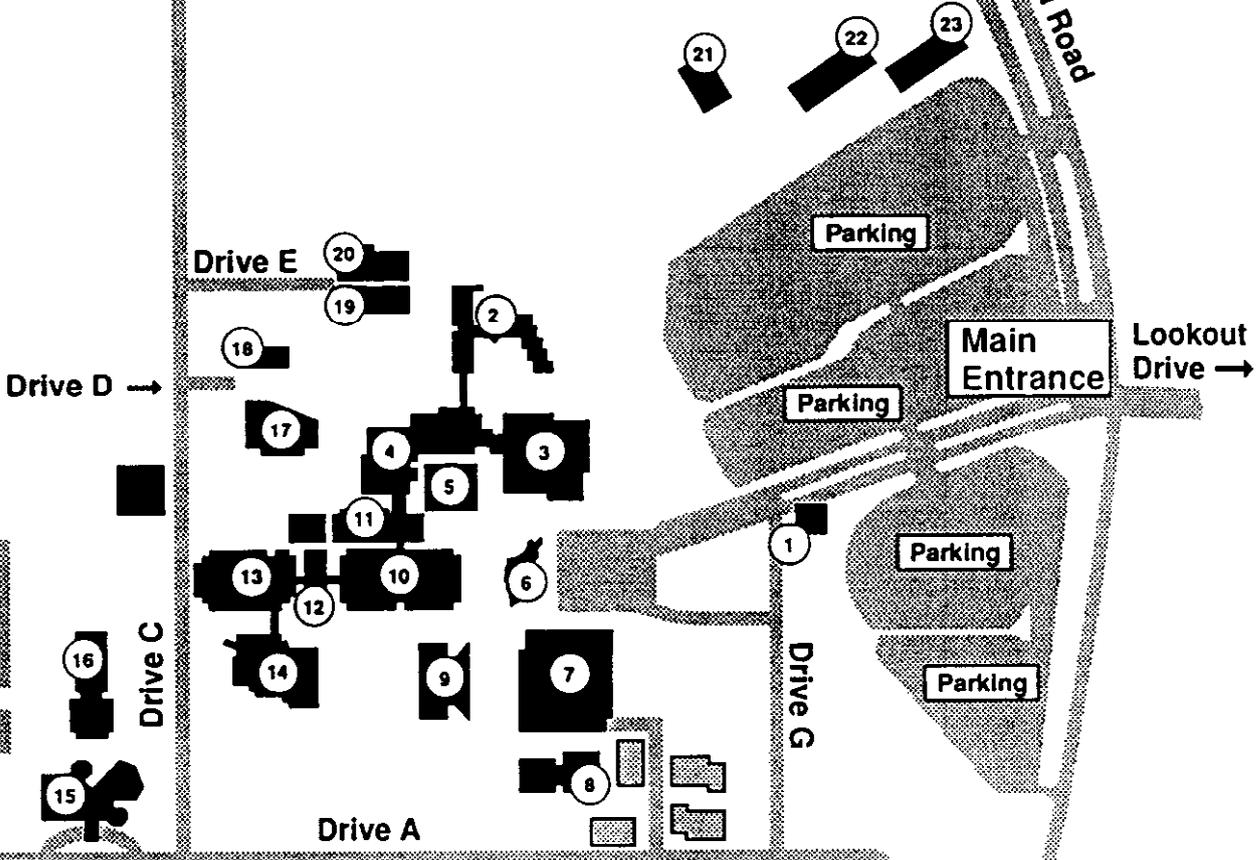
The University Of Texas At Dallas

Synergy Park Blvd.

To Renner Road

Floyd Road

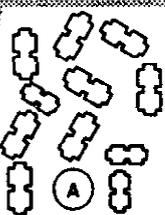
To Independence Parkway



Main Campus

- | | |
|--|---|
| 1. Guard Station: Visitor Information and Parking | 13. Lloyd V. Berkner Hall (BE) |
| 2. Multipurpose and Engineering Start-up Facility (MP)
Administration Wing (AD) | 14. Engineering & Computer Science Building (ECS) |
| 3. Cecil H. Green Academic Center (GR) | <u>15. Conference Center (CN)</u> |
| 4. Erik Jonsson Academic Center (JO) | 16. Karl Hobilitzelle Hall |
| 5. Theatre (TH) | 17. Visual Arts Studio (AS) |
| 6. Cecil and Ida Green Center for the Study of Science and Society | 18. Tager |
| 7. Eugene McDermott Library (MC) | 19. North Office Building (NB) |
| 8. Physical Instruction Building (PI) | 20. North Lab Building |
| 9. Student Union (SU) | 21. Garage/Grounds Building |
| 10. Founders Building (FO) | 22. Service Building (SB) |
| 11. Founders North (FN) | 23. Physical Plant (PP) |
| 12. Founders West Annex (FA) | |

A. Waterview Park Apartments (privately owned)



Waterview Parkway

To Coit Road

Campbell Road

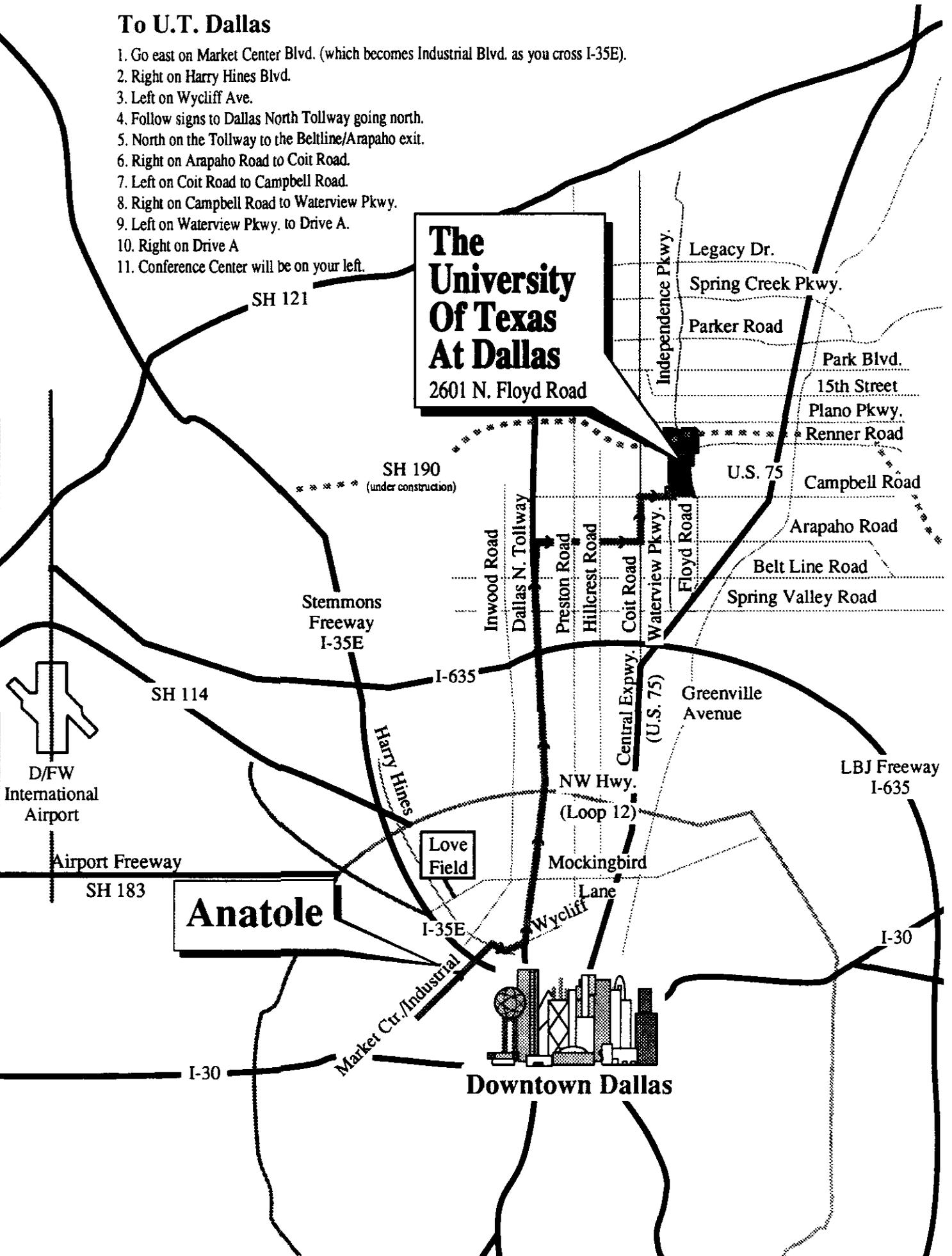
North Armstrong

Floyd Road

To Central Expressway (U.S. 75)

To U.T. Dallas

1. Go east on Market Center Blvd. (which becomes Industrial Blvd. as you cross I-35E).
2. Right on Harry Hines Blvd.
3. Left on Wycliff Ave.
4. Follow signs to Dallas North Tollway going north.
5. North on the Tollway to the Beltline/Arapaho exit.
6. Right on Arapaho Road to Coit Road.
7. Left on Coit Road to Campbell Road.
8. Right on Campbell Road to Waterview Pkwy.
9. Left on Waterview Pkwy. to Drive A.
10. Right on Drive A
11. Conference Center will be on your left.



**Meeting of
the Board**

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

Date: Friday, October 9, 1992

Time: 10:00 a.m. Convene in Open Session with
recess to Executive Session
as per the agenda

Place: Room 1.212 (Open Session) and Room 1.304
(Executive Session), Conference Center,
U. T. Dallas

- A. CALL TO ORDER
- B. WELCOME BY PRESIDENT RUTFORD
- C. APPROVAL OF MINUTES OF REGULAR MEETING
HELD AUGUST 13, 1992
- D. RECESS FOR MEETINGS OF THE STANDING COMMITTEES AND
COMMITTEE REPORTS TO THE BOARD

The Standing Committees of the Board of Regents of The University of Texas System will meet as set forth below to consider recommendations on those matters on the agenda for each Committee listed in the Material Supporting the Agenda. At the conclusion of each Standing Committee meeting, the report of that Committee will be formally presented to the Board for consideration and action.

Executive Committee: Chairman Beecherl
Vice-Chairman Ramirez, Vice-Chairman Cruikshank
MSA Page Ex.C - 1

Business Affairs and Audit Committee: Chairman
Loeffler, Regent Cruikshank, Regent Holmes
MSA Page BAAC - 1

Academic Affairs Committee: Chairman Barshop
Regent Holmes, Regent Ramirez, Regent Temple
MSA Page AAC - 1

Health Affairs Committee: Chairman Ramirez
Regent Cruikshank, Regent Moncrief, Regent Temple
MSA Page HAC - 1

Facilities Planning and Construction Committee:
Chairman Moncrief, Regent Barshop, Regent
Cruikshank, Regent Rapoport
MSA Page FPCC - 1

Asset Management Committee: Chairman Cruikshank
Regent Beecherl, Regent Loeffler, Regent Rapoport
MSA Page AMC - 1

- E. RECONVENE AS COMMITTEE OF THE WHOLE

F. ITEMS FOR THE RECORD

1. U. T. System: Report on Status of Degree Programs and Academic Organization Requests Approved by the U. T. Board of Regents and Submitted to the Texas Higher Education Coordinating Board for the Period September 1, 1991 Through August 31, 1992.--

REPORT

Following is a report for the record on the status of degree programs and academic organization requests which have been approved by the U. T. Board of Regents for submission to the Texas Higher Education Coordinating Board. Included are items which have been acted upon by the Coordinating Board since September 1, 1991, or were still pending before the Coordinating Board as of August 31, 1992. Four regular Coordinating Board meetings have occurred since the last report. Full approval has been given for twenty-two programs and administrative change requests and twenty-one requests are now pending.

- a. Degree Programs and Academic Administrative Changes Approved by the Coordinating Board for Implementation

U. T. Arlington

Jazz Studies option under Bachelor of Music Degree
Options in Music/Business, Music/Theater,
Music/Media under Bachelor of Science in Music

U. T. Austin

M.F.A. in Writing

U. T. Brownsville

Reorganization of academic administrative structure

U. T. El Paso

Nursing Administration major under M.S. in Nursing
Nurse Practitioner major with option of Women's
Health Care under M.S. in Nursing
Nurse-Midwifery major under M.S. in Nursing

U. T. Pan American

B.B.A. in International Business
B.S. in Mechanical, Manufacturing, and Electrical
Engineering
B.S. in Nursing
M.S. in Mathematics with majors in Mathematics, in
Mathematics Teaching, and in Mathematics Sciences
Separation of Department of Sociology and Social
Work into two departments

U. T. San Antonio

M.S. in Management of Technology
Ph.D. in Biology with emphasis in Neurobiology

U. T. Tyler

M.S. in Mathematics

U. T. Southwestern Medical Center - Dallas

Name of Division of Radiation Therapy changed
to Department of Radiation Oncology

U. T. Medical Branch - Galveston

Extension of M.P.T. (Master - Physical Therapy)
and B.S.O.T. (B.S. - Occupational Therapy)
programs to U. T. El Paso

U. T. Health Science Center - Houston

Administrative units and program director title
changes in Allied Health Sciences School
Extension of M.P.H. program to U. T. El Paso
Name of Division of Orthopaedic Surgery changed
to Department of Orthopaedic Surgery

U. T. Health Science Center - San Antonio

Administrative units and program director title
changes in Allied Health Sciences School
Cooperative B.S. in Physician Assistant Studies
with Academy of Health Sciences, U. S. Army

b. Requests Approved by the U. T. Board of Regents
and Pending with the Coordinating Board

U. T. Arlington

M.A. in Anthropology
Ph.D. and M.S. in Environmental Science and
Engineering

U. T. Austin

M.A. and Ph.D. in Molecular Biology
Ph.D. in Architecture
Ph.D. in Community and Regional Planning
Ph.D. in Medieval Studies
Ph.D. and M.S. in Computational and Applied
Mathematics

U. T. Dallas

B.S. in Cognitive Science

U. T. El Paso

M.F.A. in Creative Writing
Ph.D. in Materials Science and Engineering
Ph.D. in Psychology

U. T. Pan American

M.S. in Sociology

U. T. Tyler

M.S. in Biology

U. T. Southwestern Medical Center - Dallas

Doctoral program in Genetics and Development -- first reading has been heard

Doctoral program in Neuroscience -- first reading has been heard

Reorganization of the Graduate School of Biomedical Sciences -- implementation will begin when Neuroscience and Genetics and Development programs have been approved

U. T. Medical Branch - Galveston

Doctoral program in Experimental Pathology

Official recognition of cooperative agreement in

Doctoral Nursing Education with U. T. Austin

M.S. in Nursing with major in Critical Care Nursing

U. T. Health Science Center - San Antonio

Establishment of Department of Respiratory Therapy and authorization to offer two certificate

programs to be administered by this Department

M.S. and Ph.D. programs in Molecular Medicine

2. U. T. System: Report on Status of Administratively Approved Academic Program Changes for the Period August 1, 1991 Through August 31, 1992.--

REPORT

Under U. T. Board of Regents' guidelines, the appropriate Executive Vice Chancellors are authorized to forward certain academic program changes to the Texas Higher Education Coordinating Board for approval at the staff level, subject to periodic reporting to the U. T. Board of Regents for the record. These changes, considered to be "nonsubstantive" according to the Coordinating Board's terminology, must be consistent with institutional missions approved by the U. T. Board of Regents and the Coordinating Board. A report for the record of fifty (50) such nonsubstantive approvals granted by the staff of the Coordinating Board for eleven (11) U. T. System general academic and health component institutions for the period August 1, 1991 through August 31, 1992 follows.

Included also among the 50 items are several changes which Coordinating Board staff had approved prior to August 1991 but notice of which did not reach the U. T. System Administration until after that date.

U. T. Arlington (1 item)

1. Changed name of B.A. in Physical Education to B.A. in Exercise and Sport Studies

U. T. Austin (15 items)

2. Replaced B.F.A. in Drama Education with B.F.A. in Theatre Studies
3. Added Design major under B.F.A.
4. Replaced B.F.A. in Art Education with B.F.A. in Visual Arts Studies
5. Replaced B.M. in Music with B.M. in Music Studies
6. Added B.S. in Biochemistry
7. Replaced M.A. in Radio/Television/Film with M.F.A. in Film and Television Production
8. Eliminated B.S. in Home Economics (B.S.H.E.) with major in Home Economics
9. Replaced B.S.H.E. in Nutrition and in Dietetics with B.S. in Nutrition and in Dietetics
10. Replaced B.S.H.E. in Textiles and Clothing with B.S. in Textiles and Apparel
11. Replaced B.S.H.E. in Interior Design with B.S. in Interior Design
12. Replaced B.S.H.E. in Child Development and Family Relations with B.S. in Child Development and Family Relations
13. Added M.S. in Economics with major in Economics
14. Changed name of Department of Art to Department of Art and Art History
15. Replaced program in Elementary Education leading to a B.S. in Education with major in Education with a B.S. in Applied Learning and Development with majors in Applied Learning and Development and in Youth and Community Studies
16. Replaced program in Physical Education and program in Education and Youth-Serving Agencies leading to B.S. in Education with major in Education with B.S. in Kinesiology with majors in Kinesiology and in Health Promotion and Fitness

U. T. Dallas (1 item)

17. Changed degree designation of Sc.D. in Electrical Engineering to Ph.D. in Electrical Engineering

U. T. El Paso (5 items)

18. Changed name of major in Metallurgical Engineering leading to M.S. Degree to major in Metallurgical and Materials Engineering
19. Changed name of Department of Metallurgical Engineering to Department of Metallurgical and Materials Engineering
20. Changed names of existing majors in Speech, Hearing, and Language Disorders (B.S.) and Speech Pathology and Audiology (M.S.) to Speech-Language Pathology
21. Replaced B.S. in Allied Health with programs in Allied Health Education, Community Health Work and in Health Care Administration with B.S. in Health Science
22. Changed M.A. in Economics to M.S. in Economics

U. T. Pan American (3 items)

23. Changed name of Department of Health, Physical Education and Recreation to Department of Health and Kinesiology
24. Replaced B.S. in Health Education with B.S. in Health
25. Replaced B.S. in Physical Education with B.S. in Kinesiology

U. T. Permian Basin (2 items)

26. Changed B.S. in Criminal Justice to B.A. in Criminology
27. Changed name of Division of Behavioral Science and Kinesiology to Division of Behavioral Science

U. T. San Antonio (10 items)

28. Established program in Management Science under M.B.A.
29. Established program in Management of Technology under M.B.A.
30. Established program in Finance under M.B.A.
31. Established program in Business Economics under M.B.A.
32. Established program in Information Systems under M.B.A.
33. Replaced B.M.Ed. in Music Education with B.M. in Music Studies
34. Replaced B.A. in Early Childhood and Elementary Education with B.A. in Interdisciplinary Studies
35. Replaced program in Mathematics Education leading to B.S. in Mathematics with program in General Mathematical Studies

36. Replaced B.S. in Physical Education with B.S. in Kinesiology
37. Changed B.S. in Medical Technology to B.S. in Clinical Laboratory Sciences

U. T. Tyler (8 items)

38. Changed B.A. and B.S. in Speech to B.A. and B.S. in Speech Communication
39. Replaced B.S. in Health Education with B.S. in School Health
40. Replaced B.S. in Physical Education with B.S. in School Kinesiology
41. Changed name of Department of Health and Physical Education to Department of Health and Kinesiology
42. Replaced B.S. in Vocational Education with B.S. in Training and Development
43. Changed name of Department of Accounting to Department of Accounting, Finance and General Business
44. Changed B.A. in Drama to B.A. in Theatre
45. Changed name of Department of Drama and Communication to Department of Theatre and Communication

U. T. Southwestern Medical Center - Dallas (2 items)

46. Changed name of Department of Anesthesiology to Department of Anesthesiology and Pain Management
47. Changed name of program in Gerontology Services Administration to Gerontology and Geriatric Services

U. T. Health Science Center - Houston (1 item)

48. Expanded option in Perinatal Nursing leading to M.S. in Nursing to include Nurse Practitioner Role

U. T. Health Science Center - San Antonio (2 items)

49. Changed name of Radiobiology Graduate Program to Radiation Biology
50. Changed name of Medical Radiation Safety Graduate Program to Medical Health Physics

- G. REPORT OF BOARD FOR LEASE OF UNIVERSITY LANDS
- H. REPORT OF SPECIAL COMMITTEES
- I. OTHER MATTERS
- J. RECESS TO EXECUTIVE SESSION

The Board will convene in Executive Session pursuant to Vernon's Texas Civil Statutes, Article 6252-17, Sections 2(e), (f) and (g) to consider those matters set out on Page Ex.S - 1 of the Material Supporting the Agenda.

- K. RECONVENE IN OPEN SESSION
- L. CONSIDERATION OF ACTION ON ANY ITEMS DISCUSSED IN THE EXECUTIVE SESSION OF THE BOARD OF REGENTS PURSUANT TO V.T.C.S., ARTICLE 6252-17, SECTIONS 2(e), (f) AND (g)

1. Pending and/or Contemplated Litigation - Section 2(e)
 - a. U. T. Medical Branch - Galveston: Proposed Settlement of Medical Liability Litigation
 - b. U. T. Health Science Center - Houston: Proposed Settlement of Medical Liability Litigation
 - c. U. T. Health Science Center - Houston: Proposed Settlement of Medical Liability Litigation
 - d. U. T. Health Science Center - San Antonio: Proposed Settlement of Medical Liability Litigation
2. Land Acquisition, Purchase, Exchange, Lease or Value of Real Property and Negotiated Contracts for Prospective Gifts or Donations - Section 2(f)
3. Personnel Matters [Section 2(g)] Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees

M. SCHEDULED EVENTS

1. Board of Regents' Meetings

<u>Dates</u>	<u>Locations/Hosts</u>
December 3, 1992	Regents' Room, Austin
February 11, 1993	Austin - No Host
April 1, 1993	U. T. Health Science Center - San Antonio
June 10, 1993	U. T. El Paso
August 12, 1993	Austin - No Host
October 8, 1993	U. T. Southwestern Medical Center - Dallas
December 2, 1993	U. T. Brownsville

2. Other Events

March 11, 1993

U. T. M.D. Anderson
Cancer Center: Dedi-
cation of the Jesse H.
Jones Rotary House
International

May 7, 1993

U. T. Southwestern
Medical Center -
Dallas: 50th Anni-
versary Celebration

N. OTHER BUSINESS

O. ADJOURNMENT

1993

January 1993						
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March 1993						
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June 1993						
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August 1993						
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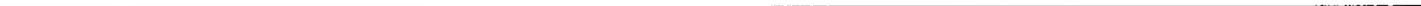
September 1993						
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October 1993						
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November 1993						
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December 1993						
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**Executive
Committee**



EXECUTIVE COMMITTEE
Committee Chairman Beecherl

Date: October 9, 1992

Time: Following the convening of the Board of Regents
 at 10:00 a.m.

Place: Room 1.212, Conference Center, U. T. Dallas

	<u>Page</u> <u>Ex.C</u>
1. U. T. Board of Regents: Proposed Amendments to the Regents' <u>Rules and Regulations</u> , Part Two, Chapter IX, Section 5 (Investment Advisory Committee) and Proposed Appointments to Investment Advisory Committee (Exec. Com. Letter 92-19)	2
2. U. T. System: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 92-19)	3
3. U. T. Austin: Brackenridge Tract - Recommendation to Modify Designated Use of Current Restricted Funds (The Brackenridge Matching Program #1) (Exec. Com. Letter 92-19)	5
4. U. T. Southwestern Medical Center - Dallas - Research Building - Phase II North Campus Expansion (Project No. 303-755): Prepurchase of Thermal Energy Plant Equipment - Recommended Award of Procurement Contract for Boiler to Cleaver-Brooks Division of Aqua-Chem Inc., Milwaukee, Wisconsin; Recommended Award of Procurement Contract for Chillers to York International Corporation, York, Pennsylvania; and Recommended Award of Procurement Contract for Cooling Towers to The Marley Cooling Tower Company, Mission, Kansas (Exec. Com. Letter 92-18)	7
5. U. T. Medical Branch - Galveston - Keiller Building Renovation and Reroofing - Phase II - Renovation (Project No. 601-664): Recommended Award of Construction Contract for Demolition and Asbestos Abatement to Mainline Contracting Corp., Houston, Texas (Exec. Com. Letter 92-18)	9
6. U. T. Health Science Center - Houston: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 92-19)	10
7. U. T. Health Center - Tyler: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 92-19)	12

1. U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part Two, Chapter IX, Section 5 (Investment Advisory Committee) and Proposed Appointments to Investment Advisory Committee (Exec. Com. Letter 92-19).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor and the Vice Chancellor for Asset Management that the Regents' Rules and Regulations, Part Two, Chapter IX, Section 5 (Investment Advisory Committee) be amended as set forth below in congressional style:

Sec. 5. Investment Advisory Committee.--The Investment Advisory Committee is and has been established in order to assist and advise the Chancellor[7] and the Vice Chancellor for Asset Management[7-and-the-Executive-Director for-Investments] with respect to matters relating to the management of investments. The following rules shall apply to such Committee:

- 5.1 Membership.--Seven [Six] 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.
- 5.2 Selection Procedure.--Appointments to such Committee shall be made by the Board after recommendation by the Chancellor.
- 5.3 Term of Office.--Each member shall serve a three-year term, with the terms of two (or three as applicable) members expiring each August 31. A member is eligible for reappointment to a consecutive three-year term but may not be reappointed thereafter without a three-year break in service.
- 5.4 Meetings.--Meetings shall be held quarterly and at such other dates as may be considered advisable by the Chancellor and the Vice Chancellor for Asset Management.

Further, the Executive Committee concurs in the recommendation of the Chancellor and the Vice Chancellor for Asset Management that the U. T. Board of Regents approve the following appointments to the Investment Advisory Committee:

- a. Ms. Carol Lott, Tyler, Texas, for a three-year term from September 1, 1992 to August 31, 1995
- b. Ms. Barbara Sublett Guthery, Austin, Texas, for an unexpired term to expire August 31, 1994.

BACKGROUND INFORMATION

The proposed expansion of the Investment Advisory Committee is recommended in order to provide the Committee with a broader representation of investment backgrounds.

Since March 1991, Ms. Carol Lott has been an Investment Executive with PaineWebber, Tyler, Texas. Prior to joining PaineWebber, Ms. Lott was a Vice President, Manager Financial Institutions, for NCNB Texas in San Antonio, Texas. She is a graduate of the Southern Methodist University Southwestern Graduate School of Banking. Ms. Lott has received appointments from the City of Tyler to develop financial incentives for Economic Development. She has chaired the Tyler Commission for Women and the interim planning committee of Tyler Together, Strategies For Tomorrow. She is a graduate of Leadership Tyler and Leadership Texas.

Barbara S. Guthery is a Vice President - Investments with Prudential Securities, Inc. managing assets for individual, corporate, and pension clients. Ms. Guthery is also a principal in Water Acquisition and Management Company, L.P. which acquires water rights in the Western United States. She is active with the Institute of Certified Financial Planners and with the Greater New Jersey Estate Planning Council and with the Austin Investment Association. An alumna of The University of Texas at Austin, Ms. Guthery serves on the College of Business Administration Foundation Advisory Council and the Longhorn Foundation Advisory Council. She is a director of the College of Business Administration Century Club Foundation and is treasurer of The Ex-Students' Association of The University of Texas at Austin. She is also a member of the Foundation of St. David's Hospital in Austin.

With approval of these recommended appointments, the Investment Advisory Committee members and their respective terms will be as follows:

<u>Member</u>	<u>Term Expires</u>
L. Lowry Mays	8/31/93
Michael J. C. Roth	8/31/93
Barbara Sublett Guthery	8/31/94
J. Luther King, Jr.	8/31/94
Carol Lott	8/31/95
Monroe M. Luther	8/31/95
Robert E. Wise	8/31/95

2. U. T. System: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 92-19).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor and the Executive Vice Chancellors that the U. T. Board of Regents approve the increases set forth on Page Ex.C - 4 in FY 1993 Educational and General Budgets for The University of Texas System components and The University of Texas System Administration.

Educational and General Funds

Amount of Transfer - \$7,416,695

From: General Revenue - Transfer from State Comptroller for 1% across-the-board salary increase in accordance with House Bill 1, Article V, Section 146	\$7,207,829
Available University Funds	132,507
Texas Southmost College Contract	76,359
Total	<u>\$7,416,695</u>

To: Educational and General Budgets for:	
U. T. Arlington	\$ 484,876
U. T. Austin	1,384,329
U. T. Brownsville	97,811
U. T. Dallas	203,000
U. T. El Paso	296,326
U. T. Pan American	196,558
U. T. Permian Basin	44,720
U. T. San Antonio	291,600
U. T. Tyler	74,901
U. T. Southwestern Medical Center - Dallas	521,500
U. T. Medical Branch - Galveston	1,467,051
U. T. Health Science Center - Houston	921,117
U. T. Health Science Center - San Antonio	788,153
U. T. M.D. Anderson Cancer Center	424,613
U. T. Health Center - Tyler	87,633
U. T. System Offices	
System Administration	65,956
Expenses of Revenue Bearing Property	66,551
Total	<u>\$7,416,695</u>

BACKGROUND INFORMATION

House Bill No. 1, Article V, Section 146 of the Seventy-second Legislature authorized a 3% salary increase for each year of the 1992-1993 biennium for state employees and officials, including employees of higher education, contingent upon a finding of fact by the Comptroller of Public Accounts that sufficient revenue is available from the General Revenue Fund for this purpose. Previously, the State Comptroller certified funds for a mandated 2% salary increase which became effective September 1, 1991. Funds required to sustain this 2% increase are reflected in the FY 1993 operating budgets.

Recently, additional funds were certified to implement a mandated 1% salary increase to become effective August 1, 1992. The amount of General Revenue (\$7,207,829) required to sustain this increase for FY 1993 will be transferred from the Comptroller of Public Accounts to each component Educational and General operating budget. Inasmuch as U. T. System Administration is funded primarily from Available University Funds, an additional \$132,507 is being requested to sustain the 1% increase for System Administration employees. Additional funds in the amount of \$76,359 are being requested from Texas Southmost College to sustain the 1% salary increase for U. T. Brownsville employees who are funded by the Texas Southmost College contract.

3. U. T. Austin: Brackenridge Tract - Recommendation to Modify Designated Use of Current Restricted Funds (The Brackenridge Matching Program #1) (Exec. Com. Letter 92-19).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Academic Affairs, and President Cunningham that the U. T. Board of Regents modify the designated use of current restricted funds representing lease income from the Brackenridge Tract and previously approved to be set aside and reinvested to match private gifts which create or enhance student fellowship or scholarship endowments at U. T. Austin to also match gifts approved by the U. T. Board of Regents to create various types of endowments for student fellowships or scholarships. This proposed change has been reviewed and approved by the Office of General Counsel and the Vice Chancellor for Asset Management.

Guidelines for the matching program recommended by President Cunningham and approved by the Executive Vice Chancellor for Academic Affairs in March 1992, but not implemented, will be revised as set out in congressional style on Pages Ex.C 6 - 7.

BACKGROUND INFORMATION

At the October 1990 meeting, the U. T. Board of Regents authorized lease negotiations of 13.2 acres of land of the Park Street portion of the Brackenridge Tract with the Lower Colorado River Authority (LCRA) on behalf of U. T. Austin. At the June 1991 meeting, the U. T. Board of Regents approved a recommendation that \$3,000,000 of the total lease income of \$3,440,074.20 be set aside and reinvested to match gifts creating or enhancing student fellowship and scholarship endowments. Authority to promulgate guidelines for the matching program was delegated to U. T. Austin Administration for implementation upon approval by the Executive Vice Chancellor for Academic Affairs.

Review of institutional needs indicates growing opportunities to dedicate private grants to student fellowship and scholarship endowment purposes when donors leave the final details concerning decisions on use of their gifts to benefit U. T. Austin to the U. T. Board of Regents or the institutional administration.

The proposed modification to the guidelines has been reviewed by the Office of General Counsel and found to be consistent with the original gift from Colonel Brackenridge to the University on June 17, 1910.

A recommendation to establish The Brackenridge Matching Program #2 from proceeds of the sale of real estate reported to the U. T. Board of Regents at the February 1992 and August 1992 meetings is presented in Item 5 on Page AAC - 21.

GUIDELINES FOR MATCHING GRANTS UNDER
THE BRACKENRIDGE MATCHING PROGRAM #1
THE UNIVERSITY OF TEXAS AT AUSTIN

Subject to the availability of matching funds, the President of U. T. Austin may make recommendations to the Executive Vice Chancellor for Academic Affairs for the matching of monies to endow or used to create endowments for graduate and undergraduate student fellowships and scholarships with monies under The Brackenridge Matching Program #1, as originally authorized by the U. T. Board of Regents in June 1991 and modified in August 1992 (Executive Committee Letter No. 92-19) pursuant to the following guidelines:

- (1) matching monies will be available only for gifts that will fund a new student fellowship or scholarship [endowment] at a minimum level of \$25,000, or that will add a minimum of \$10,000 to an existing student fellowship or scholarship [endowment];
- (2) the ratio of matching to gift funds for each new student fellowship or scholarship [endowment] or addition to an existing fellowship or scholarship [endowment] will be recommended to the Executive Vice Chancellor for Academic Affairs by the President of U. T. Austin but in no case will the ratio of matching to gift funds exceed one dollar for two dollars;
- (3) subject to the institutionally established academic objectives of the school or college, it is the goal of U. T. Austin to match all eligible gifts to a school or college until the funds used to match these eligible gifts to the school or college reach a level which shall be determined annually by the President, at which point, eligible gifts beyond this amount to a school or college will have priority for matching as may be recommended by the President of U. T. Austin;
- (4) matching funds shall be used primarily to increase the size of the gift which established or added to a student fellowship or scholarship or which was used to create a new endowment;
- (5) to the extent possible, the wishes of the donor will be considered within these overall guidelines;
- (6) the income from fellowships and scholarships participating in matching under [endowments-established-pursuant to] these guidelines shall be distributed to eligible students pursuant to the provisions of Section 2, Chapter I, Part Two of the Regents' Rules and Regulations, as that section now reads or as it later may be amended;
- (7) the investment procedures for the fellowships and scholarships [endowments] established under this Program will be [~~administered-through-the-U.-T.-System-Common-Trust Fund-and-will-be~~] the same as those established for other [~~endowments-for-scholarships-and~~] fellowships and scholarships;
- (8) the Program shall be effective for gifts or pledges received on or after September 1990;

- (9) matching monies made available under this Program may be available for matching testamentary and other deferred gifts, insofar as the terms of the donative instrument, the wishes of the donor as determined by the donative instrument and these guidelines are in harmony; and
- (10) ~~[payment-of]~~ pledges eligible for matching ~~[the-establishment-of-a-new-fellowship-or-scholarship-endowment]~~ will be matched as received beginning when the cumulative total of payments is at least \$10,000.
4. U. T. Southwestern Medical Center - Dallas - Research Building - Phase II North Campus Expansion (Project No. 303-755): Prepurchase of Thermal Energy Plant Equipment - Recommended Award of Procurement Contract for Boiler to Cleaver-Brooks Division of Aqua-Chem Inc., Milwaukee, Wisconsin; Recommended Award of Procurement Contract for Chillers to York International Corporation, York, Pennsylvania; and Recommended Award of Procurement Contract for Cooling Towers to The Marley Cooling Tower Company, Mission, Kansas (Exec. Com. Letter 92-18).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and President Wildenthal that the U. T. Board of Regents award procurement contracts for the Prepurchase of Thermal Energy Plant Equipment for the Research Building - Phase II North Campus Expansion at the U. T. Southwestern Medical Center - Dallas as follows:

- a. Boiler for Thermal Energy Plant Building to the lowest responsible bidder, Cleaver-Brooks Division of Aqua-Chem Inc., Milwaukee, Wisconsin, for the Base Bid in the amount of \$288,500
- b. Chillers for Thermal Energy Plant Building to the lowest responsible bidder, York International Corporation, York, Pennsylvania, for the Base Bid in the amount of \$1,840,445
- c. Cooling Towers for Thermal Energy Plant Building to the lowest responsible bidder, The Marley Cooling Tower Company, Mission, Kansas, for the Base Bid in the amount of \$498,445.

BACKGROUND INFORMATION

In accordance with authorization of the U. T. Board of Regents in June 1992, bids for the first stage of construction for the Research Building - Phase II North Campus Expansion at the U. T. Southwestern Medical Center - Dallas were received on July 9, 1992, as shown on Page Ex.C - 8.

BOILER FOR THERMAL ENERGY PLANT BUILDING

<u>Bidder</u>	<u>Base Bid</u>
Cleaver-Brooks Division of Aqua-Chem Inc. Milwaukee, Wisconsin	\$ 288,500
Nebraska Boiler Company, Lincoln, Nebraska	371,200
ABCO Industries, Inc., Abilene, Texas	443,821

CHILLERS FOR THERMAL ENERGY PLANT BUILDING

<u>Bidder</u>	<u>Base Bid</u>
York International Corporation York, Pennsylvania	\$1,840,445
Carrier Corporation, Richardson, Texas	1,993,450

COOLING TOWERS FOR THERMAL ENERGY PLANT BUILDING

<u>Bidder</u>	<u>Base Bid</u>
The Marley Cooling Tower Company Mission, Kansas	\$ 498,445
Baltimore Aircoil Company, Jessup, Maryland	697,500

The project for Phase II of the North Campus Expansion is divided into the Intercampus Connector project and the following three stages: Prepurchase of the Thermal Energy Plant equipment; general construction of the Research Building with support facilities, expansion of the Thermal Energy Plant and attendant site work; and finish-out of shell research space in the Research Building. At the June 1992 meeting, the Board awarded a construction contract for the Intercampus Connector. This first stage includes the procurement of a boiler, chillers, and cooling towers for the Thermal Energy Plant Building.

Bids for the next two stages will be received at a future date and recommendations for contract award will be presented to the U. T. Board of Regents for separate consideration.

The recommended contract awards to Cleaver-Brooks Division of Aqua-Chem Inc., Milwaukee, Wisconsin, in the amount of \$288,500, York International Corporation, York, Pennsylvania, in the amount of \$1,840,445, and The Marley Cooling Tower Company, Mission, Kansas, in the amount of \$498,445 can be made within the authorized total project cost of \$67,800,000.

This project is included in the U. T. System Capital Improvement Plan approved in June 1991 and the U. T. System Capital Budget approved in June 1992 by the U. T. Board of Regents for a total project cost of \$67,800,000.

Funding for the Prepurchase of Thermal Energy Plant Equipment is within previous appropriations totaling \$5,600,000 from U. T. Southwestern Medical Center - Dallas Interest on Designated Funds Time Deposits for fees and administrative expenses through preparation of final plans and contract award of the first stage. These funds totaling \$5,600,000 will be reimbursed from Revenue Financing System Bond Proceeds to be

issued at a later date. This notice of planned reimbursement is provided pursuant to the provisions of Section 1.103-18 of the Treasury Regulations.

An additional \$5,500,000 has been previously appropriated from Designated Funds Time Deposits for total project funding of the Intercampus Connector awarded for construction at the June 1992 meeting of the U. T. Board of Regents.

This project was approved by the Texas Higher Education Coordinating Board in October 1991.

5. U. T. Medical Branch - Galveston - Keiller Building Renovation and Reroofing - Phase II - Renovation (Project No. 601-664): Recommended Award of Construction Contract for Demolition and Asbestos Abatement to Mainline Contracting Corp., Houston, Texas (Exec. Com. Letter 92-18).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and President James that the U. T. Board of Regents award a construction contract for Keiller Building Renovation and Reroofing - Phase II - Demolition and Asbestos Abatement at U. T. Medical Branch - Galveston to the lowest responsible bidder, Mainline Contracting Corp., Houston, Texas, for the Base Bid in the amount of \$420,000.

BACKGROUND INFORMATION

In accordance with the authorization of the U. T. Board of Regents in April 1991, bids for the construction of Keiller Building Renovation and Reroofing - Phase II - Demolition and Asbestos Abatement at U. T. Medical Branch - Galveston were received on July 1, 1992, as shown below:

<u>Bidder</u>	<u>Base Bid</u>
Mainline Contracting Corp. Houston, Texas	\$420,000
Project Development Group, Inc. Houston, Texas	475,000
Mitchell Enterprises, Inc. Sherman, Texas	488,000
A. G. Environmental Enterprises, Inc. La Marque, Texas	498,000
Integrated Waste Special Services, Inc. Grand Island, New York	509,784
M & M Contracting of Texas, Inc. San Antonio, Texas	539,336
TGI Stephens, Inc., Houston, Texas	572,572

<u>Bidder</u>	<u>Base Bid</u>
Dykon Services, Inc., Tulsa, Oklahoma	\$608,560
Olshan Demolishing, a Brand Company Houston, Texas	794,000

The project for Phase II - Renovation of Keiller Building Renovation and Reroofing is divided into two stages, Demolition and Asbestos Abatement, and Interior Finish-Out. This first stage is for demolition of the existing interior of the Keiller Building. The second stage will consist of interior finish-out of the Keiller Building and the construction of related utility services.

Bids for the second stage will be received at a future date and a recommendation for contract award will be presented to the U. T. Board of Regents for separate consideration.

The recommended contract award to Mainline Contracting Corp., Houston, Texas, can be made within the authorized total project cost of \$13,718,000 for Phase II - Renovation.

Funding for this Phase II - Renovation project is \$13,718,000 from U. T. Medical Branch - Galveston Educational and General Funds - Unappropriated Balance. This project is included in the U. T. System Capital Improvement Plan approved in June 1991 and the U. T. System Capital Budget approved in June 1992 by the U. T. Board of Regents for a total project cost of \$13,718,000.

This project was approved by the Texas Higher Education Coordinating Board in October 1990.

6. U. T. Health Science Center - Houston: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 92-19).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and President Low that the U. T. Board of Regents approve the following transfer of funds for FY 1993 at the U. T. Health Science Center - Houston:

Educational and General Funds

Amount of Transfer - \$4,593,064

From: Unappropriated Balance	
Income from Patients - HCPC	\$1,092,744
Transfer from Designated and Auxiliary Funds	<u>3,500,320</u>
Total	<u>\$4,593,064</u>
 To: Institutional Programs	
General Administration and Student Services	\$ (35,401)
General Institutional Expense	557,230
Staff Benefits	826,000

Library	\$ 246,045
Research Enhancement	(129,645)
Continuing Education	(207,233)
Physical Plant Operation and Maintenance	692,096
Houston Medical School	(2,758,242)
Houston Dental Branch	(519,008)
Houston Graduate School of Biomedical Sciences	(85,209)
Houston Allied Health Sciences School	(308,401)
Public Health School	457,625
School of Nursing	100,000
Speech and Hearing Institute	(71,400)
Organized Activities Related to Instruction	341,676
Special Items	4,394,187
Patient Support - HCPC	<u>1,092,744</u>
Total	<u>\$4,593,064</u>

BACKGROUND INFORMATION

The U. T. Board of Regents approved the FY 1993 Operating Budget for the U. T. Health Science Center - Houston in June 1992. At that time, the U. T. Health Science Center - Houston was in a long-term transitional planning period and did not adequately reflect adjustments necessary for an effective operating budget. With the plan now in place, the U. T. Health Science Center - Houston finds it necessary to request those adjustments to the operating budget and to reflect additional revenue to fund the revised plan. In effect, functional allocations in the amount of \$4,114,539 from the approved FY 1993 budget were reduced, added to the additional income in the amount of \$4,593,064 and reallocated to other functional areas in the amount of \$8,707,603 within the budget to meet anticipated program needs.

The total revenue needed to fund the revised plan will increase by \$3,500,320 and will be used for the purpose of funding and increasing the Houston Academy of Medicine/Texas Medical Center Library contract, funding for required staff benefits, increasing the Texas Medical Center Security and ground maintenance costs, increasing other institutional maintenance contracts and funding a reserve for a faculty and classified merit and equity plan to be implemented in FY 1993.

The Harris County Psychiatric Center was certified for Medicaid eligibility in April 1992. This has resulted in a substantial growth in patient revenue generated through hospital operations. Conservative estimates for FY 1993 project that patient revenue will increase by \$1,092,744 over the amount originally budgeted and approved for FY 1993. These increased funds are targeted for costs associated with patient furniture and dietary equipment replacement deemed urgent and in need of replacement for patient well-being. The remainder of these funds will be used to fund increases in nurses' salaries (approximately 10% or \$625,000) for recruitment and retention purposes.

7. U. T. Health Center - Tyler: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 92-19).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and Director Hurst that the U. T. Board of Regents approve the following transfer of funds for FY 1992 at the U. T. Health Center - Tyler:

Educational and General Funds

Amount of Transfer - \$1,680,000

From:	Unappropriated Balance via Estimated Income	\$1,680,000
To:	Institutional Programs - Patient-Care Support	\$ 740,000
	Staff Benefits - Employer Paid OASI	<u>940,000</u>
	Total	<u>\$1,680,000</u>

BACKGROUND INFORMATION

The U. T. Health Center - Tyler through eleven months of FY 1992 received local educational and general income exceeding its original budget estimate. These funds were generated primarily from increased clinical activity and are needed to cover the additional operating costs for FY 1992 associated with the increased work load of the clinical units. Funds for staff benefits are needed to pay the prorata share of the U. T. Health Center - Tyler staff benefits. Unanticipated staff benefit expenses have been incurred as a result of the Dispro II matching program.

**Business Aff.
and Audit Com.**

BUSINESS AFFAIRS AND AUDIT COMMITTEE
Committee Chairman Loeffler

Date: October 9, 1992
Time: Following the meeting of the Executive Committee
Place: Room 1.212, Conference Center, U. T. Dallas

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1. U. T. System: Recommendation to Approve Chancellor's Docket No. 66.--

RECOMMENDATION

It is recommended that Chancellor's Docket No. 66 be approved.

It is requested that the committee confirm that authority to execute contracts, documents, or instruments approved therein has been delegated to the officer or official executing same.

2. U. T. Board of Regents: Recommendation to Amend the Regents' Rules and Regulations, Part Two, Chapter IV, Section 6 (Space Leases).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellors for Academic Affairs, Health Affairs, and Business Affairs that the Regents' Rules and Regulations, Part Two, Chapter IV, Section 6 regarding space leases be amended as set forth below in congressional style:

Sec. 6. Space Leases.

- 6.1 Space leases involving buildings paid from general revenue appropriations must, by law, be approved by the [~~State-Purchasing-and~~] General Services Commission and may not extend beyond a ten-year period.
- 6.2 Proposals for space leases require the [~~advance~~] approval of the Executive Vice Chancellor for Academic Affairs or the Executive Vice Chancellor for Health Affairs, as appropriate, and of the Executive Vice Chancellor for Business Affairs. 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 set out by the above cited System Administration officials or the [~~State-Purchasing-and~~] General Services Commission.

- 6.3 Leases should be entered in the name of the Board of Regents of The University of Texas System on behalf of The University of Texas (component) and may be executed by the chief administrative officer or chief business officer. A proposal shall be approved and the lease should be completed prior to occupancy of any space for office, storage, or other purposes. Lease documents are to be submitted to the Board through the institutional docket procedures following approval by the Executive Vice Chancellor for Business Affairs.

BACKGROUND INFORMATION

The proposed changes to the Regents' Rules and Regulations, Part Two, Chapter IV, Section 6 will facilitate potential streamlining of the approval process and specify that space lease agreements be in the name of the U. T. Board of Regents.

The Executive Vice Chancellor for Business Affairs will issue a Business Procedures Memorandum (BPM) outlining more detailed procedures regarding the processing of space leases consistent with these Rules and Regulations. An earlier version of the draft BPM was circulated to the component institutions and has received favorable comments.

3. U. T. Board of Regents: Recommendation to Amend the Regents' Rules and Regulations, Part Two, Chapter V, Section 1, Subsection 1.22 (Classified Personnel).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs that the Regents' Rules and Regulations, Part Two, Chapter V, Section 1, Subsection 1.22 be amended as set forth below in congressional style:

- 1.22 The Pay Plan.
1.221 A uniform system of salary steps providing for an increase of approximately 1.7 [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.

BACKGROUND INFORMATION

The classified pay plan modification allows for a doubling of the current pay steps with a 1.7 percent difference between steps. This proposal allows greater flexibility in the administration of merit increases and entry level salaries. Salary ranges will remain the same.

4. U. T. Board of Regents: Proposed Adoption of Resolution Approving and Authorizing the Issuance of Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, New Series 1992, in an Amount Not to Exceed \$42,000,000; Authorization for Sale of the Bonds to PaineWebber Incorporated, New York, New York; Appointment of Ameritrust Texas, N. A., Austin, Texas, as Escrow Agent; McCall, Parkhurst & Horton, Dallas, Texas, and Lannen & Moye, Dallas, Texas, as Co-Bond Counsel; Texas Treasury, Austin, Texas, as Paying Agent; and Ernst & Young, Tucson, Arizona, as Escrow Verification Agent; and Authorization for Officers of U. T. System to Complete All Transactions.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs that the U. T. Board of Regents:

- a. Adopt the Resolution substantially in the form set out on Pages BAAC 6 - 87 to authorize the issuance of Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, New Series 1992, in an amount not to exceed \$42,000,000 with a final maturity not to exceed August 15, 2002, to be used to refund up to \$36,225,000 of The University of Texas System General Tuition Revenue Refunding Bonds, Series 1986, with a net present value savings to the U. T. System of at least 3% of the refunded bonds
- b. Authorize the sale of the General Tuition Revenue Refunding Bonds, New Series 1992, to PaineWebber, Incorporated, New York, New York
- c. Appoint Ameritrust Texas, N. A., Austin, Texas, as Escrow Agent
- d. Appoint McCall, Parkhurst & Horton, Dallas, Texas, and Lannen & Moye, Dallas, Texas, as Co-Bond Counsel
- e. Appoint the Texas Treasury, Austin, Texas, as Paying Agent
- f. Appoint Ernst & Young, Tucson, Arizona, as Escrow Verification Agent

- g. Authorize appropriate officers and employees of the U. T. System as set forth in the related documents to take any and all actions necessary to carry out the intentions of the U. T. Board of Regents to complete the transactions as provided in the Resolution.

BACKGROUND INFORMATION

The General Tuition Revenue Refunding Bonds, Series 1986, were issued in June 1986 and currently have \$60,765,000 principal outstanding. The final maturity is August 15, 2002. With the recommended refunding, the Series 1986 bonds scheduled to mature in 1998 - 2002 would be called on August 15, 1996, at a call price of 102%, with the option to also refund the bonds scheduled to mature in 1997 if additional savings could be realized. With tax exempt interest rates at a historical low, this refunding will result in annual debt service savings and produce a net present value savings in excess of 3% of the refunded bonds.

**RESOLUTION AUTHORIZING THE ISSUANCE, SALE,
AND DELIVERY OF BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM GENERAL TUITION
REVENUE REFUNDING BONDS, NEW SERIES 1992, AND
APPROVING AND AUTHORIZING INSTRUMENTS AND
PROCEDURES RELATING THERETO**

3rd Draft 9/29/92
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**RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM GENERAL
TUITION REVENUE REFUNDING BONDS, NEW SERIES 1992, IN THE MAXIMUM
AGGREGATE PRINCIPAL AMOUNT OF \$60,765,000, AND APPROVING AND
AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO**

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RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM GENERAL TUITION REVENUE REFUNDING BONDS, NEW SERIES 1992, AND APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURES RELATING THERETO

WHEREAS, the Board of Regents of The University of Texas System heretofore has authorized, issued, and delivered the Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, Series 1986 (the "Priority Bonds"); and

WHEREAS, the above Series of bonds are now outstanding in the aggregate principal amount of \$60,765,000, and the Board of Regents of The University of Texas System has determined to refund up to \$36,225,000 of said Priority Bonds in order to achieve debt service savings, on both an absolute and a present value basis; and

WHEREAS, the bonds hereinafter authorized are to be issued and delivered pursuant to Chapter 55, Texas Education Code and Vernon's Ann. Tex. Civ. St. Articles 717k and 717q, and other applicable laws;

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

Section 1. DEFINITIONS AND FINDING. In addition to other words and terms herein defined, throughout this Resolution the following terms and expressions as used herein shall have the meanings set forth below:

The term "Accreted Value" shall mean, with respect to a Capital Appreciation Bond, as of any particular date of calculation, the original principal amount thereof and initial premium, if any, per \$5,000 Maturity Amount, plus all interest accrued and compounded to the particular date of calculation, at the yield shown in the Bond Purchase Contract and in the Accreted Value Table relating to such Bonds.

The term "Accreted Value Table" means, with respect to the Capital Appreciation Bonds, the table attached as an Exhibit to the Bond Purchase Contract which shows the Accreted Value per \$5,000 Maturity Amount on the Compounding Dates for each maturity to its Stated Maturity.

The term "Additional Parity Bonds and Notes" means the additional parity bonds permitted to be issued pursuant to Section 16 of this Resolution.

The term "Authorized Denomination" means Authorized Denomination as defined in Section 3 of this Resolution.

The term "Authorized Representative" means the Executive Vice Chancellor for Business Affairs of The University of Texas System, or in the event of a vacancy in such position, the person duly authorized to act in such capacity pending the appointment of a successor to such position.

The terms "Board" and "Issuer" mean the Board of Regents of The University of Texas System, or its successor.

The term "Bonds" means the Series 1992 Bonds and all substitute bonds exchanged therefor, and all other substitute and replacement bonds issued pursuant to this Resolution, and the term "Bond" means any of the Bonds.

The term "Bond Purchase Contract" means the agreement with the Underwriter to purchase the Bonds authorized by this Section 3(c) of the Resolution.

The term "Capital Appreciation Bonds" means the Bonds, if any, issued pursuant to this Resolution on which no interest is paid prior to maturity, and which mature variously in each of the years and in the aggregate principal amount as set forth in the Bond Purchase Contract.

The term "Code" means the Internal Revenue Code of 1986, as amended.

The term "Compounding Dates" means said term as defined in Section 4 of this Resolution.

The term "Current Interest Bonds" means the Bonds, if any, issued pursuant to this Resolution, which pay interest on a current basis and which mature in each of the years and in the aggregate principal amounts set forth in the Bond Purchase Contract.

The term "DTC" means The Depository Trust Company, New York, New York, and its successors and assigns.

The term "DTC Participant" means the securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

The term "Investment Securities" means the securities or contracts to acquire securities specified by law and in the Board's Investment Policy for the investment of the funds of the Board.

The term "Issuance Date" means the date of delivery of the Bonds to the initial purchaser or purchasers thereof against payment therefor.

The term "Maturity" means the date on which the principal of a Bond becomes due and payable as therein and herein provided, whether at Stated Maturity, by redemption, declaration of acceleration or otherwise.

The term "Maturity Amount" means the Compounded Amount of a Capital Appreciation Bond due on its Stated Maturity.

The term "Outstanding Principal Amount" means, the unpaid principal amount of Bonds paying interest on a current basis and the outstanding and unpaid principal and compounded interest on Bonds paying accrued, accreted, or compounded interest only at maturity as of any record date established by a Registrar in connection with a proposed amendment of this Resolution.

The term "Pledged General Tuition" means all of the aggregate amount of student tuition charges now or hereafter required or authorized by law to be imposed on students enrolled at each and every institution, branch, and school, now or hereafter operated by or under the jurisdiction of the Board, but specifically excluding and excepting (1) the amount of tuition scholarships now provided for by law, and (2) the following amount of such student tuition charges at each and every such institution, branch, and school which previously has been or hereafter may be pledged to the payment of other bonds (those previously issued bonds being hereafter referred to as the "Prior Bonds") (excepting the Priority Bonds, the Bonds and Additional Bonds) issued by the Board: \$5.00 from each enrolled student for each regular semester and \$2.50 from each enrolled student for each summer term of each summer session; and it is provided by law and hereby represented and covenanted that the aggregate amount of student tuition charges which are now required or authorized by law to be imposed, and which are pledged to the payment of the Bonds and any Additional Bonds by this Resolution, shall never be reduced or abrogated while such obligations are outstanding; it being further covenanted that the aggregate amount of student tuition charges now required or authorized by law to be imposed on students enrolled at each and every institution, branch, and school operated by or under the jurisdiction of the Board are set forth in the Texas Education Code, as amended, to which Code reference is hereby made for all purposes.

The term "Pledged Revenues" means collectively (a) the Pledged General Tuition, (b) all interest, income, and earnings derived from the deposit and investment of the Interest and Sinking Fund established pursuant to this Resolution, and (c) any additional revenues, income, receipts, or other resources whatsoever received or to be received from any public or private source, whether pursuant to an agreement or otherwise, which hereafter may be pledged to the payment of the Bonds or the Additional Bonds.

The term "Prior Encumbered General Tuition" means the Pledged General Tuition securing Prior Encumbered Obligations and the tuition charges charged and collected at an institution which becomes a U. T. System Institution after the date of adoption of this

Resolution and which are pledged to the payment of bonds or other obligations outstanding on the date such institution becomes a U.T. System Institution.

The term "Prior Encumbered Obligations" means those bonds listed below and the bonds, notes, and other obligations of an institution or agency outstanding on the date it becomes a U.T. System Institution and which are secured by a lien on and pledge of the Prior Encumbered General Tuition charges and collected at such institution or agency:

Board of Regents of Pan American University Tuition Revenue Refunding Bonds, Series 1986 currently outstanding in the aggregate principal amount of \$6,030,000.

The term "Priority Bonds" means said term as defined in the preamble to this Resolution.

The term "Record Date" means the last calendar day of the month next preceding each interest payment date.

The term "Refunded Bonds" means the Priority Bonds designated in the Bond Purchase Contract as the bonds to be refunded with the proceeds of the Bonds.

The term "Resolution" means this resolution authorizing the Bonds.

The term "Series 1992 Bonds" means the Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, New Series 1992.

The term "Stated Maturity" means the scheduled maturity or mandatory sinking fund redemption date of the Bonds.

The term "University of Texas System" means and includes each of the following existing and operating institutions, respectively:

**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 - Brownsville;
The University of Texas - Pan American;
The University of Texas of the Permian Basin;
The University of Texas at San Antonio;
The University of Texas at Tyler;
The University of Texas Southwestern Medical 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 M. D. Anderson Cancer Center; and
The University of Texas Health Center at Tyler

together with every other institution or branch thereof which hereafter becomes a U.T. System Institution.

The term "Underwriter" means the investment banking firm or firms that contract to purchase the Bonds, pursuant to the Bond Purchase Contract in accordance with Section 3(c) of this Resolution.

The term U.T. System Institution means The University of Texas System and any other institution, branch, or school now or hereafter operated by or placed under the jurisdiction of the Board pursuant to law.

Section 2. AMOUNT, PURPOSE, AND DESIGNATION OF THE BONDS. The Issuer's "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM GENERAL TUITION REVENUE REFUNDING BONDS, NEW SERIES 1992", are hereby authorized to be issued and delivered in the maximum aggregate principal amount of \$ _____ FOR THE PURPOSE OF REFUNDING UP TO \$36,225,000 PRINCIPAL AMOUNT OF THE REFUNDED BONDS, AND PAYING THE COSTS RELATED THERETO.

The Series 1992 Bonds are hereinafter referred to as the "Bonds", which may be in the form of either Current Interest Bonds or Capital Appreciation Bonds unless otherwise indicated.

Section 3. TERMS OF BONDS, UNDERWRITER AND BOND PURCHASE CONTRACT. (a) Terms of Bonds. Initially there shall be issued, sold, and delivered hereunder fully registered bonds, without interest coupons, in the form of Current Interest Bonds or Capital Appreciation Bonds, numbered consecutively from R-1 upward in the case of Current Interest Bonds and CR-1 upward in the case of Capital Appreciation Bonds, payable to the respective initial registered owners thereof, or to the registered assignee or assignees of said bonds or any portion or portions thereof (in each case, the "Registered Owner"), in the denomination of \$5,000 or any integral multiple thereof with respect to Current Interest Bonds and in the denomination of \$5,000 in Maturity Amount or any integral multiple thereof with respect to Capital Appreciation Bonds (an "Authorized Denomination"), maturing not later than _____, serially or otherwise on the dates, in the years and in the principal amounts, respectively, and dated, all as set forth in the Bond Purchase Contract relating to the Bonds. The Bonds shall be subject to redemption as provided in the Bond Purchase Contract.

(b) Underwriter. PaineWebber Incorporated is hereby designated the senior managing underwriter for the Bonds and the Authorized Representative shall select such additional investment banking firms as deemed appropriate to assure that the Bonds are sold

on the most advantageous terms (such firms, together with the senior managing underwriter, are hereafter collectively referred to as the "Underwriter").

(c) Bond Purchase Contract. The Authorized Representative is hereby authorized to act for and on behalf of the Board in connection with the issuance and sale of the Bonds. In that capacity, the Authorized Representative, acting for and on behalf of the Board, shall determine the date for issuance and sale of the Bonds and the amount of Bonds to be issued and sold. The Authorized Representative, acting for and on behalf of the Board, is also hereby authorized to approve, execute and deliver the Bond Purchase Contract with the Underwriter and to provide therein the price at which the Bonds shall be sold, the principal amortization schedule for the Bonds, the rate or rates of interest to be borne by the Bonds, the redemption provisions and other matters relating to the issuance, sale and delivery of the Bonds and the refunding of the Refunded Bonds; provided, that, the Bond Purchase Contract must provide for the Bonds to be sold on terms that produce a present value savings of not less than 3% when the scheduled debt service payable on the Bonds during each Bond Year is subtracted from the scheduled debt service payable on the Refunded Bonds during the same Bond Year and the remainder is discounted to the date of the Bond Purchase Contract at a discount factor equal to the yield on the Bonds determined in accordance with section 148 of the Code and adjusting for the use of the released reserve fund moneys, and the sales price for the Bonds shall be not less than 98 percent of the par amount thereof (plus accrued interest from the date of the Bonds to the date of delivery thereof against payment therefor). The Authorized Representative's approval of the Bond Purchase Contract shall be conclusively evidenced by his execution thereof. It is further provided, however, that notwithstanding the foregoing provisions, the Bonds shall not be delivered unless prior to delivery, the Bonds have been rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for long-term obligations, as required by article 717q, Texas Revised Civil Statutes Annotated, as amended.

(d) In General. The Bonds (i) may and shall be prepaid or redeemed prior to the respective scheduled maturity dates, (ii) may be assigned and transferred, (iii) may be exchanged for other Bonds, (iv) shall have the characteristics, (v) shall be signed and sealed, and (vi) shall be payable as to principal and interest, all as provided, and in the manner required or indicated, in the FORMS OF BONDS set forth in this Resolution and as determined by the Authorized Representative as provided herein, with such changes and additions as are required to meet the terms of the Bond Purchase Contract.

Section 4. INTEREST. The Current Interest Bonds shall bear interest calculated on the basis of a 360-day year composed of twelve 30-day months from the dates specified in the FORMS OF BONDS and in the Bond Purchase Contract to their respective dates of maturity at the rates set forth in the Bond Purchase Contract.

The Capital Appreciation Bonds shall bear interest at the rates set forth in the Bond Purchase Contract from the Issuance Date, calculated on the basis of a 360-day year

composed of twelve 30-day months compounded semiannually on the dates set forth in the Bond Purchase Contract (the "Compounding Dates") commencing on the date set forth in the Bond Purchase Contract, and payable, together with the principal amount thereof, in the manner provided in the FORMS OF BONDS and in the Bond Purchase Contract.

There shall be attached to the Bond Purchase Contract relating to the Bonds, to the extent the sale of the Bonds includes the issuance of Capital Appreciation Bonds, an Exhibit (the "Accreted Value Table") which will set forth the rounded original principal amounts, plus the initial premium, if any, at the Issuance Date for the Capital Appreciation Bonds and the Accreted Values and Maturity Amounts thereof (per \$5,000 Maturity Amount) as of each Compounding Date commencing the date set forth in the Bond Purchase Contract, and continuing until the final maturity of such Capital Appreciation Bonds compounded at the interest rate (or yield in the event the Capital Appreciation Bonds are sold at a premium) shown in the Bond Purchase Contract. The Accreted Value with respect to any date other than a Compounding Date is the amount set forth on the Accreted Value Table with respect to the last preceding Compounding Date, plus the portion of the difference between such amount and the amount set forth on the Accreted Value Table with respect to the next succeeding Compounding Date, that the number of days (based on 30-day months) from such last preceding Compounding Date, to the date for which such determination is being calculated bears to the total number of days (based on 30-day months) from such last preceding Compounding Date, to the next succeeding Compounding Date.

Section 5. ADDITIONAL CHARACTERISTICS OF THE BONDS. (a) **Paying Agent/Registrar.** (a) The Treasurer of the State of Texas, is hereby appointed as paying agent and registrar (the "Paying Agent/Registrar") for the Bonds. The Authorized Representative is authorized to enter into and carry out a Paying Agent/Registrar Agreement with the Paying Agent/Registrar with respect to the Bonds.

(b) **Registration Books.** The Issuer shall keep or cause to be kept at the corporate trust office of the Paying Agent/Registrar books or records for the registration and transfer of the Bonds (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such transfers and registrations under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such transfers and registrations as herein provided. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Bond to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. In the event the Registration Books are not kept within the State of Texas, the Paying Agent/Registrar shall

provide the Issuer with a copy of such Registration Books and shall keep such copy current when changes are made.

(c) Ownership of Bonds. The entity in whose name any Bond shall be registered in the Registration Books at any time shall be deemed and treated as the absolute owner thereof for all purposes of this Resolution, whether or not such Bond shall be overdue, and the Issuer and the Paying Agent/Registrar shall not be affected by any notice to the contrary; and payment of, or on account of, the principal of, premium, if any, and interest on any such Bond shall be made only to such registered owner. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

(d) Payment of Bonds and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds as provided in this Resolution. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bonds.

(e) Authentication. The Bonds initially issued and delivered pursuant to this Resolution shall be authenticated by the Paying Agent/Registrar by execution of the Paying Agent/Registrar's Authentication Certificate unless they have been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas, and on each substitute Bond issued in exchange for any Bond or Bonds issued under this Resolution the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE. The Authentication Certificate shall be in the form set forth in the FORMS OF BONDS. An authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign the above Certificate, and except as provided in this subsection (e) no such Bond shall be deemed to be issued or outstanding unless such Certificate is so executed.

(f) Transfer, Exchange, or Replacement. Each Bond issued and delivered pursuant to this Resolution, to the extent of the unpaid or unredeemed principal amount thereof, may, upon surrender of such Bond at the principal corporate trust office of the Paying Agent/Registrar, together with a written request therefor duly executed by the registered owner or the assignee or assignees thereof, or its or their duly authorized attorneys or representatives, with guarantee of signatures satisfactory to the Paying Agent/Registrar, may, at the option of the registered owner or such assignee or assignees, as appropriate, be exchanged for fully registered bonds, without interest coupons, in the form prescribed in the FORMS OF BONDS set forth in this Resolution, in the denomination of any Authorized Denominations (subject to the requirement hereinafter stated that each substitute Bond shall have a single stated maturity date), as requested in writing by such registered owner or such assignee or assignees, in an aggregate principal amount equal to the unpaid or unredeemed principal amount of any Bond or Bonds so surrendered, and payable to the appropriate registered owner, assignee, or assignees, as the case may be. If a portion of any Bond shall be redeemed prior to the scheduled maturity as provided herein, a substitute Bond or Bonds

having the same series designation and maturity date, bearing interest at the same rate and payable in the same names, in Authorized Denominations at the request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon surrender for cancellation. If any Bond or portion thereof is assigned and transferred, each Bond issued in exchange therefor shall have the same principal maturity date and bear interest at the same rate as the Bond for which it is being exchanged. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond. The Paying Agent/Registrar shall exchange or replace Bonds as provided herein, and each fully registered bond delivered in exchange for or replacement of any Bond or portion thereof as permitted or required by any provision of this Resolution shall constitute one of the Bonds for all purposes of this Resolution, and may again be exchanged or replaced. The Paying Agent/Registrar promptly shall cancel all Bonds surrendered for conversion and exchange or replacement. No additional ordinances, orders, or resolutions need be passed or adopted by the Issuer or any other body or person so as to accomplish the foregoing conversion and exchange or replacement of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the preparation, execution, and delivery of the substitute Bonds in the manner prescribed herein. Pursuant to Art. 717k-6, Vernon's Texas Civil Statutes, and particularly Section 6 thereof, the duty of exchange or replacement of Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of the above Paying Agent/Registrar's Authentication Certificate, the exchanged or replaced Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bonds originally issued pursuant to this Resolution, approved by the Attorney General and registered by the Comptroller of Public Accounts of the State of Texas. The Paying Agent/Registrar shall agree that, to the extent possible it will transfer or exchange Bonds in no more than 3 business days after receipt of the Bonds to be transferred or exchanged, together with the written instrument of transfer or request for exchange duly executed by the holder or his duly authorized agent, in form satisfactory to the Paying Agent/Registrar. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for transferring and exchanging any Bond or any portion thereof, but the one requesting any such transfer and exchange shall pay any taxes or governmental charges required to be paid with respect thereto as a condition precedent to the exercise of such privilege of exchange. The Paying Agent/Registrar shall not be required to make transfers of registration of any Bond or any portion thereof (i) during the period commencing with the closing of business on any Record Date and ending with the opening of business on the next following principal or interest payment date or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date.

(g) Payment of Fees and Charges. The Issuer hereby covenants with the registered owners of the Bonds that it will (i) pay the standard or customary fees and charges of the Paying Agent/Registrar for its services with respect to the payment of the principal of and interest on the Bonds, when due, and (ii) pay the fees and charges of the Paying Agent/Registrar for services with respect to the transfer of registration of the Bonds, and with respect to the exchange of the Bonds, solely to the extent above provided in this Resolution.

(h) Substitute Paying Agent/Registrar. The Issuer covenants with the registered owners of the Bonds that at all times while the Bonds are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution, or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Resolution, and that the Paying Agent/Registrar will be one entity. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Resolution. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Resolution, and a certified copy of this Resolution shall be delivered to each Paying Agent/Registrar.

(i) Notice of Redemption. (i) In addition to the Notice of Redemption set forth in the FORMS OF BONDS, the Paying Agent/Registrar shall give notice of redemption of Bonds by mail, first-class postage prepaid at least thirty (30) days prior to a redemption date to each registered securities depository and to any national information service that disseminates redemption notices. In addition, in the event of a redemption caused by an advance refunding of the Bonds, the Paying Agent/Registrar shall send a second notice of redemption to the persons specified in the immediately preceding sentence at least thirty (30) days but not more than ninety (90) days prior to the actual redemption date. Any notice sent to the registered securities depositories or such national information services shall be sent so that they are received at least two (2) days prior to the general mailing or publication date of such notice. The Paying Agent/Registrar shall also send a notice of prepayment or redemption to the registered owner of any Bond who has not sent the Bonds in for redemption sixty (60) days after the redemption date.

(ii) Each Notice of Redemption, whether required in the FORMS OF BONDS or in this Section, shall contain a description of the Bonds to be redeemed including the complete name of the Bonds, the Series, the date of issue, the interest rate, the maturity date, the CUSIP number, the certificate numbers, the amounts called of each certificate, the publication and mailing date for the notice, the date of redemption, the redemption price, the name of the Paying Agent/Registrar and the address at which the Bonds may be redeemed, including a contact person and telephone number.

(iii) All redemption payments made by the Paying Agent/Registrar to the registered owners of the Bonds shall include a CUSIP number relating to each amount paid to such registered owner.

Section 6. BOOK-ENTRY ONLY SYSTEM. (a) Book-Entry Only System Generally. The Bonds issued in exchange for the Bonds initially issued and delivered under this Resolution shall be issued in the form of a separate single fully registered Bond for each of the maturities thereof registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), and except as provided in subsection (b) hereof, all of the Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the Board and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest on the Bonds. Without limiting the immediately preceding sentence, the Board and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than the Bondholder, as shown on the Registration Books, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than a Bondholder, as shown in the Registration Books, of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Resolution to the contrary but to the extent permitted by law, the Board and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Registration Books as the absolute owner of such Bond for the purpose of payment of principal, premium, if any, and interest, with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective owners, as shown in the Registration Books as provided in this Resolution, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Board's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an owner, as shown in the Registration Books, shall receive a Bond certificate evidencing the obligation of the Board to make payments of principal, premium, if any, and interest pursuant to this Resolution. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Resolution with respect to interest checks being mailed to the registered owner at the close of business on the Record Date, the word "Cede & Co.," in this Resolution shall refer to such new nominee of DTC.

(b) Successor Securities Depository: Transfers Outside Book-Entry Only System. In the event that the Board determines to discontinue the book-entry system through DTC or

a successor or DTC determines to discontinue providing its services with respect to the Bonds, the Board shall either (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Bondholders transferring or exchanging Bonds shall designate in accordance with the provisions of this Resolution.

(c) Payment to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, in the manner provided in the representation letter of the Board to DTC.

Section 7. FORMS OF BONDS. The forms of the Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Registration Certificate of the Comptroller of Public Accounts to be attached to the Bonds initially issued and delivered under this Resolution and the Form of Assignment to be printed on each of the Bonds, shall be, respectively, substantially as follows, with such appropriate variations, omissions, or insertions as are permitted or required by this Resolution and the Bond Purchase Contract:

FORMS OF BONDS

**UNITED STATES OF AMERICA
STATE OF TEXAS
BOARD OF REGENTS OF
THE UNIVERSITY OF TEXAS SYSTEM
GENERAL TUITION REVENUE REFUNDING BOND,
NEW SERIES 1992**

[FORM OF FIRST TWO PARAGRAPHS OF CURRENT INTEREST BONDS]

**NO. R- _____ PRINCIPAL AMOUNT
\$ _____**

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>BOND DATE</u>	<u>CUSIP NO.</u>
_____ %	_____, 19__	_____	_____

REGISTERED OWNER:

PRINCIPAL AMOUNT: _____ DOLLARS

ON THE MATURITY DATE specified above the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM (the "Issuer"), being an agency of the State of Texas, hereby promises to pay to the registered owner, specified above, or to the registered assignee hereof (either being hereinafter called the "registered owner") the principal amount, specified above, and to pay interest thereon, calculated on the basis of a 360-day year composed of twelve 30-day consecutive months, from the Bond Date, specified above, to the maturity date, specified above, at the interest rate per annum, specified above, with interest being payable on _____, and semiannually on each February 15 and August 15 thereafter, except that if the date of authentication of this Bond is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond at maturity at the principal office of The Treasurer of the State of Texas in Austin, Texas, which is the "Paying Agent/Registrar" for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check, dated as of such interest payment date, drawn by

the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the Bond Resolution (hereinafter defined), to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at the address of the registered owner, as it appeared on the last calendar day of the month next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. Upon the written request of any owner of \$1,000,000 in aggregate principal amount of the Bonds, delivered to the Paying Agent/Registrar not later than the Record Date preceding an interest payment date, interest shall be paid to such owner by wire transfer to any designated account within the United States. In addition, interest may be paid by such other method acceptable to the Paying Agent/Registrar which has been requested in writing by, and at the risk and expense of, the registered owner. The Issuer covenants with the registered owner of this Bond that on or before each principal payment date, interest payment date, and accrued interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" described in the Bond Resolution, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due. Terms used herein and not otherwise defined have the meanings given in the Bond Resolution.

**[FORM OF FIRST TWO PARAGRAPHS OF
CAPITAL APPRECIATION BONDS]**

NO. CR-__			MATURITY AMOUNT

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>ISSUANCE DATE</u>	<u>CUSIP NO.</u>
_____ %	_____	_____, 1992	_____

REGISTERED OWNER:

ORIGINAL PRINCIPAL AMOUNT: _____ **DOLLARS**

ON THE MATURITY DATE, specified above, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM (the "Issuer"), being an agency and political subdivision of the State of Texas, hereby promises to pay to the Registered Owner, specified above, or the registered assignee hereof (either being hereinafter called the "registered owner") the Maturity Amount, specified above, representing the original principal amount, specified above, and accrued and compounded interest thereon. Interest shall accrue on the original principal amount hereof from the Issuance Date, specified above, at the interest rate

per annum specified above, compounded semiannually on February 15 and August 15 of each year, commencing on the Issuance Date specified above. For convenience of reference, a table appears on the back of this Bond showing the "Accreted Value" of the original principal amount and initial premium, if any, per \$5,000 Maturity Amount compounded semiannually at the yield shown on such table.

THE MATURITY AMOUNT OF this Bond is payable in lawful money of the United States of America, without exchange or collection charges, solely from funds of the Issuer required by the Bond Resolution (hereinafter defined) to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided. The Maturity Amount or Accreted Value of this Bond shall be paid to the registered owner hereof upon presentation and surrender of this Bond on the Maturity Date or upon the date fixed for its redemption prior to maturity, as the case may be, at the principal office of The Treasurer of the State of Texas in Austin, Texas, which is the "Paying Agent/Registrar" for this Bond. The Issuer covenants with the registered owner of this Bond that on or before the Maturity Date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" described in the Bond Resolution, the amount required to provide for the payment, in immediately available funds, of the Maturity Amount when due. Terms used herein and not otherwise defined have the meaning given in the Bond Resolution.

**[FORM OF REMAINDER OF CURRENT INTEREST BONDS
AND CAPITAL APPRECIATION BONDS]**

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, a Sunday, a legal holiday, or a day on which banking institutions in The City of New York, New York, or in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of an issue of Bonds dated _____, authorized by resolution of the Issuer adopted on OCTOBER 9, 1992 (the "Bond Resolution") in the aggregate principal amount of \$ _____, FOR THE PURPOSE OF REFUNDING THE REFUNDED BONDS AND PAYING THE COSTS RELATED THERETO, AND COMPOSED OF (i) BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$ _____ THAT PAY INTEREST ONLY AT MATURITY (THE "CAPITAL APPRECIATION BONDS") AND (ii) BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$ _____ THAT PAY INTEREST SEMIANNUALLY UNTIL MATURITY (THE "CURRENT INTEREST BONDS").

**[THE FOLLOWING THREE PARAGRAPHS SHALL APPEAR
ONLY IN THE CURRENT INTEREST BONDS]**

ON _____, or on any date thereafter, the Bonds of this Series may be redeemed prior to their scheduled maturities, at the option of the Issuer, with funds derived from any available and lawful source, as a whole, or in part, and, if in part, the particular Bonds, or portions thereof, to be redeemed shall be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an integral multiple of \$5,000), at a redemption price (expressed as a percentage of principal amount) applicable to the due date of redemption falling within the applicable redemption period, as set forth in the following schedule, plus accrued interest to the redemption date; provided, that during any period in which ownership of the Bonds is determined by a book entry at a securities depository for the Bonds, if fewer than all of the Bonds of the same maturity and bearing the same interest rate are to be redeemed, the particular Bonds of such maturity and bearing such interest rate shall be selected in accordance with the arrangements between the Issuer and the securities depository:

<u>Redemption Period</u>	<u>Redemption Price</u>
through	%
through	
and thereafter	

THE BONDS of this series scheduled to mature on _____, are subject to mandatory sinking fund redemption prior to their scheduled maturity and shall be redeemed by the Issuer, in part, prior to their scheduled maturity, with the particular Bonds or portions thereof of the maturity to be redeemed to be selected and designated by the Issuer (provided that a portion of a Bond may be redeemed only in an integral multiple of \$5,000), with money from the Interest and Sinking Fund, at a redemption price equal to the par or principal amount thereof and accrued interest to the date of redemption, on the dates, and in the principal amounts, respectively, as set forth in the following schedule:

<u>Redemption Date</u>	<u>Principal Amount</u>
------------------------	-----------------------------

The principal amount of the Bonds required to be redeemed on each such redemption date pursuant to the foregoing operation of the mandatory redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Bonds of the respective maturity, which, at least 45 days prior to the mandatory sinking fund redemption date, (1) shall have been acquired by the Issuer and delivered to the Paying Agent/Registrar for cancellation, or (2) shall have been acquired and canceled by the Paying Agent/Registrar at the direction of the Issuer (with funds from the Interest and Sinking Fund, in either case of (1) or (2) at a price not exceeding the par or principal amount of such Bonds), or (3) have been redeemed pursuant to the optional redemption provisions set forth above and not

theretofore credited against a mandatory redemption. During any period in which ownership of the Bonds is determined by a book entry at a securities depository for the Bonds, if fewer than all of the Bonds of the same maturity and bearing the same interest rate are to be redeemed, the particular Bonds of such maturity and bearing such interest rate shall be selected in accordance with the arrangements between the Issuer and the securities depository.

AT LEAST 30 days prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity a written notice of such redemption shall be published once in a financial publication, journal, or report of general circulation among securities dealers in the City of New York, New York (including, but not limited to, The Bond Buyer and The Wall Street Journal), or in the State of Texas (including, but not limited to, The Texas Bond Reporter). Such notice also shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, not less than 30 days prior to the date fixed for any such redemption, to the registered owner of each Bond to be redeemed at its address as it appeared on the 45th day prior to such redemption date; provided, however, that the failure to send, mail, or receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Bond, and it is hereby specifically provided that the publication of such notice as required above shall be the only notice actually required in connection with or as a prerequisite to the redemption of any Bonds or portions thereof. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof which are to be so redeemed. If such written notice of redemption is published and if due provision for such payment is made, all as provided above, the Bonds or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Bond Resolution.

**[THE FOLLOWING PARAGRAPH SHALL APPEAR
ONLY IN THE CAPITAL APPRECIATION BONDS]**

THE CAPITAL APPRECIATION BONDS are not subject to redemption prior to their scheduled maturities.

THIS BOND OR ANY PORTION OR PORTIONS HEREOF IN ANY INTEGRAL MULTIPLE OF \$5,000 principal or Maturity Amount, as the case may be, may be assigned

and shall be transferred only in the Registration Books of the Issuer kept by the Paying Agent/Registrar acting in the capacity of registrar for the Bonds, upon the terms and conditions set forth in the Bond Resolution. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any integral multiple of \$5,000 principal or Maturity Amount, as the case may be, to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be transferred and registered. The Form of Assignment printed or endorsed on this Bond shall be executed by the registered owner, or its duly authorized attorney or representative, to evidence the assignment hereof. A new Bond or Bonds payable to such assignee or assignees (which then will be the new registered owner or owners of such new Bond or Bonds), or to the previous registered owner in the case of the assignment and transfer of only a portion of this Bond, may be delivered by the Paying Agent/Registrar in conversion of and exchange for this Bond, all in the form and manner as provided in the next paragraph hereof for the conversion and exchange of other Bonds. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such transfer, but the one requesting such transfer shall pay any taxes or other governmental charges required to be paid with respect thereto. The Paying Agent/Registrar shall not be required to make transfers of registration of this Bond or any portion hereof (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date. The registered owner of this Bond shall be deemed and treated by the Issuer and the Paying Agent/Registrar as the absolute owner hereof for all purposes, including payment and discharge of liability upon this Bond to the extent of such payment, and the Issuer and the Paying Agent/Registrar shall not be affected by any notice to the contrary.

ALL BONDS OF THIS SERIES are issuable solely as fully registered bonds, without interest coupons, in the denomination of any integral multiple of \$5,000 principal or Maturity Amount, as the case may be. As provided in the Bond Resolution, this Bond may, at the request of the registered owner or the assignee or assignees hereof, be converted into and exchanged for a like aggregate principal amount of fully registered bonds, without interest coupons, payable to the appropriate registered owner, assignee, or assignees, as the case may be, having the same maturity date, and bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000 principal or Maturity Amount, as the case may be, as requested in writing by the appropriate registered owner, assignee, or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Resolution. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for transferring, converting, and exchanging any Bond or any portion thereof, but the one requesting such transfer, conversion, and exchange shall pay any taxes or govern-

mental charges required to be paid with respect thereto as a condition precedent to the exercise of such privilege of conversion and exchange.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Resolution that it promptly will appoint a competent and legally qualified substitute therefor, and promptly will cause written notice thereof to be mailed to the registered owners of the Bonds.

IT IS HEREBY certified, recited, and covenanted that this Bond has been duly and validly authorized, issued, and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the authorization, issuance, and delivery of this Bond have been performed, existed, and been done in accordance with law; and that the interest on and principal of this Bond, and other Bonds of this Series, are equally and ratably secured by and payable from a lien on and pledge of the Pledged Revenues, which include (i) certain Pledged General Tuition, being certain tuition charges imposed on students enrolled at each and every institution, branch, and school now or hereafter operated by or under the jurisdiction of the Issuer, and (ii) certain investment income, subject only to the lien on and pledge of the Pledged Revenues to the payment and security of the Issuer's General Tuition Revenue Refunding Bonds, Series 1986 and, with respect to the Prior Encumbered General Tuition included in Pledged Revenues, the Prior Encumbered Obligations.

THE ISSUER has reserved the right, subject to the restrictions referred to in the Bond Resolution, to (i) issue additional parity revenue bonds which also may be secured by and made payable from a lien on and pledge of the aforesaid Pledged Revenues, in the same manner and to the same extent as this Bond, and (ii) to amend the Bond Resolution under the conditions provided in the Bond Resolution.

THE REGISTERED OWNER hereof shall never have the right to demand payment of this Bond or the interest hereon out of any funds raised or to be raised by taxation or from any source whatsoever other than specified in the Bond Resolution.

BY BECOMING the registered owner of this Bond, the registered owner thereby acknowledges all of the terms and provisions of the Bond Resolution, agrees to be bound by such terms and provisions, acknowledges that the Bond Resolution is duly recorded and available for inspection in the official minutes and records of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Resolution constitute a contract between each registered owner hereof and the Issuer.

FORM OF ASSIGNMENT:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned registered owner of this Bond, or duly authorized representative or attorney thereof, hereby assigns this Bond to

(Assignee's Social Security or Taxpayer Identification Number)

(print or typewrite Assignee's name and address, including zip code)

and hereby irrevocably constitutes and appoints

attorney to transfer the registration of this Bond on the Paying Agent/Registrar's Registration Books with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: This signature must be guaranteed by a member of the New York Stock Exchange or a commercial bank or trust company.

Registered Owner
NOTICE: This signature must correspond with the name of the Registered Owner appearing on the face of this Bond.

FORM OF REGISTRATION CERTIFICATE OF THE COMPTROLLER OF PUBLIC ACCOUNTS:

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this Bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

(COMPTROLLER'S SEAL)

Comptroller of Public Accounts of the State of Texas

Section 8. SECURITY AND PLEDGE. The Bonds and any Additional Bonds, and the interest thereon, are and shall be secured by and payable from a lien on and pledge of the Pledged Revenues, and the Pledged Revenues are further pledged to the establishment and maintenance of the Interest and Sinking Fund as provided in this Resolution; provided, however, that the lien on and pledge of the Pledged Revenues is subject to the lien and pledge securing the Priority Bonds and the Prior Encumbered Obligations.

Section 9. REVENUE FUND. The creation and establishment of the General Tuition Revenue Bonds Revenue Fund" (herein called the "Revenue Fund") in the resolution authorizing the Priority Bonds is hereby approved. Said account shall be maintained on the books of the Board as a separate account. Subject to the provisions of Section 11 and the resolutions authorizing Prior Encumbered Obligations, all collections of Pledged Revenues shall be credited to the Revenue Fund immediately upon receipt.

Section 10. INTEREST AND SINKING FUND. To pay the principal of and interest on all outstanding Bonds and any Additional Bonds, as the same come due, there is hereby created and there shall be established on the books of the Board a separate account to be entitled the "General Tuition New Series Revenue Bonds Interest and Sinking Fund" (herein called the "Interest and Sinking Fund"). The Interest and Sinking Fund shall be maintained as long as any of the Bonds remain outstanding.

Section 11. INTEREST AND SINKING FUND DEPOSITS. (a) Immediately after the delivery of the Bonds the Board shall deposit all accrued interest received from the sale and delivery of the Bonds, to the credit of the Interest and Sinking Fund.

(b) The Board shall transfer or cause to be transferred from the Pledged Revenues in the Revenue Fund and deposit, or cause to be deposited, to the credit of the Interest and Sinking Fund the amounts, at the times, as follows:

(i) on or before February 15, 1993, and semiannually on or before each October 15 and March 1 thereafter, such amounts as will be sufficient, together with other amounts, if any, then on hand in the Interest and Sinking Fund and available for such purpose, to pay the interest scheduled to accrue and come due on the Bonds on the next succeeding interest payment date; and

(ii) on or before March 1, 1993, and annually on or before each March 1 thereafter, an amount equal to the principal of the Bonds scheduled to mature or mandatorily required to be redeemed prior to maturity on the next succeeding August 15.

Section 12. ADDITIONAL AND EXCESS FUNDS. If on any occasion there shall not be Pledged Revenues sufficient to make the required deposits to the credit of the Interest and Sinking Fund, then such deficiency shall be made up as soon as possible from the next available Pledged Revenues.

Section 13. PAYMENT OF BONDS. On or before February 15, 1993, and semiannually on or before each August 15 and February 15 thereafter while any of the Bonds are outstanding and unpaid, the Board shall make available to the Paying Agent/Registrar, out of the Interest and Sinking Fund, money sufficient to pay such interest on and such principal of the Bonds as will accrue or mature, or be subject to mandatory redemption prior to maturity, on such February 15 or August 15. The Paying Agent/Registrar shall cancel all paid Bonds and shall furnish the Board with an appropriate certificate of destruction.

Section 14. CESSATION OF DEPOSITS. At such time as the aggregate amount of money and investments on deposit to the credit of the Interest and Sinking Fund are at least sufficient to pay (1) the aggregate principal amount of all unpaid (unmatured and matured) outstanding Bonds and Additional Bonds, plus (2) the aggregate amount of all unpaid interest on such Bonds and Additional Bonds, no further deposits need be made into the Interest and Sinking Fund. In determining the amount of such Bonds and Additional Bonds, and interest thereon, outstanding at any time, there shall be subtracted and excluded the amount of any such Bonds and Additional Bonds, and interest thereon, which shall have been duly called for redemption and for which funds shall have been deposited with the Paying Agent/Registrar therefor sufficient, including any required redemption premium, for such redemption.

Section 15. SPECIAL OBLIGATIONS. The Bonds and any Additional Bonds, and the interest thereon, will constitute special obligations of the Board payable from the Pledged Revenues, and the owners of the Bonds and Additional Bonds shall never have the right to demand payment out of funds raised or to be raised by taxation, or from any source other than specified in this Resolution.

Section 16. ADDITIONAL BONDS. The Board reserves and shall have the right and power to issue, in one or more series, "Additional Bonds" for any purpose authorized by law, including the refunding of any Priority Bonds, Bonds or Additional Bonds, which Additional Bonds, when issued, shall be secured by and payable from a lien on and pledge of the Pledged Revenues equally and ratably with, and in the same manner and to the same extent as, the Bonds and any other then outstanding Additional Bonds; and the Additional Bonds permitted by this Section, when issued, shall be payable from and secured by the Interest and Sinking Fund and shall be in all respects of equal dignity and on a parity with the Bonds and any other then outstanding Additional Bonds. Each resolution under which Additional Bonds are issued shall provide and require that, in addition to the amounts required, by the provisions of this Resolution and the provisions of any other resolution or resolutions authorizing Additional Bonds, to be deposited to the credit of the Interest and Sinking Fund, the Board shall transfer from Pledged Revenues and deposit to the credit of the Interest and Sinking Fund at least such amounts as are required for the payment of all principal of and interest on said Additional Bonds then being issued, as the same come due.

Section 17. REQUIREMENTS FOR ADDITIONAL BONDS. Additional Bonds shall be issued only in accordance with this Resolution, but notwithstanding any provisions of this Resolution to the contrary, no installment, Series, or issue of Additional Bonds shall be issued or delivered unless:

(a) The Authorized Representative signs a written certificate to the effect that the Board is not in default as to any covenant, condition, or obligation in connection with all outstanding Bonds and Additional Bonds, or any resolution authorizing same, and that the Interest and Sinking Fund each contains the amount then required to be therein.

(b) The Authorized Representative signs a written certificate to the effect that, during either the next preceding fiscal year of The University of Texas System, or any twelve consecutive calendar month period ending not more than ninety days prior to the adoption of the resolution authorizing the issuance of the then proposed Additional Bonds, the Pledged Revenues were at least equal to 1.25 times the average annual principal and interest requirements of all Priority Bonds, Bonds and Additional Bonds which are scheduled to be outstanding after the issuance of the proposed Additional Bonds.

Section 18. INVESTMENTS. (a) Money in any account or Fund established pursuant to this Resolution may, at the option of the Board, be placed in time deposits secured by Investment Securities, or be invested in Investment Securities; provided that all such deposits and investments shall be made in such manner that the money required to be expended from any such account or Fund will be available at the proper time or times. Interest and income derived from such deposits and investments shall be credited to the account or Fund from which the deposit or investment was made and shall be used only for the purpose or purposes for which such account or Fund is required or permitted to be used. Such investments shall be sold promptly when necessary to prevent any default in connection with the Bonds or Additional Bonds. Money in any Fund may be invested, together with money in other Funds or with other money of the Board or The University of Texas System, in common investments of the kind described above, or in a common pool of such investments which shall be kept and held at an official depository of The University of Texas System, which shall not be deemed to be or constitute a commingling of such money or Funds provided that the separate accounts maintained on the books of The University of Texas System, for such Funds clearly evidence the investment or investment pool in which such money is invested and the share thereof purchased with such money or owned by such Fund or held by or on behalf of each such Fund.

(b) Money in all accounts and Funds created by this Resolution, to the extent not invested, shall be secured in the manner prescribed by law for such funds of the Board, in principal amounts at all times not less than the amounts of money credited to such accounts and Funds, respectively.

Section 19. COVENANTS. The Board further covenants and agrees that:

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

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

(c) It lawfully owns, has title to, and is lawfully possessed of the lands, buildings, and facilities now constituting The University of Texas System, it warrants that it has, and will defend, the title to all the aforesaid lands, buildings, and facilities, and every part thereof, for the benefit of the owners of the Bonds and Additional Bonds against the claims and demands of all persons whomsoever, it is lawfully qualified to pledge the Pledged Revenues to the payment of the Bonds and Additional Bonds in the manner prescribed herein, and has lawfully exercised such rights.

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

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

(f) While the Bonds or any Additional Bonds are outstanding and unpaid, the Board shall not issue any Bonds on a parity with the Priority Bonds or any Prior Encumbered Obligations or otherwise additionally encumber the Pledged Revenues in any manner, except as permitted in this Resolution in connection with Additional Bonds, unless said encumbrance is made junior and subordinate in all respects to the liens, pledges, covenants, and agreements of this Resolution.

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

(h) Each year while any Bonds or Additional Bonds remain outstanding, the Board will cause to be prepared from such books of record and account an annual financial report of The University of Texas System and shall furnish such report to the principal municipal bond rating agencies and any owner of Bonds or Additional Bonds who shall request same. In addition, the Board shall submit such financial report and other information required by law for examination in connection with financial compliance and other audits required to be conducted by the office of the Auditor of the State of Texas.

(i) The Board and the officers of The University of Texas System will duly and punctually pay or cause to be paid the principal of every Bond and every Additional Bond, and the interest thereon, from the sources, on the days, at the places, and in the manner mentioned and provided in such obligations, according to the true intent and meaning thereof, and that it will duly cause to be called for redemption prior to maturity, and will cause to be redeemed prior to maturity, all Bonds and all Additional Bonds which by their terms are mandatorily required to be redeemed prior to maturity, when and as so required, and that it will faithfully do and perform and at all times fully observe all covenants, undertakings and provisions contained in this Resolution and in the aforesaid obligations.

Section 20. INDIVIDUALS NOT LIABLE. All covenants, stipulations, obligations, and agreements of the Board contained in this Resolution shall be deemed to be covenants, stipulations, obligations, and agreements of The University of Texas System and the Board to the full extent authorized or permitted by the Constitution and laws of the State of Texas. No covenant, stipulation, obligation, or agreement herein contained shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the Board or agent or employee of the Board in his individual capacity and neither the members of the Board nor any officer thereof shall be liable personally on the Bonds or Additional Bonds when issued, or be subject to any personal liability or accountability by reason of the issuance thereof.

Section 21. REMEDIES. Any owner or holder of any of the Bonds or Additional Bonds when issued, in the event of default in connection with any covenant contained herein, or default in the payment of said obligations, or of any interest due thereon, shall have the right to institute mandamus proceedings against the Board or any other necessary or appropriate party for the purpose of enforcing payment from the moneys herein pledged or for enforcing any covenant herein contained.

Section 22. DEFEASANCE OF BONDS. (a) Any Bond and the interest thereon shall be deemed to be paid, retired, and no longer outstanding (a "Defeased Bond") within the meaning of this Resolution, except to the extent provided in subsection (d) of this Section, when the payment of all principal and interest payable with respect to such Bond to the due date or dates thereof (whether such due date or dates be by reason of maturity, upon redemption, or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof (including the giving of any required notice of redemption), or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Government Obligations which mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment or (3) any combination of (1) and (2) above, and when proper arrangements have been made by the Board with the Paying Agent/Registrar for the payment of its services until after all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the Pledged Revenues, and such principal and interest shall be payable solely from such money or Government Obligations, and shall not be regarded as outstanding for any purposes other than payment, transfer and exchange.

(b) Any moneys so deposited with or made available to the Paying Agent/Registrar may at the written direction of the Board also be invested in Government Obligations, maturing in the amounts and times as hereinbefore set forth, and all income from such Government Obligations received by the Paying Agent/Registrar which is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Board, or deposited as directed in writing by the Board.

(c) The term "Government Obligations" as used in this Section, shall mean non-callable direct obligations of the United States of America, including obligations which are unconditionally guaranteed by the United States of America, which may be United States Treasury obligations such as its State and Local Government Series, which may be in book-entry form.

(d) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased

Bonds the same as if they had not been defeased, and the Board shall make proper arrangements to provide and pay for such services as required by this Resolution.

Section 23. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED BONDS. (a) Replacement Bonds. In the event any outstanding Bond is damaged, mutilated, lost, stolen, or destroyed, the Paying Agent/Registrar shall cause to be printed, executed, and delivered, a new bond of the same principal amount or maturity amount, maturity, and interest rate, as the damaged, mutilated, lost, stolen, or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bonds. Application for replacement of damaged, mutilated, lost, stolen, or destroyed Bonds shall be made to the Paying Agent/Registrar. In every case of loss, theft, or destruction of a Bond, the applicant for a replacement bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft, or destruction of a Bond, the applicant shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft, or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the applicant shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) Payment in Lieu of Replacement. Notwithstanding the foregoing provisions of this Section, in the event any such Bond shall have matured, and no default has occurred which is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Bond, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bonds. Prior to the issuance of any replacement bond, the Paying Agent/Registrar shall charge the owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement bond issued pursuant to the provisions of this Section by virtue of the fact that any Bond is lost, stolen, or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen, or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Resolution equally and proportionately With any and all other Bonds duly issued under this Resolution.

(e) Authority for Issuing Replacement Bonds. In accordance with Section 6 of Vernon's Ann. Tex. Civ. St. Art. 717k-6, this Section of this Resolution shall constitute authority for the issuance of any such replacement bond without necessity of further action by the Issuer or any other body or Person, and the duty of the replacement of such Bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bonds in the form and manner and with

the effect, as provided in Section 5(d) of this Resolution for Bonds issued in conversion and exchange for other Bonds.

Section 24. AMENDMENT OF RESOLUTION. (a) The owners of Bonds and Additional Bonds aggregating 51% in Outstanding Principal Amount of the aggregate principal amount of then outstanding Bonds and Additional Bonds shall have the right from time to time to approve any amendment to this resolution or any resolution authorizing the issuance of Additional Bonds which may be deemed necessary or desirable by the Board, provided, however, that nothing herein contained shall permit or be construed to permit, without the approval of the owners of all of the outstanding Bonds and Additional Bonds, the amendment of the terms and conditions in said resolutions or in the Bonds or Additional Bonds so as to:

- (1) Make any change in the maturity of the outstanding Bonds or Additional Bonds;
- (2) Reduce the rate of interest borne by any of the outstanding Bonds or Additional Bonds;
- (3) Reduce the amount of the principal payable on the outstanding Bonds or Additional Bonds;
- (4) Modify the terms of payment of principal or interest on the outstanding Bonds or Additional Bonds, or impose any conditions with respect to such payment;
- (5) Affect the rights of the owners of less than all of the Bonds and Additional Bonds then outstanding;
- (6) Change the minimum percentage of the Outstanding Principal Amount of Bonds and Additional Bonds necessary for consent to such amendment.

(b) If at any time the Board shall desire to amend a resolution under this Section, the Board shall cause notice of the proposed amendment to be published in a financial newspaper or journal published in The City of New York, New York, once during each calendar week for at least two successive calendar weeks. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file at the principal office of each Paying Agent/Registrar for the Bonds and Additional Bonds for inspection by all owners of Bonds and Additional Bonds. Such publication is not required, however, if notice in writing is given to each owner of Bonds and Additional Bonds.

(c) Whenever at any time not less than thirty days, and within one year, from the date of the first publication of said notice or other service of written notice of the proposed amendment the Board shall receive an instrument or instruments executed by the owners of at least 51% in Outstanding Principal Amount of all Bonds and Additional Bonds then outstanding, which instrument or instruments shall refer to the proposed amendment

described in said notice and which specifically consent to and approve such amendment in substantially the form of the copy thereof on file as aforesaid, the Board may adopt the amendatory resolution in substantially the same form.

(d) Upon the adoption of any amendatory resolution pursuant to the provisions of this Section, the resolution being amended shall be deemed to be amended in accordance with the amendatory resolution, and the respective rights, duties, and obligations of the Board and all the owners of then outstanding Bonds and Additional Bonds and all future Additional Bonds shall thereafter be determined, exercised, and enforced hereunder, subject in all respects to such amendment.

(e) Any consent given by the owner of a Bond or Additional Bond pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the first publication or other service of the notice provided for in this Section, and shall be conclusive and binding upon all future owners of the same Bond or Additional Bond during such period. Such consent may be revoked at any time after six months from the date of the first publication of such notice by the owner who gave such consent, or by a successor in title, by filing notice thereof with the Paying Agent/Registrar for such Bonds and Additional Bonds and the Issuer, but such revocation shall not be effective if the owners of 51% in Outstanding Principal Amount of the then outstanding Bonds and Additional Bonds as in this Section defined have, prior to the attempted revocation, consented to and approved the amendment.

(f) For the purpose of this Section the ownership and other matters relating to all Bonds and Additional Bonds shall be determined from the registration books kept for such bonds by the Paying Agent/Registrar therefor.

Section 25. TAX EXEMPTION. The Issuer covenants to refrain from any action which would adversely affect, or take such action to assure, the treatment of the Bonds as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the Issuer covenants as follows:

(a) to take any action to assure that no more than 10% of the proceeds of the Bonds (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10% of the proceeds are so used, that amounts, whether or not received by the Issuer, with respect to such private business use, do not, under the terms of this Resolution or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10% of the debt service on the Bonds, in contravention of section 141(b)(2) of the Code;

(b) to take any action to assure that in the event that the "private business use" described in subsection (a) hereof exceeds 5% of the proceeds of the Bonds (less

amounts deposited into a reserve fund, if any) then the amount in excess of 5% is used for a "private business use" which is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(c) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5% of the proceeds of the Bonds (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(d) to refrain from taking any action which would otherwise result in the Bonds being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(e) to refrain from taking any action that would result in the Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(f) to refrain from using any portion of the proceeds of the Bonds, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Bonds, other than investment property acquired with --

(1) proceeds of the Bonds invested for a reasonable temporary period of three years or less or, in the case of a refunding bond for a period of 30 days or less, until such proceeds are needed for the purpose for which the Bonds are issued,

(2) amounts invested in a bona fide debt service fund, within the meaning of section 1.103-13(b)(12) of the Treasury Regulations, and

(3) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10% of the proceeds of the Bonds;

(g) to otherwise restrict the use of the proceeds of the Bonds, or amounts treated as proceeds of the Bonds, as may be necessary, so that the Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings);

(h) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bonds) an amount that is at least equal to 90% of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the

Bonds have been paid in full, 100% of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(i) to maintain such records as will enable the Issuer to fulfill its responsibilities under this Section and section 148 of the Code and to retain such records for at least six years following the final payment of principal and interest on the Bonds.

For purposes of the foregoing, the Issuer understands that in the case of a refunding bond, the term proceeds includes transferred proceeds and, for purposes of (a) and (b), proceeds of the refunded bonds expended prior to the date of issuance of the Bonds. It is the understanding of the Issuer that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify, or expand provisions of the Code, as applicable to the Bonds, the Issuer will not be required to comply with any covenant contained herein to the extent that such modification or expansion, in the opinion of nationally-recognized bond counsel, will not adversely affect the status of the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Bonds, the Issuer agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally-recognized bond counsel, to preserve the status of the Bonds under section 103 of the Code. In furtherance of such intention, the Issuer hereby authorizes and directs the Authorized Representative to execute any documents, certificates, or reports required by the Code and to make such elections, on behalf of the Issuer, which may be permitted by the Code as are consistent with the purpose for the issuance of the Bonds.

In order to facilitate compliance with the above covenants (g), (h), and (i), a "Rebate Fund" is hereby established by the Issuer for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

Section 26. CUSTODY, APPROVAL, AND REGISTRATION OF BONDS; BOND COUNSEL'S OPINION, AND CUSIP NUMBERS. The Authorized Representative is hereby authorized to have control of the Bonds and all necessary records and proceedings pertaining to the Bonds pending their delivery and investigation, examination, and approval by the Attorney General of the State of Texas, and registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate on the Initial Bond, and the seal of said Comptroller shall be impressed, or placed in facsimile, on the Bonds. The approving legal opinion of the Issuer's Bond Counsel, a legend relative to any bond insurance policy relative to the Bonds and the assigned CUSIP numbers may, at the option of the Issuer, be printed

on the Bonds or on any Bond issued and delivered in conversion of and exchange or replacement of any Bond, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bond.

Section 27. PAYING AGENT AGREEMENT. The Issuer hereby appoints the Treasurer of the State of Texas as Paying Agent/Registrar for the Bonds authorized hereby. The Chairman of the Issuer, the Executive Secretary of the Issuer, the Authorized Representative or the Executive Director of Finance of the University of Texas System are hereby authorized to execute and deliver on behalf of the Issuer a Paying Agent Agreement.

Section 28. OFFICIAL STATEMENT. Prior to execution of the Bond Purchase Contract, the Authorized Representative, acting for and on behalf of the Board, shall cause a preliminary official statement to be prepared for distribution by the Underwriters to prospective purchasers of the Bonds, such document to be in substantially the form attached to this Resolution, which form is hereby approved, but with such changes and completions as the Authorized Representative may deem necessary or appropriate to enable the Authorized Representative, acting for and on behalf of the Board, to deem the preliminary official statement to be final as of its date, except for such omissions as are permitted by Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12"). Within seven business days after the execution of the Bond Purchase Contract, the Authorized Representative, acting for and on behalf of the Board, shall cause a final official statement to be provided to the Underwriters in compliance with Rule 15c2-12.

Section 29. REFUNDING OF PRIORITY BONDS. Concurrently with the delivery of the Bonds the Issuer shall deposit with Ameritrust Texas National Association, as Escrow Agent, an amount from the proceeds from the sale of the Bonds sufficient, together with other available amounts, to refund all of the Refunded Bonds, and in accordance with Section 7A of Vernon's Ann. Tex. St. Article 717k, as amended, and the applicable sections of Vernon's Ann. Tex. Civ. St. Article 717q that the debt service requirements on the Bonds on an actual and a present value basis will be less than those on the Refunded Bonds.

Section 30. ESCROW AGREEMENT. The discharge and defeasance of the Refunded Bonds shall be effected pursuant to the terms and provisions of the Escrow Agreement and the Authorized Representative, acting for and on behalf of the Board, is hereby authorized to approve, execute and deliver for and on behalf of the Board the Escrow Agreement to reflect the appointment, responsibilities and compensation of the Escrow Agent, such approval to be conclusively, evidenced by the Authorized Representative's execution thereof. Upon its execution and delivery by the parties thereto, said escrow agreement shall constitute a binding and enforceable agreement of the Issuer in accordance with its terms and provisions. The Authorized Representative is authorized hereby to take such steps as may be necessary to purchase the Escrowed Securities, as defined in the Escrow Agreement, on behalf of the Issuer and otherwise to create and fund the escrow fund contemplated by the Escrow Agreement.

Section 31. FURTHER PROCEDURES. The Chairman of the Issuer, the Executive Secretary of the Issuer, the Authorized Representative and the Executive Director of Finance of The University of Texas System, and all other officers, employees, and agents of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge, and deliver in the name and under the seal and on behalf of the Issuer all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Resolution, the Bonds, the Bond Purchase Contract, the Official Statement, the Paying Agent Agreement and the Escrow Agreement, including an agreement with the Treasurer of the State of Texas relating to the custody of the Pledged Revenues. In case any officer whose signature appears on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if he or she had remained in office until such delivery.

Ratings: Moody's _____
 Standard & Poor's _____
 Fitch _____

NEW ISSUE—BOOK-ENTRY ONLY

(See "RATINGS" herein)

Delivery of the Bonds is subject to the opinion of McCall, Parkhurst & Horton L.L.P., Bond Counsel, that under statutes, regulations, published rulings and court decisions existing on the date thereof, interest on the Bonds is excludable from gross income for federal income tax purposes and the Bonds will not be private activity bonds the interest on which would be included as an alternative minimum tax preference item under Section 57(a)(5) of the Internal Revenue Code of 1986. See "TAX EXEMPTION" herein for a discussion of certain collateral federal tax consequences, including the alternative minimum tax on corporations.

[SEAL]

\$ _____ *

**BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
 General Tuition Revenue Refunding Bonds, New Series 1992**

Dated: October 1, 1992

Due: August 15, as shown below

The Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, New Series 1992 (the "Bonds") are special obligations of the Board of Regents (the "Board") of The University of Texas System (the "University System"), payable solely from and secured by a lien on "Pledged Revenues" (as defined herein) which includes the "Pledged General Tuition" paid by regularly enrolled students in the University System and at any other institution, branch or school now or hereafter placed under the jurisdiction of the Board. The Bonds are issued pursuant to a Resolution (as defined herein) of the Board. **THE BOARD HAS NO TAXING POWER, AND NEITHER THE FULL FAITH AND CREDIT NOR THE TAXING POWER OF THE STATE OF TEXAS OR ANY AGENCY OR POLITICAL SUBDIVISION THEREOF IS PLEDGED AS SECURITY FOR THE BONDS. THE OWNERS OF THE BONDS SHALL NEVER HAVE THE RIGHT TO DEMAND PAYMENT OF THE BONDS FROM ANY SOURCE OTHER THAN PLEDGED REVENUES.** See "SECURITY FOR THE BONDS" herein.

THE LIEN ON PLEDGED REVENUES SECURING THE BONDS IS SUBJECT TO A PRIOR LIEN THEREON SECURING THE NONREFUNDED TUITION BONDS (AS DEFINED HEREIN). IN ADDITION, THAT PORTION OF THE PLEDGED REVENUES THAT CONSISTS OF PLEDGED GENERAL TUITION OF THE UNIVERSITY OF TEXAS-PAN AMERICAN AND INTEREST, INCOME AND EARNINGS DERIVED THEREFROM IS SUBJECT TO A PRIOR LIEN THEREON SECURING THE PAN AMERICAN TUITION BONDS (AS DEFINED HEREIN).

Proceeds from the sale of the Bonds, together with other available moneys of the Board, will be used for the purposes of refunding certain outstanding obligations of the Board and paying the costs of issuing the Bonds. See "PLAN OF FINANCING" herein.

Interest on the Bonds will accrue from October 1, 1992, and will be payable on February 15 and August 15 of each year, commencing February 15, 1993, calculated on the basis of a 360-day year composed of twelve 30-day months. The Bonds are issuable only as fully registered bonds, without coupons, and, when issued, will be initially registered in the name of Cede & Co, as registered owner and nominee for The Depository Trust Company, New York, New York ("DTC"), which initially will act as securities depository for all of the Bonds pursuant to a book-entry only system described herein. Beneficial ownership of the Bonds may be acquired in denominations of \$5,000 or any integral multiple thereof. Beneficial owners of the Bonds will not receive physical delivery of bond certificates except as described herein. For so long as Cede & Co., as nominee of DTC, is the exclusive registered owner of the Bonds, principal of and interest on the Bonds will be payable by the Paying Agent/Registrar, initially the Treasurer of the State of Texas, to DTC on each applicable payment date. DTC will be responsible for distributing the amounts so paid to the beneficial owners of the Bonds. See "DESCRIPTION OF THE BONDS—Book-Entry Only System" herein.

The Bonds are not subject to redemption prior to maturity.

<u>Maturity</u> <u>August 15</u>	<u>Amount</u>	<u>Rate</u>	<u>Yield or Price</u>
1993			
1994			
1995			
1996			
1997			
1998			
1999			
2000			
2001			
2002			

The Bonds are offered when, as and if issued, subject to approval of legality by the Attorney General of the State of Texas and the opinion of McCall, Parkhurst & Horton L.L.P., Dallas, Texas, Bond Counsel. Certain legal matters will be passed upon for the Underwriters by Jones, Day, Reavis & Pogue, Austin, Texas, and for the University System by Lannan & Moyé, Dallas, Texas. The Bonds are expected to be available for delivery on or about _____, 1992, in New York, New York.

PaineWebber Incorporated

*Preliminary, subject to change.

Board of Regents of the University of Texas System
As of _____, 1992

OFFICERS

Louis A. Beecherl, Jr., Chairman
Mario E. Ramirez, Vice-Chairman
Robert J. Cruikshank, Vice-Chairman
Arthur H. Dilly, Executive Secretary

MEMBERS

Terms Expire February 1, 1993

<i>Sam Barshop</i>	.....	<i>San Antonio</i>
<i>Louis A. Beecherl, Jr.</i>	.....	<i>Dallas</i>
<i>W.A. "Tex" Moncrief, Jr.</i>	.....	<i>Fort Worth</i>

Terms Expire February 1, 1995

<i>Robert J. Cruikshank</i>	.....	<i>Houston</i>
<i>Tom Loeffler</i>	.....	<i>San Antonio</i>
<i>Mario E. Ramirez</i>	.....	<i>Roma</i>

Terms Expire February 1, 1997

<i>Zan Wesley Holmes, Jr.</i>	.....	<i>Dallas</i>
<i>Bernard Rapoport</i>	.....	<i>Waco</i>
<i>Ellen Clarke Temple</i>	.....	<i>Lufkin</i>

Principal Administrative Officers and Staff

<i>Dr. William H. Cunningham</i>	.....	<i>Chancellor</i>
<i>Dr. James P. Duncan</i>	.....	<i>Executive Vice Chancellor for Academic Affairs</i>
<i>Dr. Charles B. Mullins</i>	.....	<i>Executive Vice Chancellor for Health Affairs</i>
<i>Mr. R. Dan Burck</i>	.....	<i>Executive Vice Chancellor for Business Affairs</i>
<i>Mr. Thomas G. Ricks</i>	.....	<i>Vice Chancellor for Asset Managements</i>
<i>Mr. Mike Milsap</i>	.....	<i>Vice Chancellor for Governmental Relations</i>
<i>Mr. Ray Farabee</i>	.....	<i>Vice Chancellor and General Counsel</i>
<i>Ms. Shirley Bird Perry</i>	.....	<i>Vice Chancellor for Development and External Relations</i>
<i>Dr. Edwin R. Sharpe, Jr.</i>	.....	<i>Special Consultants to the Chancellor</i>
<i>Mr. James Wilson</i>	.....	<i>Executive Director-Endowment Real Estate</i>
<i>Mr. John A. Roan</i>	.....	<i>Executive Director of Finance</i>
<i>Mr. Kerry L. Kennedy</i>	.....	<i>Director-Office of Budget and Fiscal Policy</i>
<i>Mr. Kenneth J. Caskrey</i>	.....	<i>Budget Director</i>
<i>Mr. Ralph Kristoferson</i>	.....	<i>Director-Facilities Planning and Construction</i>
<i>Mr. Charles G. Chaffin</i>	.....	<i>Director of Audits</i>

**CHIEF ADMINISTRATIVE OFFICERS OF
UNIVERSITY SYSTEM COMPONENT INSTITUTIONS**

<i>Dr. Ryan C. Amacher</i>	.....	<i>President, The University of Texas at Arlington</i>
<i>Dr. William Livingston</i>	.....	<i>President (Interim), The University of Texas at Austin</i>
<i>Dr. Robert H. Rufford</i>	.....	<i>President, The University of Texas at Dallas</i>
<i>Dr. Diana Natalicio</i>	.....	<i>President, The University of Texas at El Paso</i>
<i>Dr. Miguel A. Nevarez</i>	.....	<i>President, The University of Texas-Pan American</i>
<i>Dr. Juliet V. Garcia</i>	.....	<i>President, The University of Texas at Brownsville</i>
<i>Dr. Edwin R. Sharpe, Jr.</i>	.....	<i>President (Interim), The University of Texas of the Permian Basin</i>
<i>Dr. Samuel A. Kirkpatrick</i>	.....	<i>President, The University of Texas at San Antonio</i>
<i>Dr. George F. Hamm</i>	.....	<i>President, The University of Texas at Tyler</i>
<i>Dr. Kern Wildenthal</i>	.....	<i>President, The University of Texas Southwestern Medical Center at Dallas</i>
<i>Dr. Thomas N. James</i>	.....	<i>President, The University of Texas Medical Branch at Galveston</i>
<i>Dr. M. David Low</i>	.....	<i>President, The University of Texas Health Science Center at Houston</i>
<i>Dr. John P. Howe III</i>	.....	<i>President, The University of Texas Health Science Center at San Antonio</i>
<i>Dr. Charles A. LeMaistre</i>	.....	<i>President, The University of Texas M.D. Anderson Cancer Center</i>
<i>Dr. George A. Hurst</i>	.....	<i>Director, The University of Texas Health Center at Tyler</i>

[Insert Map]

[Insert List of Institutions]

No dealer, broker, salesman or other person has been authorized by the Board or the Underwriters to give any information or to make any representations other than those contained in this Official Statement, and if given or made, such other information or representations must not be relied upon as having been authorized by the Board or the Underwriters. The price and other terms respecting the offering and sale of the Bonds may be changed from time to time by the Underwriters after the Bonds are released for sale, and the Bonds may be offered and sold at prices other than the initial offering prices, including sales to dealers who may sell the Bonds into investment accounts. This Official Statement is not to be used in connection with an offer to sell or the solicitation of an offer to buy the Bonds in any state in which such offer or solicitation is not authorized or in which the person making such offer or solicitation is not qualified to do so or to any person to whom it is unlawful to make such offer or solicitation.

Any information and expressions of opinion herein contained are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Board or other matters described herein since the date hereof.

IN CONNECTION WITH THE OFFERING OF THE BONDS, THE UNDERWRITERS MAY OVERALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICE OF THE BONDS AT A LEVEL ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.

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**BOARD OF REGENTS OF
THE UNIVERSITY OF TEXAS SYSTEM**

General Tuition Revenue Refunding Bonds, New Series 1992

INTRODUCTION

This Official Statement, which includes the cover page and the Appendices hereto, provides certain information regarding the issuance by the Board of Regents of The University of Texas System (the "Board") of its General Tuition Revenue Refunding Bonds, New Series 1992 (the "Bonds"). Unless otherwise defined herein, capitalized terms used in this Official Statement have the meanings assigned to such terms in "APPENDIX B--GLOSSARY OF TERMS."

The University of Texas System (the "University System") currently consists of The University of Texas at Austin and the fourteen other state-supported institutions included in the University System by operation of Texas law. For the 1991 Fall semester, the University System had total enrollment of 145,675 students. See "GENERAL DESCRIPTION OF THE UNIVERSITY OF TEXAS SYSTEM."

This Official Statement contains summaries and descriptions of the Plan of Financing, the Bonds, the Board, the University System and the Resolution, among other things. All descriptions of documents contained herein are only summaries and are qualified in their entirety by reference to complete copies of such documents, which may be obtained from the Office of Finance of The University of Texas System, 210 West 6th Street, Austin, Texas 78701.

PLAN OF FINANCING

Authority for Issuance of the Bonds

The Bonds are being issued in accordance with the general laws of the State of Texas, including particularly Chapter 55, Texas Education Code, and Articles 717k and 717q, Vernon's Annotated Texas Civil Statutes, as amended.

*Preliminary, subject to change.

Purpose for Issuance of the Bonds

The Bonds are being issued to provide funds to refund certain of the Board's previously issued and outstanding obligations (the "Refunded Bonds") which, in whole or in part, are secured by and payable from liens on and pledges of "Pledged Revenues," and to pay costs incident to the issuance of the Bonds. See "SECURITY FOR THE BONDS." The aggregate outstanding principal amount of the Refunded Bonds is \$31,305,000. See "APPENDIX A--SCHEDULE OF REFUNDED BONDS." The issuance of the Bonds will (a) lower the overall annual debt service requirements of the Board on a net present value basis and (b) release certain security previously pledged to the payment of the Refunded Bonds. The bonds that were refunded by the Refunded Bonds were issued to finance capital improvements at various campuses of the University System.

Refunded Bonds

The Refunded Bonds and interest due thereon are to be paid on the scheduled interest payment and maturity dates, or upon earlier redemption thereof, from funds to be deposited with Ameritrust Texas N.A., Austin, Texas, as escrow agent (the "Escrow Agent"), pursuant to an escrow agreement (the "Escrow Agreement") between the Board and the Escrow Agent.

The Resolution provides that, concurrently with delivery of the Bonds, proceeds from the sale of the Bonds, together with other available funds, will be deposited with the Escrow Agent into an escrow fund (the "Escrow Fund") to pay the principal of and any redemption premium and interest on the applicable Refunded Bonds. The amounts deposited into the Escrow Fund will be in the form of cash and noncallable, direct obligations of the United States of America (the "Government Obligations") and will be sufficient to provide for the timely payment of the principal of and any redemption premium and interest on the applicable Refunded Bonds. Under the Escrow Agreement, the Escrow Fund is irrevocably pledged to the payment of principal of and any redemption premium and interest on the applicable Refunded Bonds. The Escrow Fund will not be available to pay principal of and interest on the Bonds.

Issuance of the Bonds will be subject to delivery by Ernst & Young, independent certified public accountants, of a report of the mathematical accuracy of certain computations relating to (a) the adequacy of the maturing principal amounts of the Government Obligations held in the Escrow Fund, together with a portion of the interest income thereon and uninvested cash, if any, to pay, when due, the principal of and any redemption premium and interest on the Refunded Bonds and (b) the actuarial yields relied on by Bond Counsel to support its opinion that the Bonds are not arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). Such verification of accuracy of such mathematical computations will be based upon information and

assumptions supplied by the Board, and such verification, information and assumptions will be relied on by Bond Counsel in rendering its opinion described herein.

By the deposit of the Government Obligations and cash, if any, with the Escrow Agent, the Board will have effected the defeasance of the Refunded Bonds in accordance with applicable laws and the terms of the resolutions pursuant to which the Refunded Bonds were issued. It is the opinion of Bond Counsel that, as a result of such defeasance, the Refunded Bonds will be regarded as being outstanding only for the purpose of receiving payment from proceeds of the Government Obligations and cash held for such purpose in the Escrow Fund and will no longer be payable from or secured by a lien on any portion of the Pledged Revenues.

SOURCES AND APPLICATIONS OF FUNDS

The proceeds from the sale of the Bonds and other available funds will be applied as follows:

Sources of Funds

Bond Proceeds	\$
Funds Established for Refunded Bonds	_____
Total Sources of Funds	_____

Application of Funds

Escrow Fund	\$
Funds Released to the University System	
Underwriters' Discount and Other Costs of Issuance	_____
Total Uses of Funds	_____

DESCRIPTION OF THE BONDS

General

The Bonds will be dated October 1, 1992, and will bear interest from such date at the rates shown on the cover page of this Official Statement calculated on the basis of a 360-day year composed of twelve 30-day months. Interest on the Bonds is payable on February 15 and August 15 of each year, commencing February 15, 1993. Principal of and interest on the Bonds are payable by the Paying Agent/Registrar for the Bonds, initially the Treasurer of the State of Texas, at the times and places and in the manner specified on the cover page of this Official Statement.

The Bonds are issuable only as fully registered bonds, without coupons, in the denomination of \$5,000 or any integral multiple

thereof within a stated maturity. The Bonds are initially issuable in book-entry only form. Initially, Cede & Co., as nominee of DTC (hereinafter defined), will be the registered owner and references herein to the Bondholders, holders, holders of the Bonds or registered owners of the Bonds shall mean Cede & Co., and not the beneficial owners of the Bonds. See "DESCRIPTION OF THE BONDS--Book-Entry Only System."

In the event that the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or day on which banking institutions located in New York, New York, or in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or day on which banking institutions are so authorized to close. Payment on such later date will not increase the amount of interest due and will have the same force and effect as if made on the original date payment was due.

If any Bond is not presented for payment when the principal thereof becomes due, or any check representing a payment of interest on any Bond is not presented for payment, and if money sufficient to pay such Bond or such interest, as is applicable, has been deposited under the Resolution, all liability of the Board to the owner thereof for the payment of such Bond or such interest, as applicable, will be completely discharged, and thereupon it shall be the duty of the Paying Agent/Registrar to hold such money, without liability for interest thereupon, for the benefit of the owner of the applicable Bond, who will thereafter be restricted exclusively to such money for any claim on his part under the Resolution or on or with respect to such principal and/or interest. Money not claimed within two years will, upon request of the Board, be repaid to the Board.

Redemption

The Bonds are not subject to redemption prior to maturity.

Paying Agent/Registrar

Under the Resolution, the Board reserves the right to replace the Paying Agent/Registrar. The Board covenants to maintain and provide a Paying Agent/Registrar at all times while the Bonds are outstanding, and any successor Paying Agent/Registrar shall be a competent and legally qualified bank, trust company, financial institution or other agency. In the event that the entity at any time acting as Paying Agent/Registrar should resign or otherwise cease to act as such, the Board covenants promptly to appoint a competent and legally qualified bank, trust company, financial institution or other agency to act as Paying Agent/Registrar. Upon any change in the Paying Agent/Registrar for the Bonds, the Board

agrees promptly to cause a written notice thereof to be sent to each registered owner of the Bonds by United States mail, first class, postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Book-Entry Only System

Book-Entry Only System. The Bonds will be available in book-entry form only. Purchasers of the Bonds will not receive certificates representing their interests in the Bonds purchased.

The Bonds will be held by The Depository Trust Company, New York, New York ("DTC"), as securities depository. The ownership of one fully registered Bond for each maturity will be registered in the name of Cede & Co., as nominee for DTC. DTC is a limited-purpose trust company organized under the laws of the State of New York, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, as amended. DTC was created to hold securities of its participants (the "DTC Participants") and to facilitate the clearance and settlement of securities transactions among DTC Participants in such securities through electronic book-entry changes in accounts of the DTC Participants, thereby eliminating the need for physical movement of securities certificates. DTC Participants include securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations, some of whom (and/or their representatives) own DTC. Access to the DTC system is also available to others, such as banks, brokers, dealers and trust companies, that clear through or maintain a custodial relationship with a DTC Participant, either directly or indirectly.

Ownership interests in the Bonds may be purchased by or through DTC Participants. Such DTC Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive certificated Bonds, but each DTC Participant is to receive a credit balance on the records of DTC in the amount of such DTC Participant's interest in the Bonds, which is to be confirmed in accordance with DTC's standard procedures. Each such person for whom a DTC Participant acquires an interest in the Bonds, as nominee, should make arrangements with such DTC Participant to receive a credit balance in the records of such DTC Participant, and should make arrangements with such DTC Participant to have all notices of redemption or other communications to DTC, which may affect such persons, forwarded in writing by such DTC Participant and to have notification made of all interest payments. Neither the Board nor the Paying Agent/Registrar will have any responsibility or obligation to such DTC Participants or the persons for whom they act as nominees with respect to the Bonds in respect of the accuracy of any records maintained by DTC or any DTC Participant; the payment by DTC or any DTC Participant of any

amount in respect of the principal of or interest on the Bonds; any notice that is permitted or required to be given to Bondholders under the Resolution; the selection by DTC or any DTC Participant of any person to receive payment in the event of a partial redemption of the Bonds; or any consent given or other action taken by DTC as Bondholder. In this Official Statement, the term "Beneficial Owner" includes the person for whom the DTC Participant acquired an interest in the Bonds.

SO LONG AS CEDE & CO. IS THE REGISTERED OWNER OF THE BONDS, AS NOMINEE OF DTC, REFERENCE HEREIN TO THE BONDHOLDERS OR REGISTERED OWNERS OF THE BONDS MEANS CEDE & CO., NOT THE BENEFICIAL OWNERS OF THE BONDS.

DTC is to receive payments from the Paying Agent/Registrar to be remitted to the DTC Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Bonds is to be recorded on the records of the DTC Participants, whose ownership interests are to be recorded on a computerized book-entry system operated by DTC.

When reference is made to any action that is required or permitted to be taken by the Beneficial Owner, such reference only relates to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they are to be sent by the Paying Agent/Registrar to DTC only. DTC is responsible for notifying DTC Participants, and DTC Participants are responsible for notifying the Beneficial Owners. Neither the Paying Agent/Registrar nor the Board is responsible for sending notices to Beneficial Owners.

Beneficial Owners are to receive a written confirmation of their purchase detailing the terms of the Bonds acquired. Transfers of ownership interests in the Bonds are to be accomplished by book entries made by DTC and by the DTC Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Bonds, except as specifically provided in the Resolution. Interest and principal are to be paid by the Paying Agent/Registrar to DTC, then paid by DTC to the DTC Participants and thereafter paid by the DTC Participants to the Beneficial Owners when due.

For every transfer and exchange of the Bonds, the Beneficial Owner may be charged a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in relation thereto.

Termination of Book-Entry Only System. In the event that the Board determines to discontinue the book-entry system through DTC or DTC determines to discontinue providing its services with respect to the Bonds, the Board is required to either (i) appoint a successor securities depository, qualified to act as such under

Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts. In such event, the Bonds may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names owners of the Bonds transferring or exchanging Bonds shall designate in accordance with the Resolution.

Effect of Termination of Book-Entry Only System. In the event that the Book-Entry Only System is discontinued by DTC or the Board, the following provisions will be applicable to the Bonds: Bonds may be exchanged for an equal aggregate principal amount of Bonds in authorized denominations and of the same maturity upon surrender thereof at the principal corporate trust office of the Paying Agent/Registrar with a duly executed assignment in form satisfactory to the Paying Agent/Registrar. The transfer of any Bond may be registered on the books maintained by the Paying Agent/Registrar for such purpose only upon the surrender of such Bond to the Paying Agent/Registrar with a duly executed assignment in form satisfactory to the Paying Agent/Registrar. For every exchange or registration of transfer of Bonds, the Board and the Paying Agent/Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer. The Board shall pay the fee, if any, charged by the Paying Agent/Registrar for the transfer or exchange. The Board and the Paying Agent/Registrar may treat the person in whose name a Bond is registered as the absolute owner thereof for all purposes, whether such Bond is overdue or not, including for the purpose of receiving payment of, or on account of, the principal of, and interest on, such Bond.

Resolution

The Resolution specifically provides for the issuance, sale and delivery of the Bonds. See "APPENDIX C--SUMMARY OF THE RESOLUTION" for a description of the Resolution. The Resolution provides that in the event of a default in connection with any covenant contained therein or in the payment of principal of or interest on the Bonds, any owner of a Bond may institute mandamus proceedings against the Board or any other necessary or appropriate party for the purpose of enforcing payment from the Pledged Revenues or enforcing the relevant covenant. THE OWNERS OF THE BONDS DO NOT HAVE A RIGHT TO ACCELERATE THE BONDS.

SECURITY FOR THE BONDS

Pledge Under the Resolution

Under the Resolution, the Bonds and any Additional Bonds are special obligations of the Board and are secured solely by and are payable solely from the lien on and pledge of the Pledged Revenues. Pledged Revenues consist of (a) the Pledged General Tuition, (b) all interest, income and earnings derived from the deposit and investment of the Interest and Sinking Fund, and (c) any additional revenues, income, receipts or other resources whatsoever received or to be received from any public or private source, whether pursuant to an agreement or otherwise, which may be subsequently pledged to the payment of the Bonds or the Additional Bonds.

THE LIEN ON PLEDGED REVENUES SECURING THE BONDS IS SUBJECT TO A PRIOR LIEN THEREON SECURING THE NONREFUNDED TUITION BONDS (AS DEFINED IN "APPENDIX B--GLOSSARY OF TERMS"). THE LAST OF THE NONREFUNDED TUITION BONDS MATURE ON AUGUST 15, 1997. WHEN THE LAST OF SUCH NONREFUNDED TUITION BONDS IS PAID, THE LIEN THEREFOR ON THE PLEDGED REVENUES WILL BE DISCHARGED.

THAT PORTION OF THE PLEDGED REVENUES THAT CONSISTS OF PLEDGED GENERAL TUITION OF THE UNIVERSITY OF TEXAS-PAN AMERICAN AND INTEREST, INCOME AND EARNINGS DERIVED THEREFROM IS SUBJECT TO A PRIOR LIEN THEREON SECURING UNIVERSITY OF TEXAS-PAN AMERICAN TUITION REVENUE REFUNDING BONDS, SERIES 1986 (THE "PAN AMERICAN TUITION BONDS") OF WHICH \$6,030,000 ARE OUTSTANDING. THE PAN AMERICAN TUITION BONDS MATURE IN THE YEAR 2003.

The Board has covenanted in the Resolution that while the Bonds are outstanding and unpaid, the Board will not issue any Bonds on a parity with the Nonrefunded Tuition Bonds or the Pan American Tuition Bonds or otherwise additionally encumber the Pledged Revenues in any manner, except as permitted in the Resolution, unless the encumbrance is made junior and subordinate in all respects to the liens, pledges, covenants and agreements in the Resolution. See "APPENDIX C--SUMMARY OF THE RESOLUTION."

THE BONDS ARE NOT GENERAL OBLIGATIONS OF THE BOARD, THE UNIVERSITY SYSTEM, THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE. THE BOARD HAS NO TAXING POWER AND NEITHER THE CREDIT NOR THE TAXING POWER OF THE STATE OR ANY AGENCY OR POLITICAL SUBDIVISION THEREOF IS PLEDGED AS SECURITY FOR THE BONDS. THE OWNERS OF THE BONDS SHALL NEVER HAVE THE RIGHT TO DEMAND PAYMENT OF THE BONDS FROM ANY SOURCE OTHER THAN THE PLEDGED REVENUES. NO RESERVE FUND WILL BE ESTABLISHED TO SECURE PAYMENT OF THE BONDS. THE RESERVE FUND ESTABLISHED FOR THE NONREFUNDED TUITION BONDS WILL NOT BE AVAILABLE TO PAY PRINCIPAL OF OR INTEREST ON THE BONDS.

Pledged General Tuition

The Pledged General Tuition consists of the aggregate amount of student tuition charges now or hereafter required or authorized by law to be imposed on students enrolled at each and every institution, branch and school now or hereafter operated by or under the jurisdiction of the Board. Pledged General Tuition specifically excludes, however, (a) the amount of tuition scholarships now provided for by law (as set forth in the Texas Education Code) and (b) the tuition fee authorized by Section 55.17, Texas Education Code, imposed on each tuition paying student enrolled at the institutions and branches of the University System (except certain health related institutions) (presently, \$5.00 from each enrolled student for each regular semester and \$2.50 from each enrolled student for each term of each summer session). The pledge of the Pledged General Tuition to secure the payment of the Bonds may not be abrogated while the Bonds remain outstanding.

The following table sets forth the historical annual gross amounts of the Pledged General Tuition for the fiscal years indicated:

Fiscal Year Ending August 31	Aggregated Enrollment			Annual Collection of Pledged General Tuition(1)
	Fall Semester	Spring Semester	Summer Sessions	
1987	116,343	110,529	67,726	\$ 63,986,906
1988	118,773	112,637	69,344	66,778,222
1989	123,465	118,157	70,993	74,858,292
1990	140,136	134,569	81,687	89,298,386
1991	143,355	137,585	83,275	91,696,731
1992	145,675	140,557	85,849	100,880,387(2)

(1) The University of Texas-Pan American joined the University System in fiscal year 1990. Therefore, tuition revenues from The University of Texas-Pan American are included beginning in fiscal year 1990.

(2) Estimated.

The Board is unaware of any reason why annual gross amounts of the Pledged General Tuition will decrease in the future.

Tuition is set by the State Legislature and the Board under Chapters 54 and 55 of the Texas Education Code. Pursuant to legislation passed in 1985, the undergraduate tuition charged to State residents increased over an eight-year period from \$4 per semester credit hour in 1984 to the current level of \$24. State law provides for a future increase in undergraduate tuition applicable to State residents to \$32 for the 1996-97 school years. Undergraduate tuition for non-State residents also increased pursuant to the 1985 legislation from \$40 per semester credit hour in 1984 to the current level of \$122 per semester credit hour.

Additional Parity Revenue Bonds

The Board has reserved the right in the Resolution to issue Additional Bonds on a parity as to security and payment with the

Bonds upon the terms and conditions set forth in the Resolution. For a description of these terms and conditions, see "APPENDIX C--SUMMARY OF THE RESOLUTION."

DEBT SERVICE REQUIREMENTS AND COVERAGE

The following table sets forth the historical principal and interest debt service requirements of the Refunded Bonds, the Nonrefunded Tuition Bonds and the Pan American Tuition Bonds, as well as the debt service coverage provided by the Pledged General Tuition:

<u>Fiscal Year Ending August 31</u>	<u>Annual Collection of Pledged General Tuition(1)</u>	<u>Annual Debt Service on Series 1986 Tuitions Bonds(2)</u>	<u>Annual Debt Service on Pan American Bonds (1)</u>	<u>Total Annual Debt Service on Tuition Bonds</u>	<u>Coverage(3)</u>
1987	\$ 63,986,906	\$10,775,296	N/A	\$10,775,296	5.94
1988	66,778,222	8,851,729	N/A	8,851,729	7.54
1989	74,858,292	8,856,739	N/A	8,856,739	8.45
1990	89,298,386	10,861,639	\$923,788	11,785,427	7.58
1991	91,696,731	10,875,999	924,725	11,800,724	7.77
1992(4)	100,880,387	10,735,211	928,075	11,663,286	8.64

- (1) The University of Texas-Pan American joined the University System in fiscal year 1990. Therefore, tuition revenues from The University of Texas-Pan American and debt service on the Pan American Tuition Bonds are included beginning in fiscal year 1990.
- (2) The Series 1986 Bonds are the Refunded Bonds and the Nonrefunded Tuition Bonds.
- (3) The coverage calculation is based on the assumption that no income other than Pledged General Tuition is available to pay debt service. Coverage represents the Annual Gross Collection of Pledged General Tuition divided by Total Annual Debt Service on Tuition Bonds.
- (4) Estimated.

The following table sets forth the principal and interest debt service requirements of the Bonds, the Nonrefunded Tuition Bonds and the Pan American Tuition Bonds:

<u>Fiscal Year Ending August 31</u>	<u>Annual Debt Service on the Bonds(1)</u>	<u>Annual Debt Service on the Nonrefunded Tuition Bonds</u>	<u>Annual Debt Service on the Pan American Tuition Bonds</u>	<u>Total Annual Debt Service</u>
1993	\$ _____	\$ _____	\$ _____	\$ _____
1994	_____	_____	_____	_____
1995	_____	_____	_____	_____
1996	_____	_____	_____	_____
1997	_____	_____	_____	_____
1998	_____	_____	_____	_____
1999	_____	_____	_____	_____
2000	_____	_____	_____	_____
2001	_____	_____	_____	_____
2002	_____	_____	_____	_____
2003	_____	_____	_____	_____

(1) In fiscal year 1993, debt service on the Refunded Bonds accruing prior to the date of the Bonds is included.

GENERAL DESCRIPTION OF THE UNIVERSITY OF TEXAS SYSTEM

Background and History

The University of Texas System was established pursuant to the Texas Constitution of 1876. In 1881, Austin was designated the site of the main academic campus and Galveston as the location of the medical branch. The University of Texas at Austin first opened in 1883, and, eight years later, John Sealy Hospital in Galveston (now a part of the University System's Medical Branch at Galveston) established a program for university-trained medical professionals.

In addition to the original academic campus located in Austin, the University System now includes additional academic campuses in El Paso, Dallas, Arlington, San Antonio, the Permian Basin (Odessa), Tyler, Brownsville and Edinburg. Health Institutions for medical education and research have expanded beyond the original Galveston medical campus to include the University System's M.D. Anderson Cancer Center (Houston), Southwestern Medical Center at Dallas, Health Science Centers at Houston and San Antonio, and a Health Center at Tyler. The fifteen component institutions of the University System have emerged among the nation's premier educational enterprises.

Coordinating Board

The University System is subject to the supervisory powers of the Texas Higher Education Coordinating Board (the "Coordinating Board"). The Coordinating Board is an agency of the State established to promote the efficient use of State resources by providing coordination and leadership for the State's higher education systems, institutions and governing boards. The Coordinating Board also determines space utilization formulas designed to promote the efficient use of construction funds and the development of physical plants to meet projected growth estimates. These space utilization formulas directly impact the allocation of appropriated funds among the State's institutions of higher education. The Coordinating Board must approve all new construction projects for components of the University System, other than construction projects at The University of Texas at Austin financed with the proceeds of Permanent University Fund bonds.

Board of Regents

The Board is the governing body of the University System, and its members are officers of the State, appointed by the Governor with the advice and consent of the State Senate. The nine regents constituting the Board serve without pay and are appointed to staggered six-year terms. The Board members, their cities of residence, and term expirations are listed on page (i) of this Official Statement.

The Board maintains the following six standing committees to consider policies for the government of all major areas: (a) Executive Committee; (b) Business Affairs and Audit Committee; (c) Academic Affairs Committee; (d) Health Affairs Committee; (e) Facilities Planning and Construction Committee; and (f) Asset Management Committee.

The Executive Committee is composed of the Chairman and Vice-Chairmen of the Board. The Chairman of the Board is the Chairman of the Executive Committee. Each standing committee, other than the Executive Committee, is composed of not less than three members of the Board appointed by the Chairman.

Administration

The University System is managed through administrative officers in the System Administration Office, including the Chancellor, the Executive Vice Chancellors for Academic Affairs, Health Affairs and Business Affairs, and other officers concerned with investment, legal, governmental relations and development. The chief administrative officers at all of the component institutions report to either the Executive Vice Chancellor for Academic Affairs or the Executive Vice Chancellor for Health Affairs and meet with the Chancellor and their representative Executive Vice Chancellor on a bimonthly basis in Austin. The Executive Vice Chancellor for Business Affairs and the chief business officers at each component also meet bi-monthly to consider topics of mutual concern.

At each component institution a president serves as the chief administrative officer. The president prepares biennial budgets for submission to the State Legislature, capital expenditure budgets, reports and requests to the Coordinating Board and conducts the ongoing affairs of his or her institution.

The principal administrative officers of the University System are listed below. All of such officers reside in Austin, the headquarters for the University System.

Dr. William H. Cunningham	Chancellor
Dr. James P. Duncan	Executive Vice Chancellor for Academic Affairs
Dr. Charles B. Mullins	Executive Vice Chancellor for Health Affairs
Mr. R. Dan Burck	Executive Vice Chancellor for Business Affairs

Summary biographical information relating to each of the principal administrative officers identified above is set forth as follows:

Dr. William H. Cunningham assumed his duties as Chancellor of the University System on September 1, 1992. From 1985 until becoming Chancellor, Dr. Cunningham held the position of President at The University of Texas at Austin. A Ph.D. graduate of Michigan State University, he joined the University System in 1971. Dr. Cunningham holds the Regents Chair in Higher Education Leadership and the James L. Bayless Chair for Free Enterprise at The University of Texas at Austin. He has been the recipient of numerous teaching awards and has served on over forty public and private commissions and boards since coming to the University System.

Dr. James P. Duncan was named Executive Vice Chancellor for Academic Affairs of the University System in June 1983. Dr. Duncan has received a Bachelor of Arts, a Master of Science, and a Doctorate of Education, all from Indiana University. Dr. Duncan is also a professor of educational administration on the faculty of The University of Texas at Austin. As Executive Vice Chancellor for Academic Affairs, Dr. Duncan is responsible for academic planning, programs, personnel, facilities planning and construction, and budgeting for the academic components of the University System.

Dr. Charles B. Mullins was named Executive Vice Chancellor for Health Affairs of the University System on September 1, 1981. Dr. Mullins received an M.D. in 1958 from The University of Texas Southwestern Medical Center at Dallas. Since that time, Dr. Mullins has held the positions of flight surgeon for the United States Air Force, professor of medicine at The University of Texas Southwestern Medical Center at Dallas, Director of Medical Affairs at Parkland Memorial Hospital in Dallas and Chief Executive Officer for Dallas County Hospital District, among others. Dr. Mullins has written numerous published medical and administrative reviews, editorials and books.

Mr. R. Dan Burck was named Executive Vice Chancellor for Business Affairs of the University System in April 1992. Since joining the University System in 1988, Mr. Burck had held the post of Vice Chancellor for Business Affairs. Mr. Burck's business career includes 29 years with Getty Oil. A graduate of The University of Texas at Austin, his duties include management responsibility for finance, budget, human resources, the West Texas Lands (an asset of the Permanent University Fund), facilities planning and construction, and the operational aspects of the University System headquarters administration in Austin.

Component Institutions

A summary description of the University System's component institutions, which includes nine general academic institutions and six Health Institutions, each of which is a Member of the Revenue Financing System, is set forth as follows:

General Academic Institutions

The University of Texas at Arlington is a major comprehensive teaching, research and public service institution located in the heart of the Dallas/Fort Worth Metroplex. As the University System's second largest component, this institution offers 51 baccalaureate, 56 master, and 19 doctorate degree programs within nine academic units including Architecture, Business, Engineering, Liberal Arts, Nursing, Sciences, Social Work, Teacher Education, and Urban Studies. A high priority on graduate education has stimulated the growth of the Graduate School to nearly 20% of the total student population. The largest enrollment is in the engineering disciplines, and one of the fastest-growing programs is the doctorate in humanities, which continues to receive national accolades.

The University of Texas at Austin, which opened in 1883, is the oldest and largest component of the University System. It is a major comprehensive research university with a broad mission of undergraduate education, graduate education and research, and public service. Serving more than 49,000 students, the institution offers 273 degree programs in a wide array of academic disciplines. Numerous academic programs are ranked among the top 20 nationally. Because of its relatively low tuition and high academic standing, The University of Texas at Austin is consistently ranked among the best values in higher education in the nation. Its academic resources include the nation's fifth largest university library, which has more than 6.5 million volumes. The library not only serves the campus community, but also is a major source of information for scholars, professional people, businesses, government agencies and the general public across the State.

The University of Texas at Brownsville, formerly a part of the University of Texas-Pan American, became a separate institution of the University System as of September 1, 1991. The institution has formed an educational partnership with Texas Southmost College. The partnership institution operates with a consolidated administrative structure, and the combined faculty and shared teaching mission provides for continuity in curriculum, efficient use of physical, fiscal, and human resources, and high quality instructional programs. The University of Texas at Brownsville offers junior, senior and graduate level course-work, and in partnership with, and on

behalf of, Texas Southmost College, offers freshman and sophomore level course-work and a full range of occupational-technical and continuing education programs. Through the College of Liberal Arts and the College of Science and Mathematics, the Schools of Business and Industry, Education, and Health Sciences, and the Division of Continuing Education, the partnership institution awards associate, bachelor and master degrees. In cooperation with the University of Houston, a cooperative doctoral program in Educational Administration is also offered on the newly renovated campus.

The University of Texas at Dallas is a doctoral degree-granting university developed from a private graduate research center established in 1962. The University of Texas at Dallas offered only junior, senior and graduate studies until the addition of freshman and sophomore classes were approved in 1990. The institution is recognized for its academic research. When measured by research funding per faculty member, it consistently ranks among the top three academic research-oriented universities in the State. The Schools of the institution (Arts and Humanities, General Studies, Engineering and Computer Science, Human Development, Management, Natural Sciences and Mathematics, and Social Sciences) provide public service as well as study and research opportunities. The School of Human Development Callier Center for Communication Disorders, for example, offers clinical and educational services to children and adults with hearing disabilities; the School of Social Sciences Bruton Center for Development Studies makes timely data analysis available to city leaders throughout the North Texas region.

The University of Texas at El Paso, the largest Hispanic-majority university in the United States, serves as a national model for other higher education institutions as they attempt to respond to student demographic changes. As a regional university, The University of Texas at El Paso serves a largely commuting student population of almost 17,000, 86% of whom are from El Paso County. Additionally, over 1,000 Mexican nationals, approximately 12% of all Mexican citizens enrolled in higher education in the United States, attend the institution.

The University of Texas at El Paso now ranks eighth among general academic universities in Texas in total annual research expenditures, with a four-fold increase in external funding during the past five years. Through such units as the Institute for Manufacturing and Materials Management, Center for Environmental Resource Management, Center for Inter-American and Border Studies and the Materials Research Center of Excellence, faculty and students apply their expertise to critical issues in such areas as the environment, materials science and engineering development.

The University of Texas-Pan American, located in Edinburg, was founded in 1927 and joined the University System in 1989. Nearly all of the institution's students come from the immediate region, the four southern-most counties of Texas known as the Rio Grande Valley. The University has the largest enrollment of Hispanic students in the United States. About 85% of its 12,466 students are Hispanic, reflecting the demography of the region. Special programs to enhance the education of the institution's unique population include the Minority Biomedical Research Support Program, which gives minority students valuable research experience while increasing their chances for acceptance to graduate school. Special research centers include the Coastal Studies Laboratory on South Padre Island, where research focuses on the Laguna Madre, Padre Island, and the coastal zone of southern Texas and northern Mexico, and the Center for Neurological Studies, where researchers study brain activity during computer-generated simulations.

The University of Texas of the Permian Basin in Odessa, which was created as a junior and senior level institution by the Texas Legislature in 1969, became a four-year university in May 1991 and welcomed 179 freshmen students on September 3, 1991. The institution's academic structure consists of five divisions: Behavioral Science and Kinesiology; Business; Education; Humanities and Fine Arts; and Science and Engineering. Nine master's degrees and 27 bachelor's degrees are offered. Enrollment for Spring 1992 was 2,091, of which 158 were freshman. Special programs include international study, premedical and prelegal studies, and teacher certification. On the graduate level, a Master of Science in Electrical Engineering is offered in conjunction with The University of Texas at El Paso and a Master of Science in Petroleum Engineering is offered in cooperation with The University of Texas at Austin.

The University at San Antonio has developed reciprocal partnerships with the community to provide a high quality, accessible educational experience for all students, to be inclusive in its programs and activities, and to provide leadership to meet educational and research needs of the city and region. To achieve these goals, the institution has forged alliances with public school districts, universities in the United States and Mexico, research and civic organizations, local, state and federal governments, and area businesses. Many of these liaisons and collaborative mechanisms are academic, such as support for graduate programs, distinguished faculty and graduate students, for continuing professional education, and for providing resources to stimulate intellectual activity or new degree programs where there are critical shortages. Others are research-centered, such as those that discover new biological materials

or that engage in joint efforts to transfer sophisticated military technology to the private sector. Others are service-related, such as programs providing advice and counsel to entrepreneurs who own or want to start businesses. A Ph.D. program in neurobiology will begin accepting students in fall 1992, while new doctoral programs in computer science, engineering and educational leadership are being designed. A tourism management program is under development and a new master of science degree in management technology awaits approval by the Texas Higher Education Coordinating Board.

The Institute of Texas Cultures at San Antonio is a part of The University of Texas at San Antonio. Since its completion in 1968, The University of Texas Institute of Texan Cultures at San Antonio has grown from a world's fair exhibit to a state-wide educational institute. Through its research and programs, the Institute provides people across the state with resources and opportunities to learn about the history and culture of Texas.

The University of Texas at Tyler is the only public degree-granting university in the East Texas Planning Region, an area of approximately 700,000 population, which includes the greater Tyler/Longview metropolitan area. The institution offers junior, senior and graduate level courses through the School of Business Administration, Education and Psychology, Liberal Arts, and Sciences and Mathematics. The institution also offers programs that support professions and specialized careers, such as accounting, computer science, nursing and health sciences, fine arts, public administration, psychology, and education, and preparation for studies in medicine and law.

Health Institutions

University of Texas Southwestern Medical Center at Dallas encompasses Southwestern Medical School, Southwestern Graduate School of Biomedical Sciences and Southwestern Allied Health Sciences School. The three schools enroll about 1,600 students and train approximately 1,200 more individuals as postdoctoral resident physicians or research fellows. The medical school is by many measures among the top medical schools in the United States. The school has among its faculty members three active Nobel Laureates -- Drs. Michael Brown and Joseph Goldstein (1985 Nobel Prize in Medicine) and Dr. Johann Disenhofer (1988 Nobel prize in Chemistry) -- nine members of the National Academy of Sciences and three members of Britain's Royal Society. The Southwestern Graduate School of Biomedical Sciences is one of the largest such programs in the United States. The Southwestern School of Allied Health Sciences trains medical technologists, physical therapists, clinical nutritionists, physician assistants, and others to

fill the growing demand for these professions. More than \$100 million is spent each year at the institution on research in cancer, heart disease and stroke, diabetes, burns, arthritis, mental illness, and on many other scientific fronts.

Located on the 60-acre main campus are three teaching and referral hospitals: Parkland Memorial Hospital, Children's Medical Center and Zale Lipshy University Hospital. On the new 40-acre campus site nearby, the Mary Nell and Ralph B. Rogers MRI Center has opened, and the Simmons Biomedical Research Building is being constructed. By the year 2011, the medical center's new North campus nearby will be home to the MRI Center and six new research towers, which will make The University of Texas Southwestern Medical Center one of the largest biomedical research institutions in the United States.

The University of Texas Medical Branch at Galveston is the oldest health science education center in Texas and the second oldest component in the University System. Founded in 1891 as the Medical Department of The University of Texas, The University of Texas Medical Branch at Galveston has graduated more than 17,000 health science professionals. It is estimated that one in four of the State's physicians was trained at the institution. Reflecting the institution's three-fold mission of health science education, research and patient care, the 82-acre campus, located on the eastern end of Galveston Island, includes 73 major buildings which house the institution's four schools, two institutes, seven hospitals and 107 outpatient clinics. Approximately 2,900 students are enrolled in the institution's academic programs offered through the School of Medicine, the School of Nursing, the School of Allied Health Sciences, the Graduate School of Biomedical Sciences, the Marine Biomedical Institute and the Institute for the Medical Humanities.

The State's only multi-categorical health care referral center, the institution treated patients from 249 of Texas' 254 counties in the past year and recorded 27,000 inpatient admissions and more than 362,000 outpatient visits. John Sealy Tower, a 12-story, 528-bed tower, is the central patient care facility, and other hospitals include John Sealy Hospital, Jennie Sealy Hospital, R. Waverley Smith Pavilion, Mary Moody Northern Pavilion, the Children's Hospital and the Texas Department of Criminal Justice Hospital. The institution's hospitals have a total of 850 beds. The nation's first Geriatric Day Hospital and Shriners Burns Institute are also located on the campus. The recently opened \$38 million Emergency Room, a Level I Trauma Center, is one of the largest and most sophisticated emergency treatment facilities in the world today. A new seven-story, \$25 million Medical Research Building was dedicated in 1991 and received

approval to add four additional floors. The new \$40 million Shriners Burns Institute opened in April of 1992.

The University of Texas Health Science Center at Houston exhibits a dedication to research totaling more than \$53 million. The institution's physicians provide care for more than 230,000 outpatients a year at their multi-disciplinary group practice facilities, the largest true group practice in Houston. They also provide care and student training at clinics throughout Houston and in the Rio Grande Valley, where the six schools jointly have established extensive activities in patient care, education and research. The institution is an advocate of health promotion and disease prevention through, among other things, its Center for Health Promotion Research and Development.

The University of Texas Health Science Center at San Antonio with its five schools - medical, dental, nursing, graduate school of biomedical sciences, and allied health sciences - is an emerging national and international leader in the biosciences. It is one of only six sites worldwide approved by the National Cancer Institute for initial patient trials of new anticancer drugs. The transplant team performed the first infant heart transplant in South Texas and is recognized as one of the world's four preeminent centers for single lung transplantation. In addition to being part of the international human genome project, the institution has made advances in breast cancer, stroke prevention, pediatric AIDS care, the physiology of aging, new drug development using computer technology and clinical orthopaedic procedures. The institution offers the only Ph.D. in nursing in South Texas and the first master's degree in the nation in radiological sciences with a specialty in medical health physics. The academic library is one of the 10 largest in North America. The Medical School is one of seven Hispanic Centers of Excellence named by the U.S. Public Health Service and has the highest numbers of Mexican-American medical faculty, medical student enrollment and graduation of any medical school in the country.

The University of Texas M.D. Anderson Cancer Center is among the world's premier centers for cancer patient care, research, education and prevention. The joint research efforts that made modern radiotherapy a viable treatment alternative continue today at The University of Texas M.D. Anderson Cancer Center in one of the world's largest radiotherapy centers. Research is being done on the effective use of new chemotherapy drugs on the new field of immunotherapy, including studies of interferon. Since the institution accepted its first patient in 1944, more than 275,000 people have received the highest caliber care.

Currently, more than 6,700 employees work at the institution, including more than 590 physicians and scientists.

The University of Texas Health Center at Tyler is a referral hospital for cardiopulmonary diseases. Founded in 1947 by the State Legislature as a tuberculosis hospital, the institution joined the University System in 1977 and has since expanded its research and educational missions. Its medical services now include cardiology, general internal medicine, family medicine, infectious disease, occupational medicine, oncology, pediatric allergy and pulmonary, and adult pulmonary diseases. Support services include pathology, lab testing, diagnostic radiology and cardio-vascular and thoracic surgery. About 3,000 inpatient admissions and 60,000 outpatient visits were recorded in fiscal year 1991. The institution has more than 25 Ph.D.s working in Biomedical Research, investigating some of today's most important health problems such as lung cancer, cellular and molecular mechanisms of lung injury and Adult Respiratory Distress Syndrome.

Enrollment

The following are the historical headcount enrollment figures at the teaching institutions of the University System during the past five fall semesters and the present fall semester:

	<u>Fall Enrollment(1)</u>					<u>1992-93(3)</u>
	<u>1987-88</u>	<u>1988-89</u>	<u>1989-90</u>	<u>1990-91</u>	<u>1991-92</u>	
The University of Texas at Arlington	22,760	23,383	23,871	24,782	25,135	
The University of Texas at Austin	47,743	50,107	50,245	49,617	49,961	
The University of Texas at Brownsville(2)	-----	-----	-----	-----	1,457	
The University of Texas at Dallas	7,735	7,667	8,101	8,685	8,980	
The University of Texas at El Paso	14,056	14,971	15,707	16,539	16,795	
The University of Texas Pan American (2)	-----	-----	13,566	13,680	12,466	
The University of Texas of the Permian Basin	1,955	2,131	2,111	2,044	2,107	
The University of Texas at San Antonio	12,879	13,134	14,031	15,489	15,759	
The University of Texas at Tyler	3,682	3,851	4,091	3,719	3,789	
The University of Texas Southwestern Medical Center at Dallas	1,407	1,460	1,479	1,529	1,595	
The University of Texas Medical Branch at Galveston	1,692	1,705	1,678	1,799	1,960	
The University of Texas Health Science Center at Houston	2,667	2,837	2,894	3,016	3,125	
The University of Texas Health Science Center at San Antonio	<u>2,197</u>	<u>2,219</u>	<u>2,362</u>	<u>2,456</u>	<u>2,546</u>	
Total	<u>118,773</u>	<u>123,465</u>	<u>140,136</u>	<u>143,355</u>	<u>145,675</u>	

- (1) The University of Texas M.D. Anderson Cancer Center and The University of Texas Health Center at Tyler do not have enrolled students.
- (2) The University of Texas - Pan American joined the University System as of September 1, 1989. The University of Texas at Brownsville joined the University System as of September 1, 1989 as an upper level institution of The University of Texas - Pan American. As of September 1, 1991, The University of Texas at Brownsville became a separate institution of the University System.
- (3) The numbers in this column are based on preliminary information reported by each of the listed institutions and are subject to change.

Degrees Awarded

Set forth below is a listing of the degrees awarded at the degree granting components of the University System during the past five fiscal years.

Degrees Awarded

	<u>1987-1988(1)</u>	<u>1988-1989(1)</u>	<u>1989-1990</u>	<u>1990-1991</u>	<u>1991-1992(2)</u>
<u>General Academic Institutions</u>					
Associate	-----	88	73	87	
Baccalaureate	13,708	14,612	16,062	17,057	
Master's	3,875	4,155	4,463	4,698	
Doctoral	706	748	805	824	
Special Professional	517	890	550	558	
Total	<u>18,806</u>	<u>20,493</u>	<u>21,953</u>	<u>23,224</u>	
<u>Health Institutions</u>					
Certificate	117	184	123	164	
Baccalaureate	744	779	787	899	
Master's	296	224	310	297	
Doctoral					
Ph.D.	144	102	156	117	
M.D.	755	753	749	748	
D.D.S.	191	172	178	171	
Total	<u>2,247</u>	<u>2,214</u>	<u>2,303</u>	<u>2,396</u>	

(1) Does not include degrees awarded at The University of Texas - Pan American, which joined the University System as of September 1989, and The University of Texas at Brownsville, which joined the University System as a part of The University of Texas - Pan American as of September 1, 1989 and became a separate institution of the University System as of September 1991.

(2) Counts for 1991-92 will not be available until October.

Faculty and Employees

The numbers of full-time equivalent faculty and employees employed by the component institutions of the University System as of September 1992, the most recent date for which such information is available, are set forth in the following table:

Full-Time Equivalent Faculty and Employees

	<u>May 1992</u>	<u>Percent of Total</u>
<u>General Academic Institutions</u>		
Faculty	8,537	12.7
All Other Employees	<u>26,030</u>	<u>38.7</u>
Subtotal	34,567	51.4
<u>Health Institutions</u>		
Faculty	4,817	7.2
All Other Employees	<u>27,413</u>	<u>40.8</u>
Subtotal	32,230	48.0
University System Administration	<u>399</u>	<u>.6</u>
TOTAL	67,196	100.0

The quality of the faculty in the University System is evidenced by a wide range of honors, awards and grants. Currently, the faculty of the component institutions within the University System includes: six Nobel Prize Laureates; two Pulitzer Prize Winners; 26 Members of the National Academy of Sciences; 28 Members of the National Academy of Engineering; 17 Members of the American Academy of Arts and Sciences; and 18 Members of the American Law Institute.

Each year, faculty members throughout the University System conduct research funded by competitive grants from agencies such as the National Science Foundation, the National Institutes of Health, the American Cancer Society, the National Endowment for the Humanities, the National Endowment for the Arts and the Coordinating Board. Research expenditures from these and other grants have doubled during the fiscal years 1984 through 1989 from \$235 million to \$474 million.

University System faculty members have received such prestigious awards as the Field Medal in mathematics, Presidential Young Investigator Awards, and numerous fellowships from such organizations as the McArthur, Guggenheim, Mellon, Rockefeller, Ford, Sid Richardson, Welch and Meadows Foundations.

FINANCIAL MANAGEMENT OF THE UNIVERSITY OF TEXAS SYSTEM

Financial management of the University System is the responsibility of the Executive Vice Chancellor for Asset Management and the Vice Chancellor for Business Affairs. The Office of Asset Management includes the Office of Finance, with debt administration responsibility, as well as offices which are responsible for investment management of University System real estate and endowment funds. The Office of Business Affairs coordinates the operational activities of the University System, including budget matters. The Director of the Office of Budget and Fiscal Policy of the University System, reporting to the Vice Chancellor for Business Affairs, prepares an annual budget for the University System, monthly financial reports and an annual unaudited financial report for the Board.

Financing Programs.

Article VII, Section 18 of the State Constitution provides that, except for cases of demonstrated need and upon a vote of two-thirds of each house of the State Legislature, and except in cases of fire or natural disaster, component institutions of the University System (except The University of Texas-Pan American and The University of Texas at Brownsville) may not receive any funds from the general revenues of the State for acquiring, constructing or equipping permanent improvements, or for major repairs or rehabilitations of permanent improvements. The Board, pursuant to constitutional and statutory provisions, is authorized to issue debt in a number of distinct forms for the purpose of financing

capital improvements. These forms are described below and in "APPENDIX D--FINANCIAL STATEMENTS OF THE UNIVERSITY OF TEXAS SYSTEM."

Permanent University Fund Bonds. Permanent University Fund Bonds are bonds and notes payable from all or part of the University System's interest in the Available University Fund. Proceeds may be used for the purpose of (i) acquiring land with or without permanent improvements, (ii) constructing and equipping buildings or other permanent improvements, (iii) making major repairs and rehabilitations and other permanent improvements, (iv) acquiring capital equipment, library books and library materials, and (v) refunding certain bonds and notes. There are presently \$626,840,000 of Permanent University Fund Bonds outstanding.

Higher Education Assistance Fund (H.E.A.F.) Bonds. The University of Texas-Pan American is ineligible to receive proceeds from Permanent University Fund bonds until such time as the State Constitution is amended to provide otherwise. Pursuant to the Higher Education Assistance Fund Program, The University of Texas-Pan American is qualified to receive an annual allocation from amounts constitutionally appropriated to institutions of higher education that are not entitled to participate in Permanent University Fund bond financing in order to fund permanent improvements (except those for auxiliary enterprises). Under this constitutional provision, the Board is authorized to issue bonds and notes to finance permanent improvements at The University of Texas-Pan American and to pledge up to 50% of its allocation to secure the payment of principal and interest on the bonds and notes. None of such bonds or notes are presently outstanding.

General Tuition Bonds. In 1971, the Board was authorized pursuant to the Texas Education Code to issue, and did issue, \$150 million of bonds secured by all or any part of the aggregate amount of student tuition charged at University System component institutions. Expenditure of proceeds was authorized to acquire, enlarge and or equip facilities for new University System component institutions, specifically The University of Texas at Dallas, The University of Texas of the Permian Basin, The University of Texas at San Antonio, The University of Texas Health Science Center at Houston and The University of Texas Health Science Center at San Antonio. At that time, Pan American University was similarly authorized to issue, and did issue, tuition bonds to finance facilities in an amount not to exceed \$10 million. Prior to the issuance of the Bonds, \$66,795,000 of such tuition bonds are outstanding.

Revenue Financing System. In April 1990, the Board restructured its debt program by establishing a "Revenue Financing System." The purpose of the Revenue Financing System is to assemble University System revenue bond debt capacity into a single financing program, to provide a cost-

effective debt program and to maximize the financing options available to the Board. Pledged Revenues, including the Pledged General Tuition, are not pledged to secure obligations issued under the Revenue Financing System.

All of the institutions currently components of the University System have been included as members of the Revenue Financing System. The Board may make additions to or deletions from the membership of the Revenue Financing System, subject to the satisfaction of certain conditions.

Under Board regulations, administration of the Revenue Financing System is the shared responsibility of the Office of Asset Management, the Office of Business Affairs and each member of the Revenue Financing System.

Presently, \$300,842,000 of debt is outstanding under this financing program.

Other Obligations. The Board has outstanding obligations totaling \$8,465,000 secured by certain revenues of The University of Texas M.D. Anderson Cancer Center. Reserve funds, which further secure these bonds, are substantially in excess of the outstanding principal amount of such bonds. In addition, the Board has outstanding \$28,195,000 in principal amount of The University of Texas at Austin Building Revenue Refunding Bonds, Series 1986, which are secured by and payable from sources other than Pledged Revenues.

Financial Statements

Annually, not later than December 31, an unaudited financial report dated as of August 31, prepared from the books of the University System, must be delivered to the Governor and the State Comptroller of Public Accounts. Each year, the State Auditor must certify the financial statements of the State as a whole, inclusive of the University System, and in so doing examines the financial records at each of the University System's component institutions. No outside audit in support of this detailed review is required or obtained by the University System.

The University System's combined financial statements include the System Administration and all component institutions of the University System. Amounts due between component institutions in the same fund category, amounts held for component institutions by the System Administration and other duplications in reporting are eliminated in combining the individual financial statements.

The financial statements of the University System are prepared on a modified accrual basis consistent with principles recommended in College and University Business Administration, Fourth Edition (1982).

Attached to this Official Statement as "APPENDIX D--FINANCIAL STATEMENTS OF THE UNIVERSITY OF TEXAS SYSTEM," is a copy of the most recent unaudited Primary Financial Statements of The University of Texas System Combined (with the relevant portion of the Summary of Significant Accounting Policies and Notes to Financial Statements) for the University System's fiscal year ended August 31, 1991, excerpted from the 1991 Annual Report of The University of Texas System. The University System's Primary Financial Statements set forth at APPENDIX D consist of the Combined Balance Sheet at August 31, 1991, the Combined Statement of Changes in Fund Balances for the Year Ended August 31, 1991, and the Combined Statement of Current Funds Revenues, Expenditures and Other Changes for the Year Ended August 31, 1991.

Outstanding Tuition Indebtedness

Following the issuance of the Bonds, the Board will have the following outstanding indebtedness secured by a pledge of, and lien on, Pledged Revenues:

The Bonds	\$ _____*
The Nonrefunded Tuition Bonds	29,460,000
The Pan American Tuition Bonds	<u>6,030,000</u>
Total	\$ _____

*Preliminary, subject to change.

Insurance

Since September 1, 1971, it has been the policy of the State and the Board that property insurance coverage will not be obtained for any buildings or contents under the control of the Board unless such building produces revenues which are pledged to secure bonds and coverage is required by the applicable bond documents.

It is the stated policy of the State and the Board not to acquire commercial general liability insurance for torts committed by employees of the State who are acting within the scope of their employment. One exception to this policy authorizes the Board to acquire commercial automobile insurance for the use and benefit of its employees who operate state-owned motorized vehicles and special equipment. The Board has established a Medical Liability Self-Insurance Fund to provide malpractice insurance coverage for staff physicians, students, residents and fellows at Health Institutions.

Employees of the University System are provided Worker's Compensation coverage under a self-insuring, self-managed program as authorized by State law.

LITIGATION

Except as described in the next paragraph, neither the Board nor the University System is a party to or aware of any litigation, investigation, inquiry or proceeding (whether or not purportedly on behalf of the Board) pending or threatened, in any court, governmental agency, public board or body or before any arbitrator or before any governmental body which, if decided adversely to such parties, would have a material adverse effect on the Pledged Revenues or on the business, properties or assets or the condition, financial or otherwise, of the University System, and no litigation of any nature has been filed or threatened which seeks to restrain or enjoin the issuance or delivery of the Bonds or the collection or application of Pledged Revenues to pay the principal of and interest on the Bonds, or in any manner questioning the validity of the Bonds.

On January 20, 1992, a final judgment was entered by the 107th District Court on Cameron County, Texas (the "District Court"), in Cause No. 12-87-5242-A, styled League of United Latin American Citizens ("LULAC"), et al. v. Ann Richards, et al., which held that the "Texas Higher Education System (the laws, policies, practices, organizations, entities and programs that have created, developed or maintained Texas public universities and professional schools) [(the "Higher Education System")] is impermissibly unlawful, violative of, and prohibited by the Constitution and laws of the State of Texas." The judgment states that the Higher Education System is unconstitutional because the named defendants in the case (which include the Governor of the State, other State officials and the members of the boards of regents of most of the State universities and university systems, including members of the Board) have refused to grant benefits to, have imposed unreasonable burdens upon, and have denied equal educational opportunity to the class that the plaintiffs represent (which includes all persons of Mexican (Hispanic) ancestry who reside in an area of 41 contiguous counties along the border of Texas with Mexico and who are now or will be students, or would have been students but for the unlawful practices and policies of the defendants, at Texas public senior colleges and universities or health related institutions) because of their national origin. The judgment further states that the Higher Education System has resulted in the expending of fewer State resources on higher education in geographic areas of significant Mexican American populations than in other areas of the State in violation of the State Constitution.

The judgment includes an injunction prohibiting the defendants from giving any force and effect to provisions of the Texas Constitution and laws relating to the financing of public universities and professional schools from all sources. The injunction, however, is stayed until May 1, 1993 in order to allow the defendants to pursue their appeal and to allow sufficient time for the State Legislature to enact a constitutionally sufficient plan for funding public universities and medical colleges should the District Court's judgment be upheld on appeal. The judgment

also provides that it shall have prospective application only, and shall not affect the validity or enforceability of obligations issued or incurred by a public university or professional school in Texas, such as the Bonds being offered by this document, and the revenues or source of payment of such obligations which are issued or incurred prior to May 1, 1993.

No comprehensive assessment has been made of the potential impact of the judgment on the University System. The Attorney General of Texas and the defendants have stated that they will appeal the judgment.

The opinion of Bond Counsel will state that Bond Counsel has considered such litigation in expressing its opinion that the Bonds are valid and legally binding obligations of the University System.

LEGAL MATTERS

Legal matters incident to the authorization, issuance and sale of the Bonds are subject to approval of legality by the Attorney General of the State and of certain legal matters by McCall, Parkhurst & Horton, L.L.P., Dallas, Texas, Bond Counsel, whose opinion will be printed on the Bonds. Attached hereto as APPENDIX E is the form of opinion that Bond Counsel will render in connection with the Bonds. Bond Counsel was not requested to participate, and did not take part, in the preparation of this Official Statement except as hereinafter noted, and such firm has not assumed any responsibility with respect thereto or undertaken to verify any of the information contained herein, except that, in its capacity as Bond Counsel, such firm has reviewed the information in this Official Statement under the captions "INTRODUCTION," "PLAN OF FINANCING," "ESTIMATED SOURCES AND APPLICATIONS OF FUNDS," "DESCRIPTION OF THE BONDS," "SECURITY FOR THE BONDS," "LEGAL MATTERS," "TAX EXEMPTION," "TAX ACCOUNTING TREATMENT OF ORIGINAL ISSUE DISCOUNT" and "LEGAL INVESTMENTS IN TEXAS," and in APPENDICES A, B and C (except for financial and statistical data under such captions), and such firm is of the opinion that the information contained under such captions and in such appendices is a fair and accurate summary of the information purported to be shown. The payment of legal fees to Bond Counsel in connection with the issuance of the Bonds is contingent on the sale and delivery of the Bonds. Certain legal matters will be passed upon for the Underwriters by Jones, Day, Reavis & Pogue, Austin, Texas, and for the University System by Lannen and Moyé, Dallas, Texas.

TAX EXEMPTION

In the opinion of McCall, Parkhurst & Horton, L.L.P., Dallas, Texas, Bond Counsel, under existing statutes, regulations, published rulings and court decisions, (1) interest on the Bonds is excludable from the gross income of the owners of the Bonds for federal income tax purposes, and (2) the Bonds will not be treated as "private activity bonds" the interest on which would be an

alternative minimum tax preference item under Section 57(a)(5) of the Internal Revenue Code of 1986 (the "Code"). In expressing the foregoing opinions, Bond Counsel will rely on the Board's no-arbitrage certificate and the verification report prepared by Ernst & Young and will assume compliance by the Board with certain covenants of the Board with respect to the use and investment of the proceeds of the Bonds. Failure by the Board to comply with these covenants may cause the interest on the Bonds to become includable in gross income retroactively to the date of issuance of the Bonds.

Interest on the Bonds will be includable in adjusted earnings and profits to calculate alternative minimum taxable income for purposes of determining the alternative minimum tax imposed on corporations by Section 55 of the Code, and for purposes of the environmental tax imposed on corporations by Section 59A of the Code. In addition, certain foreign corporations doing business in the United States may be subject to the new "branch profits tax" on their effectively-connected earnings and profits, including tax-exempt interest such as interest on the Bonds. Furthermore, in the case of an S corporation, interest on the Bonds is treated as "passive investment income" which is subject to the tax imposed by Section 1375 of the Code.

Except as stated above with respect to the exclusion of the interest on the Bonds from gross income, Bond Counsel expresses no opinion as to any other federal, state or local tax consequences of acquiring, carrying, owning or disposing of the Bonds.

The law upon which Bond Counsel has based its opinion is subject to change by the Congress and the Department of the Treasury and to subsequent judicial and administrative interpretation. There can be no assurance that such law or the interpretation thereof will not be changed in a manner which would adversely affect the tax treatment of ownership of the Bonds.

Prospective purchasers of the Bonds should be aware that the ownership of tax-exempt obligations may result in collateral federal income tax consequences to financial institutions, property and casualty insurance companies, life insurance companies, individual recipients of Social Security or Railroad Retirement benefits and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations. Prospective purchasers falling within any of these categories should consult their own tax advisors as to the applicability of these consequences.

LEGAL INVESTMENTS IN TEXAS

Pursuant to Article 717k, Vernon's Texas Civil Statutes, as amended, the Bonds are legal and authorized investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, trustees and guardians, and for the interest and sinking funds and

other public funds of counties, municipal corporations, taxing districts, and other political subdivisions or agencies or instrumentalities of the State. The Bonds are eligible to secure deposits of public funds of the State, its agencies and political subdivisions, and are legal security for those deposits to the extent of their market value. The Texas Public Funds Investment Act, Article 842a-2, Vernon's Texas Civil Statutes, as amended, provides that a city, county or school district may invest in the Bonds, provided the Bonds have received a rating of not less than "A" from a nationally recognized investment rating firm. No investigation has been made of other laws, regulations or investment criteria which might limit the ability of such institutions or entities to invest in the Bonds, or which might limit the suitability of the Bonds to secure the funds of such entities. No review by the Board has been made of the laws in other states to determine whether the Bonds are legal investments for various institutions in those states.

VERIFICATION OF MATHEMATICAL COMPUTATIONS

Issuance of the Bonds will be subject to delivery by Ernst & Young, independent certified public accountants, of a report of the mathematical accuracy of certain computations relating to (a) the adequacy of the maturing principal amounts of the Government Obligations held in the Escrow Fund, together with a portion of the interest income thereon and uninvested cash, if any, to pay, when due, the principal of and any redemption premium and interest on the Refunded Bonds and (b) the actuarial yields relied on by Bond Counsel to support its opinion that the Bonds are not arbitrage bonds under Section 148 of the Code. Such verification of accuracy of such mathematical computations will be based upon information and assumptions supplied by the Board, and such verification, information and assumptions will be relied on by Bond Counsel in rendering its opinion described herein.

RATINGS

Fitch Investors Service, Moody's Investors Service and Standard & Poor's Corporation have assigned ratings of _____, _____ and _____, respectively, to the Bonds. An explanation of the significance of each such rating may be obtained from the company furnishing the rating. The ratings will reflect only the views of such organizations at the time such ratings are given, and the Board makes no representation as to the appropriateness of the ratings. There is no assurance that such ratings will continue for any given period of time or that they will not be revised downward or withdrawn entirely by such rating companies if, in the judgment of such rating companies, circumstances so warrant. Any such downward revision or withdrawal of either rating may have an adverse effect on the market price of the Bonds.

UNDERWRITING

The Underwriters have agreed, subject to certain customary conditions to delivery, to purchase the Bonds from the Board at an underwriting discount of \$_____ from the initial public offering prices therefor set forth on the cover page of this Official Statement. The Underwriters will be obligated to purchase all of the Bonds if any Bonds are purchased. The Bonds may be offered and sold to certain dealers and others at prices lower than such public offering prices, and such public prices may be changed, from time to time, by the Underwriters.

OTHER MATTERS

The financial data and other information contained herein have been obtained from the Board's records, financial statements and other sources which are believed to be reliable. There is no guarantee that any of the assumptions or estimates contained herein will be realized. All of the summaries of the statutes and documents contained in this Official Statement are made subject to all of the provisions of such statutes and documents. The summaries do not purport to be complete statements of such provisions and reference is made to such documents for further information. Reference is made to original documents in all respects.

Executive Vice Chancellor for Business
Affairs of The University of Texas System

The University of Texas System
210 West 6th Street
Austin, Texas 78701

APPENDIX A
SCHEDULE OF REFUNDED BONDS

SCHEDULE OF REFUNDED BONDS

The Refunded Bonds consist of the following maturities of the \$85,365,000 Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, Series 1986.

Maturity Date	Principal Amount
August 15, 1998	\$ 5,320,000
August 15, 1999	5,750,000
August 15, 2002	<u>20,235,000</u>
Total	<u>\$31,305,000</u>

APPENDIX B
GLOSSARY OF TERMS

GLOSSARY OF TERMS

"Additional Bonds" means the additional bonds permitted to be issued pursuant to the Resolution, which additional bonds may be secured by a pledge of and lien on the Pledged Revenues on a parity with the pledge thereof and lien thereon securing the Bonds.

"Available University Fund" means the fund created by the Texas Constitution of 1876 into which is deposited all of the dividends, interest and other income of the Permanent University Fund (less Permanent University Fund expenses).

"Board" means the Board of Regents of the University System.

"Bonds" means the Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, New Series 1992, to be issued pursuant to the Resolution.

"DTC" means The Depository Trust Company, New York, New York, the initial securities depository for the Bonds.

"Interest and Sinking Fund" means the account established pursuant to the Resolution for the purpose of paying the principal of and interest on the Bonds.

"Nonrefunded Tuition Bonds" means the following maturities of the \$85,365,000 Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, Series 1986:

<u>Maturity Date</u>	<u>Principal Amount</u>
August 15, 1993	\$5,825,000
August 15, 1994	6,110,000
August 15, 1995	6,385,000
August 15, 1996	6,220,000
August 15, 1997	4,920,000
Total	<u>\$29,460,000</u>

"Pan American Tuition Bonds" means The University of Texas - Pan American Tuition Revenue Refunding Bonds, Series 1986 of which \$6,030,000 are presently outstanding.

"Permanent University Fund" means the fund created by the Texas Constitution of 1876, the assets and earnings of which are dedicated to the uses and purposes of the University System and The Texas A&M University System.

"Pledged General Tuition" means the aggregate amount of student tuition charges now or hereafter required or authorized by law to be imposed on students enrolled at each and every institution, branch and school now or hereafter operated by or under the jurisdiction of the Board, except: (a) the amount of tuition scholarships now provided for by law (as set forth in the Texas Education Code) and (b) the tuition fee authorized by Section

55.17, Texas Education Code, imposed on each tuition paying student enrolled at the institutions and branches of the University System (except certain health related institutions).

"Pledged Revenues" means (a) the Pledged General Tuition, (b) all interest, income and earnings derived from the deposit and investment of the Interest and Sinking Fund and (c) any additional revenues, income, receipts or other resources whatsoever received or to be received from any public or private source, whether pursuant to an agreement or otherwise, which may be subsequently pledged to the payment of the Bonds or the Additional Bonds.

"Refunded Bonds" means the bonds described in Appendix A to this Official Statement.

"Resolution" means the "Resolution Authorizing the Issuance, Sale, and Delivery of the Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, Series 1992, and Approving and Authorizing Instruments and Procedures Relating Thereto" adopted by the Board on October 9, 1992.

"State" means the State of Texas.

"University System" means The University of Texas System.

APPENDIX C
SUMMARY OF THE RESOLUTION

APPENDIX D

**FINANCIAL STATEMENTS OF
THE UNIVERSITY OF TEXAS SYSTEM**

APPENDIX E
FORM OF BOND COUNSEL OPINION

5. U. T. Board of Regents: Proposed Adoption of Resolution Authorizing the Issuance of Replacement Bonds Numbers R1069, R1070, R1086, R1087, and R1088, in the Aggregate Amount of \$25,000, of the Board of Regents of Pan American University Tuition Revenue Bonds, Series 1974, and Coupon Numbers 37 Through 47 for Each of the Bonds in the Aggregate Amount of \$15,950, to Mr. Paul T. Scott, Kyle, Texas, and Authorization for Appropriate Officials to Execute Documents Relating Thereto.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs that the U. T. Board of Regents:

- a. Adopt the Resolution substantially in the form set out on Pages BAAC 89 - 91 to authorize the issuance of Replacement Bonds R1069, R1070, R1086, R1087, and R1088, \$5,000 each, in the aggregate amount of \$25,000, of the Board of Regents of Pan American University Tuition Revenue Bonds, Series 1974, and Coupon Numbers 37 through 47, \$290 each, for each of the bonds in the aggregate amount of \$15,950, to Mr. Paul T. Scott, Kyle, Texas
- b. Authorize the appropriate officials to execute documents relating thereto.

BACKGROUND INFORMATION

On July 29, 1992, Mr. Paul T. Scott, Kyle, Texas (the bondholder), notified First National Bank in Edinburg, Texas (the Paying Agent), to stop payment on five \$5,000 Board of Regents of Pan American University Tuition Revenue Bonds, Series 1974, dated January 1, 1974, bearing numbers 1069, 1070, 1086, 1087, and 1088. Mr. Scott stated that the bonds had either been lost or stolen. The last interest payment was made on January 2, 1992, and the July 1, 1992, payment had not been paid. Mr. Scott also provided an Affidavit of Loss as well as a Surety Bond to indemnify the Board and the Paying Agent for any loss associated with the payment of the bonds if they should be presented.

McCall, Parkhurst & Horton (the bond counsel) will prepare documentation relating to the issuance of replacement bonds. All costs incurred relating to the issuance of the replacement bonds will be borne by the bondholder.

DRAFT

RESOLUTION

AUTHORIZING THE ISSUANCE OF REPLACEMENT BONDS FOR BOARD OF REGENTS OF PAN AMERICAN UNIVERSITY TUITION REVENUE BONDS, SERIES 1974, BOND NUMBERS 1069, 1070, 1086, 1087 AND 1088 WITH COUPONS ATTACHED, AND OTHER MATTERS RELATED THERETO

WHEREAS, the Board of Regents of Pan American University (the "University") by resolution passed January 9, 1974 (the "1974 Resolution"), provided for the issuance of its Board of Regents of Pan American University Tuition Revenue Bonds, Series 1974 in the aggregate principal amount of \$8,500,000 dated January 1, 1974; and

WHEREAS, pursuant to Section 77.11 of the Texas Education Code, the University is a component institution of The University of Texas System ("System") under the governance, management and control of the Board of Regents of the University of Texas System (the "Board"); and

WHEREAS, five (5) bonds of the above described series of bonds (collectively, the "Lost Bonds"), to-wit:

Bond Numbers 1069, 1070, 1086, 1087 and 1088, in the denomination of \$5,000, bearing interest at a rate of 5.80% per annum, payable semi-annually on each July 1 and January 1 (Interest Coupon No. 37 and subsequent coupons appertaining thereto unpaid), and maturing January 1, 1997 (the "Lost Bonds") are outstanding and unpaid; and

WHEREAS, a notarized affidavit of Paul T. Scott, the owner of Lost Bonds ("Scott"), to the effect that the Lost Bonds were lost or stolen sometime between January 3, 1992 and July 1, 1992, are on file in the offices of the University of Texas System (the "System") and such statement has been accepted by the Board as sufficient evidence that the Lost Bonds have been lost, within the meaning of Article 715a of the Texas Revised Civil Statutes Annotated, and a certified copy of such statement is attached hereto as a permanent part hereof; and

WHEREAS, at the time of their loss, the Lost Bonds each had Coupon No. 37, coming due on July 1, 1992, and subsequent coupons attached, and therefore, none of said coupons have been presented for payment; and

WHEREAS, the owner of the Lost Bonds desires that replacement bonds be issued to replace the aforesaid lost Bonds and appurtenant coupons; and

WHEREAS, by Acts 1965 of the 59th Legislature of the State of Texas, Chapter 334, commonly known as Article 715a of the Texas Revised Civil Statutes Annotated, the Board is authorized to issue,

* Statement not provided to the Office of the Board of Regents.

without an election, bonds to replace any bonds theretofore lawfully issued which are outstanding and which have been destroyed, lost or stolen, provided that such replacement bonds may be issued only upon indemnification satisfactory to the Board establishing proof of ownership and the circumstances of the loss, theft or destruction of the bonds for which the replacement bonds are being sought; and

WHEREAS, relating to the Lost Bonds, a Lost Instrument Bond, Number _____ dated _____, executed by an authorized representative of _____, as obligor, has been received and is on file in the offices of the System, and such Lost Instrument Bond is acceptable to the Board as sufficient indemnity under the provisions of Article 715a of the Texas Revised Civil Statutes Annotated, and a certified copy of such *Lost Instrument Bond is attached hereto as a permanent part hereof; and

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

Section 1. That there is hereby authorized to be issued five (5) replacement bonds to replace the Lost Bonds. Said replacement bonds and the interest coupons appertaining thereto shall be in the same form and in all respects of like tenor and effect as the Lost Bonds and interest coupons appertaining thereto, as set forth in the 1974 Resolution, except that such replacement bonds and the interest coupons appertaining thereto shall be signed manually, or in facsimile, as provided by law, by the proper officials of the System holding office at the time of their issuance.

Section 2. That said replacement bonds shall be dated January 1, 1974, which is the date of the Lost Bonds.

Section 3. That said replacement bonds and all interest coupons appertaining thereto shall have the letter "R" preceding the Bond Number and following the Interest Coupon Number.

Section 4. That after said replacement bonds have been executed, it shall be the duty of the Chancellor of the Board or some other officer, employee or attorney of the System acting through System from him, to deliver the replacement bonds to the Attorney General of the State of Texas for examination and approval. After approval by the Attorney General of the State of Texas, the replacement bonds shall be delivered to the Comptroller of Public Accounts of the State of Texas for registration. The replacement bonds thus registered shall remain in custody of the Chancellor of the System, or subject to his order, until the delivery thereof to the respective owner of the original Bonds being replaced thereby.

Section 5. That the Comptroller of Public Accounts of the State of Texas is hereby authorized and directed to register the replacement bonds in the same manner as the Lost Bonds were

* Lost Instrument Bond not provided to the Office of the Board of Regents.

registered, giving them the same registration numbers as the Lost Bonds except that such numbers shall be preceded by the letter "R". The Comptroller shall date his registration certificate as of the date of registration of the replacement bonds.

Section 6. That all provisions of the 1974 Resolution providing for the issuance of the series of bonds of which the Lost Bonds were a part and which are not in conflict with this resolution are hereby adopted by reference and shall be a part of this resolution.

Section 7. That the preparation and passage of this resolution by the Board and the performance of each and every, all and singular, the acts ordered hereby and all acts or expenditures incidental thereto shall be at no cost to the System and shall be borne entirely by and be the sole liability of the owner of the Lost Bonds who have requested the issuance of replacement bonds as provided herein.

**Academic
Affairs Com.**

ACADEMIC AFFAIRS COMMITTEE
Committee Chairman Barshop

Date: October 9, 1992
Time: Following the meeting of the Business Affairs and
Audit Committee
Place: Room 1.212, Conference Center, U. T. Dallas

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8.	U. T. Brownsville: Recommendation for Approval of Initial Constitution of the Student Government Association	28
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1. U. T. Arlington: Recommendation for Approval of Proposed Agreements of Cooperation with (a) Universidad Autónoma de Nuevo León, Monterrey, México; (b) Latvian Academy of Sciences, Riga, Latvia; and (c) Shandong Polytechnic University, Jinan, The People's Republic of China, and Request for Authorization to Execute Agreements.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Amacher that approval be given to three agreements of cooperation between U. T. Arlington and the following international institutions:

- a. Universidad Autónoma de Nuevo León, Monterrey, México (Pages AAC 4 - 8)
- b. Latvian Academy of Sciences, Riga, Latvia (Pages AAC 9 - 13)
- c. Shandong Polytechnic University, Jinan, The People's Republic of China (Pages AAC 14 - 18).

It is further recommended that the Executive Vice Chancellor for Academic Affairs be authorized, on behalf of the U. T. Board of Regents, to execute these agreements with the understanding that any and all specific agreements arising from each agreement are to be submitted for prior administrative review and approval as required by the Regents' Rules and Regulations.

BACKGROUND INFORMATION

The proposed academic exchange agreements are designed to promote academic, cultural and research cooperation between U. T. Arlington and the other institutions. In general, the goals of each agreement are to:

- a. Facilitate the exchange of faculty members, faculty adjuncts, graduate students, and undergraduate students
- b. Share scientific and nonscientific materials, methods of teaching, and scientific and technical information
- c. Develop specific program agreements including the scope of specific activities
- d. Participate in long-term and short-term scientific, nonscientific and engineering research.

The proposed agreements have been reviewed and approved by the Office of General Counsel and are similar to other agreements of cooperation previously approved by the U. T. Board of Regents.

**AGREEMENT OF COOPERATION
BETWEEN
THE UNIVERSIDAD AUTONOMA DE NUEVO LEON
(Monterrey, Nuevo León, México)
AND
THE UNIVERSITY OF TEXAS AT ARLINGTON
(Arlington, Texas, USA)**

The Universidad Autónoma de Nuevo León (Monterrey, Nuevo León, México) and The University of Texas at Arlington (Arlington, Texas, United States of America) have expressed the desire to do joint research in priority fields including science, engineering and technology, and other fields that are of mutual interests to them, to hold joint conferences, symposiums, seminars, exchange of personnel and students, and to prepare collective monographs and publications.

Both parties recognize the great potential of mutual interests and benefits in the various fields of interest such as scientific and technological development, joint research and publications and international scientific exchange.

Taking into consideration the above mentioned interests and benefits, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

Article 1: PARTICIPANTS IN PROGRAM OF COOPERATIVE AGREEMENT

- 1.1 The participants in programs developed pursuant to this Agreement may be:
- (1) The University of Texas at Arlington (UTA) and other institutions which have been invited by UTA and who choose to participate; and
 - (2) The Universidad Autónoma de Nuevo León (UANL) and other institutions which have been invited by the UANL and who choose to participate.
- 1.2 Participating institutions shall be designated as either "sending" or "host" organizations in the specific, written program agreements. Type of cooperation and number of institutions involved in the program may be increased under mutual written agreement.

Article 2: SCOPE OF PROGRAMS

- 2.1 Participating institutions may exchange faculty members, faculty adjuncts, graduate students and undergraduate students, and may share scientific and non scientific materials, methods of teaching, and scientific and technical information, under specific written agreements to be formulated by mutual agreement. Exchange programs on each side shall be equal.
- 2.2 Both institutions may develop a Specific Program Agreement including scope of specific activities and form of cooperation for five (5) years to support each article of this Agreement.
- 2.3 This cooperation program may include long-term and short-term scientific, non scientific and engineering research, and exchange of faculty and students to study any discipline mutually agreed upon.

Article 3: QUALIFICATIONS OF PARTICIPANTS

- 3.1 The exchange participants shall be selected by the sending institution, provided that the host institution gives its consent with respect to each candidate.
- 3.2 Each participating institution shall establish its own procedures for selecting individual participants for the program. However, applications for individual participants shall include certain biographical data that shall be sent to the prospective host institution. The form of this biographical information shall be mutually agreed upon by the administrators of the program, and shall be printed both in English and Spanish. Applicants may complete the form in either language desired. After acceptance into the program, the host institution will assist in visa procurement, if necessary, for the approved participants.

Article 4: RESPONSIBILITIES AND RIGHTS

- 4.1 UTA and UANL shall annually negotiate the specific program of mutual cooperation for the next academic year through official representatives. During any type of cooperation the host institution shall be responsible for ensuring the academic and research program.
- 4.2 Each party will retain ownership of intellectual property rights in their respective data, inventions or works of authorship (collectively referred to as "creations"). Jointly developed creations will be jointly owned and use thereof by third parties will be allowed only by mutual agreement of the participating parties (owners).
- 4.3 Notwithstanding any provision to the contrary, this Agreement may be canceled without penalty by sixty (60) days notice being given in writing by authorized representatives of the parties. Cancellation becomes effective following fulfillment of the Cooperative Agreement in effect at that time.
- 4.4 If this agreement is canceled prior to the end of its term, UTA and UANL agree not to hold the other institution liable for any resulting monetary losses.

Article 5: FINANCIAL MATTERS

- 5.1 During any type of cooperation the sending institution shall be responsible for all accommodation and stipend expenses associated with their participants throughout the duration of visit at the host institution.
- 5.2 UTA shall be responsible for ensuring round-trip transportation of the UTA participants from their home to the academic facility where the exchange will take place in the host institution's country.
- 5.3 UANL shall be responsible for ensuring round-trip transportation of the participants from their home to the academic facility where the exchange will take place in the host institution's country.

- 5.4 If any participant family members from the sending institution plan to visit the host institution's country, the cost of their transportation, accommodations, and living expenses shall be at the individual participant's own expense.

Article 6: MISCELLANEOUS PROVISIONS

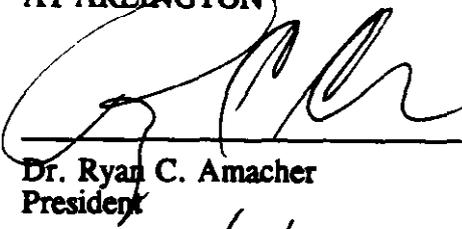
- 6.1 This Agreement, which shall become effective on _____, 1992, shall be in effect for five (5) years thereafter unless one of the parties notifies the other in writing of its desire to terminate the Agreement no later than one year before its expiration.
- 6.2 This agreement has been translated into Spanish and English and both parties are fully satisfied that both translations are correct. The present agreement, having been read and understood completely by the corresponding parties, it is signed in quadruplicate, with each copy considered as an original.
- 6.3 Agreement Subordinate. Anything to the contrary herein notwithstanding, this Agreement shall be subject to the Rules and Regulations of the Board of Regents of The University of Texas System and the Handbook of Operating Procedures of UTA, and equivalent documents of the UANL.

ATTEST:

POR
LA UNIVERSIDAD AUTONOMA
DE NUEVO LEON

FOR
THE UNIVERSITY OF TEXAS
AT ARLINGTON

Dr. Manuel Silos Martínez
President



Dr. Ryan C. Amacher
President

Date: _____

Date: 7/21/92

FORM APPROVED:

APPROVED

By: _____
Office of General Counsel

By: _____
Dr. James P. Duncan
Executive Vice Chancellor
for Academic Affairs
The University of Texas System

Date: _____

Date: _____

CERTIFICATE OF APPROVAL:

I hereby certify that the foregoing agreement was approved by The Board of Regents of The University of Texas System on the ____ day of _____, 1992 and that the person whose signature appears above is authorized to execute such agreement on behalf of the Board.

Mr. Arthur H. Dilly
Executive Secretary
U.T. Board of Regents

**AGREEMENT OF COOPERATION
BETWEEN
THE LATVIAN ACADEMY OF SCIENCES
(Riga, Latvia)
AND
THE UNIVERSITY OF TEXAS AT ARLINGTON
(Arlington, Texas, USA)**

The Latvian Academy of Sciences (Riga, Latvia) and The University of Texas at Arlington (Arlington, Texas, United States of America) have expressed the desire to do joint research in priority fields including science, engineering and technology, and other fields that are of mutual interest to them, to hold joint conferences, symposiums, seminars, exchange of personnel and students, and to prepare collective monographs and publications.

Both parties recognize the great potential of mutual interests and benefits in the various fields of interest such as scientific and technological development, joint research and publications and international scientific exchange.

Taking into consideration the above-mentioned interests and benefits, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

Article 1: PARTICIPANTS IN PROGRAM OF COOPERATIVE AGREEMENT

- 1.1 The participants in programs developed pursuant to this Agreement may be:
- (1) The University of Texas at Arlington (UTA) and other institutions which have been invited by UTA and who choose to participate; and
 - (2) Latvian Academy of Sciences (LAS) and other institutions which have been invited by the LAS and who choose to participate.
- 1.2 Participating institutions shall be designated as either "sending" or "host" organizations in the specific, written program agreements. Type of cooperation and number of institutions involved in the program may be increased under mutual written agreement.

Article 2: SCOPE OF PROGRAMS

- 2.1 Participating institutions may exchange research fellows, faculty members, faculty adjuncts, and graduate students, and may share scientific and non-scientific materials, methods of research and teaching, and scientific and technical information, under specific written agreements to be formulated by mutual agreement. Exchange programs on each side shall be equal.
- 2.2 Both institutions may develop a Specific Program Agreement including scope of specific activities and form of cooperation for five (5) years to support each article of this Agreement.
- 2.3 This cooperation program may include long-term and short-term scientific, non-scientific and engineering research, and exchange of faculty and students to study any discipline mutually agreed upon.

Article 3: QUALIFICATIONS OF PARTICIPANTS

- 3.1 The exchange participants shall be selected by the sending institution, provided that the host institution gives its consent with respect to each candidate.
- 3.2 Each participating institution shall establish its own procedures for selecting individual participants for the program. However, applications for individual participants shall include certain biographical data that shall be sent to the prospective host institution. The form of this biographical information shall be mutually agreed upon by the administrators of the program, and shall be printed both in English and Latvian. Applicants may complete the form in either language desired. After acceptance into the program, the host institution will assist in visa procurement, if necessary, for the approved participants.

Article 4: RESPONSIBILITIES AND RIGHTS

- 4.1 UTA and LAS shall annually negotiate the specific program of mutual cooperation for the next academic year through official representatives.

- 4.2 Both parties shall have an equal right to make use of the results of their joint work, but the use of the results by third parties will be allowed only under mutual agreement of both participating parties.
- 4.3 Notwithstanding any provision to the contrary, this Agreement may be cancelled without penalty by sixty (60) days notice being given in writing by authorized representatives of the parties. Cancellation become effective following fulfillment of the Cooperative Agreement in effect at that time.
- 4.4 If this Agreement is cancelled prior to the end of its term, UTA and LAS agree not to hold the other institution liable for any resulting monetary losses.

Article 5: FINANCIAL MATTERS

- 5.1 During any type of cooperation the host institution shall be responsible for ensuring the academic and research program and accommodations at a level mutually agreed upon.
- 5.2 UTA shall be responsible for ensuring round-trip transportation of the UTA participants from their home to the academic facility where the exchange will take place in the host institution's country.
- 5.3 LAS shall be responsible for ensuring round-trip transportation of the participants from their home to the academic facility where the exchange will take place in the host institution's country.
- 5.4 If any participant family members plan to visit the host institution's country, the cost of their transportation, accommodations, and living cost shall be at the individual participant's own expense.

Article 6: MISCELLANEOUS PROVISIONS

- 6.1 This Agreement, which shall become effective on _____, 1992, shall be in effect for five (5) years thereafter unless one of the parties notifies the other in writing of its desire to terminate the Agreement no later than one year before its expiration.
- 6.2 Agreement Subordinate. Anything to the contrary herein notwithstanding, this Agreement shall be construed consistent with the Rules and Regulations of the Board of Regents of The University of Texas System and the Handbook of Operating Procedures of UTA, and the equivalent documents of the LAS
- 6.3 This agreement has been translated into Latvian and English and both parties are fully satisfied that both translations are correct. The present agreement, having been read and understood completely by the corresponding parties, it is signed in quadruplicate, with each copy considered as an original.

ATTEST:

FOR
THE LATVIAN ACADEMY OF
SCIENCES

Academician J. Liepleteris
President

Date: _____

FOR
THE UNIVERSITY OF TEXAS
AT ARLINGTON



Dr. Ryan C. Amacher
President

Date: 2/24/92

FORM APPROVED:

By: _____
Office of General Counsel

Date: _____

APPROVED

By: _____
Dr. James P. Duncan
Executive Vice Chancellor
for Academic Affairs
The University of Texas System

Date: _____

CERTIFICATE OF APPROVAL:

I hereby certify that the foregoing agreement was approved by The Board of Regents of The University of Texas System on the ____ day of _____, 1992 and that the person whose signature appears above is authorized to execute such agreement on behalf of the Board.

Mr. Arthur H. Dilly
Executive Secretary
U.T. Board of Regents

**AGREEMENT OF COOPERATION
BETWEEN
SHANDONG POLYTECHNIC UNIVERSITY
(Jinan, The People's Republic of China)
AND
THE UNIVERSITY OF TEXAS AT ARLINGTON
(Arlington, Texas, USA)**

This COOPERATIVE AGREEMENT is entered into by and between The University of Texas at Arlington ("UT Arlington"), a component institution of The University of Texas System ("System"), which is located in Arlington, Texas, United States of America, with and after the approval of Shandong Polytechnic University, Jinan, The People's Republic of China. The Agreement shall be effective as of the date of the signature of the last authorized representative to execute the Agreement below.

RECITALS

WHEREAS, both parties have expressed the desire to do joint research in priority fields of science and technology that are of mutual interests to them, to hold joint scientific conferences, symposiums, seminars and workshops, and to prepare collective monographs and publications; and

WHEREAS, both parties recognize the great potential of mutual interests and benefits in the fields of scientific and technological development, joint research and publications in the fields of area studies and international scientific exchange; and

WHEREAS, both parties desire to memorialize their previous verbal agreements,

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

ARTICLE 1: PURPOSE

The purpose of this Agreement is to formulate a cooperative agreement concerning and Exchange Program between Shandong Polytechnic University, Jinan, P.R. China and The University of Texas at Arlington, USA.

ARTICLE 2: RESPONSIBILITIES AND RIGHTS

- (a) Both parties shall cooperate in the field of Electrical Power System, Power Electronics and all aspects of science and technology on the basis of jointly negotiated, subsequently approved programs of cooperation.
- (b) Both parties shall have equal right to make use of the results of their joint work.

- (c) UT Arlington and Shandong Polytechnic University shall annually negotiate the agreements necessary for students and faculties exchange, research projects, and related procedures, through official representatives.
- (d) Notwithstanding any provision to the contrary, this Agreement may be canceled without penalty by six (6) months notice being given in writing by authorized representatives of the parties.
- (e) If the Agreement is canceled prior to the end of its term, UT Arlington and Shandong Polytechnic University agree not to hold the other institution liable for any resulting monetary losses.

ARTICLE 3: PARTICIPANTS IN EXCHANGE PROGRAM

- (a) The participants in exchange programs developed pursuant to this Agreement may include other institutions of higher education invited by U.T. Arlington and Shandong Polytechnic University and who choose to participate.
- (b) Participating institutions shall be designated as either "sending" and/or "host" organizations in a specific, written program agreement.
- (c) Participants may be asked to be involved in research projects and engaged in classroom activities. Such activities shall be arranged to the mutual satisfaction of the participating institutions concerned.

ARTICLE 4: QUALIFICATIONS OF PARTICIPANTS

Each participating institution shall establish its own procedure(s) for selecting each individual participant for the program. However, the biographical data of each individual qualified applicant shall be sent to the prospective host institution. The form for this biographical information shall be mutually agreed upon by the administrators of the program, and shall be printed both in English and in Chinese. Applicants may fill the form in either language as desired. However, it is expected that the applicants will have at least a rudimentary or working knowledge of Chinese or English languages. After acceptance into the program, the host institution will assist in visa procurement for the approved participant(s).

ARTICLE 5: SCOPE OF EXCHANGE PROGRAM

- (a) Participating institutions may exchange faculty members, faculty adjuncts, graduate students, and undergraduate students, may share scientific materials, methods of teaching, and scientific and technical information and may also cooperate in laboratory construction and development and high technology exploitation, under specific written agreements to be formulated by mutual agreement.
- (b) The number of participants in exchange programs on each side shall be equal, unless otherwise determined by mutual agreement, and may include up to ten (10) individual for the first year. Upon mutual agreement, this number can be changed. It is contemplated that the length of time of the participants' stay will be from two (2) to twelve (12) months. Upon mutual agreement,

extension may be approved. Without the permission of sending institution, the participants' stay in host institution country can not be extended in any form for any reason.

- (c) The exchange programs may include the following types of academic and research activities:
 - (1) long-term, in-depth, scientific research;
 - (2) short-term, in-depth, scientific research;
 - (3) exchange of students to study any discipline mutually agreed upon.
- (d) The exchange participants shall be selected by sending institution, provide that the host institution gives its content with respect to each candidate.
- (e) The scope of the cooperation and the number of institutions involved may be expanded by future written agreements.

ARTICLE 6: FINANCIAL MATTERS

- (a) In any exchange program, the sending institution shall be responsible for ensuring round-trip transportation of the participants from their home to the academic faculty where the exchange will take place in the host institution's country. The host institution shall be responsible for ensuring the academic and research program, accommodation and stipend at a level mutually agreed upon.
- (b) If any participants' family members plan to visit the host institution's country, the cost of their transportation, accommodation, and living expenses shall be covered by the individual participants of the exchange, and not by the participating institutions.

ARTICLE 7: VISITS AND INSPECTION OF PROGRAM AGREEMENTS

Visits and inspection in the host institution's country of a program, the facilities, and the academic arrangements provided for by this Agreement may be made through mutual exchanges of program site-visit teams. Dates of such visits and number of members in each site-visit team shall be mutually agreed upon. The host institution shall be responsible for giving the site-visit teams the financial support.

ARTICLE 8: SPECIFIC PROGRAM AGREEMENTS

Specific actions of cooperation, their time length, the number of participants, specific aspects of implementing the exchange program by the sending and host institutions shall be reduced to writing in program agreements of cooperation through mutual coordination by both parties six months before the beginning of the academic year.

ARTICLE 9: MISCELLANEOUS PROVISIONS

- (a) **TERM**
This Agreement, which shall become effective on _____, 1992, shall be effected for five (5) years thereafter unless one of the parties notifies the other in writing of its desire to terminate the Agreement.
- (b) **NOTICES**
IF TO THE SHANDONG POLYTECHNIC UNIVERSITY
Shandong Polytechnic University
33 Wenhua Road, Jinan, Shandong 250014
P.R. China
- IF TO THE UT ARLINGTON**
The University of Texas at Arlington
P.O. Box 19125 UTA Station
Arlington, TX 76019, USA
- (c) **TRANSLATION**
This Agreement has been translated into Chinese and English in such manner that, prior to their execution, UT Arlington and Shandong Polytechnic University are fully satisfied that both translations are correct and can represent the terms of agreement arrived at through all previous discussions.
- (d) **SAVINGS CLAUSE**
If any of this Agreement is found to be invalid for any reason, the remaining parts continue in effect.
- (e) **AGREEMENT SUBORDINATE**
Anything to the contrary herein notwithstanding, this Agreement shall be construed consistent with the **RULES** and **REGULATIONS** of the Board of Regents of the University of Texas System and the Handbook of Operating Procedures of UT Arlington, and the equivalent documents of Shandong Polytechnic University.

ATTEST:

FOR
SHANDONG POLYTECHNIC
UNIVERSITY

FOR
THE UNIVERSITY OF TEXAS
AT ARLINGTON

Official Representative

Date: _____

Official Representative

Date: _____

President

Date: _____



Dr. Ryan C. Amacher
President

Date: 2/21/92

FORM APPROVED:

By: _____

Office of General Counsel

Date: _____

APPROVED

By: _____

Dr. James P. Duncan
Executive Vice Chancellor
for Academic Affairs
The University of Texas System

Date: _____

CERTIFICATE OF APPROVAL:

I hereby certify that the foregoing agreement was approved by The Board of Regents of The University of Texas System on the ____ day of _____, 1992 and that the person whose signature appears above is authorized to execute such agreement on behalf of the Board.

Mr. Arthur H. Dilly
Executive Secretary
U.T. Board of Regents

2. U. T. Austin: Proposed Appointment of Ashbel Smith Professors Effective Immediately.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that Dr. Gerhard J. Fonken, Executive Vice President and Provost, and Dr. James W. Vick, Vice President for Student Affairs, be appointed Ashbel Smith Professors at U. T. Austin effective immediately.

BACKGROUND INFORMATION

Dr. Fonken, Professor of Chemistry, joined the U. T. Austin faculty in 1959 and has served in the central administration since 1970. His responsibilities have increased progressively during the terms of four presidents over the past 22 years because of his dedication and outstanding administrative abilities. He has taught all general chemistry courses and all organic chemistry courses offered at U. T. Austin at the undergraduate and graduate levels. Dr. Fonken has supervised 25 doctoral and master's candidates to successful completion of their degrees and has published numerous scholarly papers in professional journals, as well as several chapters of books, monographs, and technical reports.

Dr. Vick, Professor of Mathematics, joined the U. T. Austin faculty in 1970 and has been recognized for his teaching abilities by receiving numerous awards and other recognition including the Jean Holloway Teaching Excellence Award, the William Blunk Professorship, President's Associates Teaching Award, AMOCO Teaching Excellence Award, and CASE Professor of the Year. He has achieved an excellent record of service to students in both the Student Affairs Division and as Associate Dean in the College of Natural Sciences. He has chaired several important committees dealing with undergraduate educational matters. Dr. Vick has also served as Chairman of the Men's Athletics Council and as U. T. Austin's faculty representative to the NCAA and the Southwest Conference.

In July 1963, the U. T. Board of Regents authorized the designation of ten nonendowed professorships at U. T. Austin as Ashbel Smith Professors effective September 1, 1963. The number of these professorships was increased to 15 by Regental action in April 1980 based on the size of the U. T. Austin faculty and scope of its programs. Although Ashbel Smith type professorships do not normally include a salary stipend for the holder, the institution has the option of providing additional remuneration from other institutional fund sources if available. Additional stipends will be provided by U. T. Austin for both these appointees via separate budgetary action.

These proposed appointments will fill currently vacant Ashbel Smith Professorships at U. T. Austin.

3. U. T. Austin: Recommendation to Redesignate the Sun Exploration and Production Company Advanced Petrophysics Laboratory in the College of Engineering as the Oryx Energy Company Advanced Petrophysics Laboratory.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that the Sun Exploration and Production Company Advanced Petrophysics Laboratory in the College of Engineering at U. T. Austin be redesignated as the Oryx Energy Company Advanced Petrophysics Laboratory.

BACKGROUND INFORMATION

At the August 1984 meeting, the U. T. Board of Regents approved the naming of the Sun Exploration and Production Company Advanced Petrophysics Laboratory in accordance with the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2 (Naming of Facilities Other Than Buildings). A gift of \$25,000 was also accepted to establish an endowment in support of the room in the Chemical and Petroleum Engineering Building.

The proposed redesignation of the laboratory is in response to a request by the donor company that the room reflect the current name of the company, Oryx Energy Company. See Item 11 on Page AMC - 14 regarding redesignation of the endowment to support the laboratory.

4. U. T. Austin: Proposed Appointment to the J. J. "Jake" Pickle Regents Chair in Public Affairs in the Lyndon B. Johnson School of Public Affairs Effective Immediately.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that Mr. Max R. Sherman, Dean of the Lyndon B. Johnson School of Public Affairs at U. T. Austin, be appointed as the initial holder of the J. J. "Jake" Pickle Regents Chair in Public Affairs in the Lyndon B. Johnson School of Public Affairs at U. T. Austin effective immediately.

BACKGROUND INFORMATION

Mr. Sherman joined U. T. Austin as Dean of the Lyndon B. Johnson School of Public Affairs in 1983. He is nationally recognized for his leadership in public policy. Mr. Sherman is an active member of a number of public administration, education, and law associations and has been appointed as the Texas representative on a number of state and national boards

and commissions, including the Texas Partnership for Economic Development Governing Board, the Select Interim Committee on Capital Construction, the Interstate Oil Compact Commission, and the Southern Regional Education Board.

The J. J. "Jake" Pickle Regents Chair in Public Affairs in the Lyndon B. Johnson School of Public Affairs was established by the U. T. Board of Regents at the August 1992 meeting.

5. U. T. Austin - Brackenridge Tract: Recommendation to Designate Use of Portion of the Endowment Account to Fund The Brackenridge Matching Program #2.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that \$4,712,084.95 of the total net sale proceeds (\$5,212,084.95) from the sale of a portion of the property held in the Brackenridge Tract endowment known as Sections I, II, and III of the Stratford Hills Subdivision, Austin, Travis County, Texas (less and except Lot 7 in Section III) comprised of \$1,232,190.95 from Section I and \$3,479,894.00 from Sections II and III be used to fund The Brackenridge Matching Program #2 at U. T. Austin to be administered pursuant to the guidelines set forth on Pages AAC 23 - 24.

It is further recommended that all income earned on the sale proceeds from the property listed above be reinvested in the Brackenridge Tract endowment to be used for The Brackenridge Matching Program #2.

These recommendations have been reviewed and approved by the Office of General Counsel and the Vice Chancellor for Asset Management.

BACKGROUND INFORMATION

In 1910, Colonel Brackenridge deeded 445 acres, now known as the Brackenridge Tract, to U. T. Austin. The U. T. Board of Regents accepted the gift at the October 1910 meeting "for the purpose of advancing and promoting University education."

Over the years, unrestricted income has been generated from various leases within the Brackenridge Tract to businesses including an Appletree store, a City of Austin Municipal Golf Course, the Southland Corporation, the Lakeview Cafe, the Lower Colorado River Authority (LCRA), Boat Town, and the West Austin Youth Association.

At the October 1990 meeting, the U. T. Board of Regents authorized the lease of an additional 9 acres of land in the Park Street portion of the Brackenridge Tract to the LCRA on behalf of U. T. Austin with a total lease payment of \$3,440,074.20. At the June 1991 meeting, the U. T. Board of Regents approved a recommendation that \$3,000,000 of the total lease income from the LCRA lease be set aside and reinvested to match student fellowship and scholarship endowments. Guidelines for

the matching program were to be promulgated by U. T. Austin Administration and approved by the Executive Vice Chancellor for Academic Affairs. These guidelines were amended as The Brackenridge Matching Program #1 in August 1992 and reported in Executive Committee Letter No. 92-19.

At the October 1991 meeting, the U. T. Board of Regents authorized the sale of Section I of the Stratford Hills Subdivision, and sale proceeds of \$1,732,827.24 were reported at the February 1992 meeting. At the June 1992 meeting, the U. T. Board of Regents approved use of \$500,000 of proceeds from the Brackenridge Tract sales for the establishment of the Fleur Cowles Endowment Matching Fund as a match for an impending \$1,000,000 gift from the Fleur Cowles Charitable Foundation, London, England. Authorization to sell Section II and Section III (with the exception of Lot 7) was given at the April 1992 meeting and that sale with net proceeds of \$3,479,894 was reported at the August 1992 meeting. The Brackenridge Matching Program #2 currently being proposed will use the remaining \$4,712,084.95 of the net sale proceeds of these Sections of the Brackenridge Tract.

The Office of General Counsel has rendered an opinion that proceeds from the sale of Sections II and III of the Stratford Hills Subdivision may be used for the endowment matching purposes now being proposed in the guidelines for The Brackenridge Matching Program #2.

See Item 3 on Page Ex.C - 5 related to The Brackenridge Matching Program #1.

GUIDELINES FOR MATCHING GRANTS UNDER
THE BRACKENRIDGE MATCHING PROGRAM #2
THE UNIVERSITY OF TEXAS AT AUSTIN

Subject to the availability of funds, the President of U. T. Austin, the Executive Vice Chancellor for Academic Affairs, and the Chancellor of the U. T. System shall make recommendations to the U. T. Board of Regents for the matching of contributed monies to endow or to function as endowments to benefit academic positions, student scholarships and fellowships, and library support under The Brackenridge Matching Program #2, as authorized by the U. T. Board of Regents in October 1992 pursuant to the following guidelines:

- (1) matching funds will be available only for endowments or contributions functioning as endowments if a minimum of \$50,000 has been contributed for a new academic position endowment, \$25,000 has been contributed for a new fellowship or scholarship endowment or if a minimum of \$10,000 has been contributed for any existing endowment;
- (2) the ratio of matching funds to contributed monies will be recommended to the U. T. Board of Regents by the President of U. T. Austin with the concurrence of the Executive Vice Chancellor for Academic Affairs and the Chancellor but in no case will the ratio of matching funds to contributed monies exceed one dollar for two dollars;
- (3) subject to the institutionally established academic objectives of the school or college, it is the goal of U. T. Austin to match all eligible contributed monies to a school or college until the funds used to match these eligible contributed monies to the school or college reach a level which shall be determined annually by the President, at which point, eligible contributed monies to a school or college beyond this amount will have priority for matching as may be recommended by the President of U. T. Austin;
- (4) matching funds may be used to increase the amount of the contributed monies which established or added to an existing endowment or create a new endowment when funds match contributed monies for a new or existing academic position endowment;
- (5) to the extent possible, the wishes of the donor will be considered within these overall guidelines;
- (6) the income from endowments participating in matching under these guidelines shall be distributed pursuant to applicable provisions of the Regents' Rules and Regulations, as those regulations now read or as they later may be amended;
- (7) the investment procedures for the endowments established under this Program will be the same as those established for other endowments;
- (8) the Program shall be effective for contributed monies or pledges received on or after September 1990;

- (9) matching funds made available under this Program may be available for matching testamentary and other deferred gifts, insofar as the terms of the donative instrument, the wishes of the donor as determined by the donative instrument and these guidelines are in harmony; and
- (10) pledges eligible for matching funds will be matched as received beginning when the cumulative total of payments is at least \$50,000 for new academic position endowments and \$10,000 for all other endowments.

6. U. T. Austin and U. T. Pan American: Request for Authorization to Offer Cooperative Doctoral Programs in Educational Administration and to Submit the Proposed Degree Programs to the Coordinating Board for Approval (Catalog Change).--

RECOMMENDATION

The Chancellor and the Executive Vice Chancellor for Academic Affairs concur with President Nevarez and the Administration of U. T. Austin in their recommendation that U. T. Austin be authorized to offer its existing doctoral programs in Educational Administration cooperatively with U. T. Pan American and to submit these proposed degree programs to the Texas Higher Education Coordinating Board for approval. The proposed cooperative offering is consistent with the Coordinating Board's guidelines for offering cooperative programs. In accordance with U. T. Pan American's strategic plan, this cooperative program will be the first step toward U. T. Pan American's offering the doctoral programs independently at such time as U. T. Pan American has gained sufficient experience and faculty resources.

Upon approval by the Coordinating Board, the next appropriate catalogs published at U. T. Austin and U. T. Pan American will be amended to reflect this action.

BACKGROUND INFORMATION

Description

U. T. Austin now offers the Ed.D. and Ph.D. in Educational Administration on its own campus. The cooperative program to be offered in the Rio Grande Valley will be administered by U. T. Austin and the degree awarded in the name of U. T. Austin. All of the quality standards of the regular U. T. Austin degree will apply, except that students may meet the residency requirement on the U. T. Pan American campus. Applicable doctoral level courses in the U. T. Austin inventory will be taught on the U. T. Pan American campus by U. T. Austin faculty who travel to the Valley and/or teach by interactive television linkage. U. T. Austin will also select U. T. Pan American faculty to teach some of those courses and may use selected U. T. Pan American courses as a part of the students' doctoral program curriculum. It is anticipated that a cohort of approximately ten students will enter the program each year. Students will be provided the opportunity to enroll in two courses each fall and spring semester and four courses during the summer.

Need

A survey of the thirty-two local school districts within the immediate four-county area of U. T. Pan American shows that only eight superintendents have already earned their doctorate and only eight professionals in the central administrative offices of these thirty-two school districts hold doctorates in educational administration. Of 321 assistant superintendents, directors, and coordinators, only 18 have earned doctorates, and none of the 151 principals in the thirty-two local school districts have an earned doctorate.

At the state and national level, the need for Hispanic educational leaders is unmistakable. Very few Hispanic educators hold a doctorate in educational leadership. The need in Texas is great and rapidly growing. Most of the students from the Rio Grande Valley who enter the program are expected to be Hispanic professionals in the public schools of the four-county area.

Quality

The U. T. Austin doctoral programs in educational administration are recognized nationally for their quality. For the proposed program, the strength of the U. T. Austin faculty will be augmented by twelve members of the U. T. Pan American faculty. The U. T. Pan American faculty have been selected by the U. T. Austin faculty for their scholarship and ability to contribute to this program.

Further evidence of the quality of this program is the quality of students who have been selected as the first cohort, pending approval of the program. These ten exceptionally qualified students are currently taking U. T. Austin doctoral level courses offered on the U. T. Pan American campus with the understanding that they will be required to complete the degree program in Austin if this cooperative effort is not approved.

Cost

The program will incur some incremental costs associated with travel and communication between the two institutions. Those costs are being covered by a Special Item appropriation specifically for the development of this program. In addition, telecommunications equipment purchased with an allocation of PUF Bond Proceeds reserves allocated by the U. T. Board of Regents in June 1992 will facilitate the use of interactive television to connect the two locations.

Summary

U. T. Austin and U. T. Pan American propose to cooperatively offer doctoral students a choice of the Ph.D. or Ed.D in Educational Administration in accordance with the Coordinating Board's guidelines for cooperative programs. Those guidelines provide for the existing degree granting institution to ensure that quality standards comparable to those for the regular on-campus program are maintained. A need exists, both nationally and locally, for Hispanic educational leaders with doctoral degrees, and the modest cost of meeting that need has been funded with a special appropriation.

A copy of the proposal for the cooperative Ph.D or Ed.D. degree in educational administration is on file in the U. T. System Office of Academic Affairs.

7. U. T. Austin and U. T. Pan American: Request for Authorization to Offer a Cooperative Ph.D. in International Business Degree Program at U. T. Pan American and to Submit the Proposal to the Coordinating Board for Approval (Catalog Change).--

RECOMMENDATION

The Chancellor and the Executive Vice Chancellor for Academic Affairs concur in the recommendation of President Nevarez and the Administration of U. T. Austin that authorization be given to implement the proposed cooperative Ph.D. in International Business and that the proposal be submitted to the Texas Higher Education Coordinating Board for approval. The proposed degree will be awarded in the name of and on behalf of U. T. Pan American but will be delivered cooperatively by U. T. Pan American and U. T. Austin. U. T. Pan American's long-range strategic plan calls for this program to eventually become a completely freestanding U. T. Pan American degree program. It will be implemented within Coordinating Board guidelines for cooperative degree programs with the exception that, even in stage one, the degree will be awarded in the name of U. T. Pan American rather than U. T. Austin.

Upon approval by the Coordinating Board, the next appropriate U. T. Pan American catalog will be changed to reflect this action.

BACKGROUND INFORMATION

U. T. Austin offers the Ph.D. in Business Administration with a variety of specialties, including a specialty in International Marketing. Admission to this international marketing program is exceedingly selective. The proposed Ph.D. in International Business for U. T. Pan American will substantially expand the opportunities for students to obtain a Ph.D. in business with an international, specifically Latin and South American, emphasis. The program is designed to meet the same general standards as the Ph.D. in Business at U. T. Austin, although the curriculum is unique to the U. T. Pan American International Business specialization. The majority of the instruction will be delivered by U. T. Pan American faculty under the general guidance and oversight of the U. T. Austin faculty.

Quality

The responsibility for ensuring the quality of the program falls upon U. T. Austin. A special organizational structure has been created to ensure that the quality control function is adequately performed. The individual courses which make up the program will, for the most part, be taught by existing U. T. Pan American faculty. A few courses will be taught by U. T. Austin faculty. U. T. Pan American currently has a group of 17 graduate faculty members whose qualifications to teach in this program and participate on doctoral committees have been verified by U. T. Austin. Additional faculty will be recruited by U. T. Pan American over the next few years, as needed.

Need

Most of the students in this program are anticipated to be Hispanic or to have special cultural sensitivities to Hispanic populations. A growing need exists for research specialists to facilitate trade and other international business arrangements. In addition, a very great need exists for business administration faculty who can teach the international dimensions of business administration and who can serve as role models for Hispanic students. U. T. Pan American's location near the U. S.-Mexico border and in the midst of a large bilingual, bicultural community provides a unique opportunity for meeting these needs.

Costs

The Texas Legislature has appropriated Special Item funding to initiate this program and to nurture it through the early years of development. Because all formula funding for this program will accrue to U. T. Pan American, U. T. Pan American has agreed to compensate U. T. Austin for the special role which it will play in developing the program.

Summary

U. T. Austin and U. T. Pan American propose to offer a Ph.D. in International Business for the purpose of substantially expanding the opportunities for students to obtain a Ph.D. in business with an international, specifically Latin and South American, emphasis.

The proposed cooperative doctoral program is designed to satisfy the growing need for research specialists to facilitate trade and other international business arrangements and for faculty who can teach the international dimensions of business administration. U. T. Pan American's location near the U. S.-Mexico border and in the midst of a large bilingual, bicultural community provides a unique opportunity for meeting these needs.

A copy of the cooperative Ph.D. in International Business proposal is on file in the U. T. System Office of Academic Affairs.

8. U. T. Brownsville: Recommendation for Approval of Initial Constitution of the Student Government Association.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Garcia that approval be given to the initial Constitution of the Student Government Association of U. T. Brownsville as set out on Pages AAC 31 - 41.

BACKGROUND INFORMATION

The proposed initial Constitution of U. T. Brownsville in partnership with Texas Southmost College has been developed by the U. T. Brownsville administration working with the student body and will be included in a campus-wide election to be held in September 1992. Hence, this recommendation is conditioned upon successful passage of the proposed Constitution.

Highlights of the proposed Constitution of the Student Government Association (SGA) include the following:

- a. Article I sets membership requirements as follows:
 - All students enrolled at U. T. Brownsville are nonvoting members of SGA
 - The SGA is comprised of six officers and one representative from each student classification
 - All undergraduate representatives must maintain a GPA of at least a 2.0 and be enrolled in at least six semester credit hours
 - Undergraduate officers must maintain a GPA of at least 2.5 and be enrolled in six semester credit hours
 - Graduate officers must maintain a GPA of at least 3.0 and be enrolled in three semester credit hours
 - Representatives may serve no more than two consecutive terms in the same office
 - Terms begin one year from the date of election
- b. Article II prescribes the composition of the Executive Board and details the duties of the Officers
- c. Article III contains an overview of SGA meeting schedules and participation requirements
- d. Article IV outlines membership structures and provides descriptions of the five standing committees
- e. Article V contains selection procedures for two advisory positions and describes the functions of the advisors
- f. Article VI contains the SGA voting and election procedures
- g. Article VII contains procedures for removal of a representative from office

- h. Article VIII includes procedures for proposals from the student body and referendums
- i. Article IX covers procedures for amendment of the Constitution and for ratification of amendments.

The proposed Constitution has been reviewed and approved by the Office of General Counsel and has received the institutional approvals required by the Regents' Rules and Regulations, Part One, Chapter VI, Section 5 concerning student constitutions.

**Proposed Constitution
of the
Student Government Association
of
The University of Texas at
Brownsville**

STATEMENT OF PURPOSE

It is the purpose of the Student Government Association of The University of Texas at Brownsville to represent the student body and to provide a voice in student dealings with individuals and agencies outside of that body. This includes, but is not limited to, the following:

1. Providing an official student organization to receive student questions and to serve as a forum for the presentation of student interests and problems.
2. Providing an official voice through which student opinion may be expressed.
3. Providing a means for responsible student participation.
4. Advising the administration of student opinions on proposed university programs.

ARTICLE I NAME AND MEMBERSHIP

Section 1. Name

- A. The name of this organization shall be the Student Government Association (SGA) of The University of Texas at Brownsville.

Section 2. Membership

- A. All students enrolled at The University of Texas at Brownsville shall be nonvoting members of the Student Government Association.
- B. The Student Government Association shall consist of six (6) officers; two (2) upper division undergraduate representatives from each school/college which has an upper division program; two (2) lower division undergraduate representatives from each school/college which has a lower division program; one (1) graduate representative from each school/college which has a graduate program; and one (1) representative each from the student classifications of freshman, sophomore, junior, senior, special, and graduate/special graduate.
- C. Requirements for representative membership
 - 1) Representatives
 - a) All undergraduate representatives must be enrolled and remain enrolled during his/her term of office for at least six (6) academic hours or the equivalent clock hours at The University of Texas at Brownsville and be in good academic standing, having a cumulative grade point average of no less than 2.0 on a 4.0 scale.
 - b) All graduate representatives must be enrolled and remain enrolled during his/her term of office for at least three (3) graduate hours and have a cumulative graduate grade point average of 3.0 on a 4.0 scale.

2) Officers

- a) All undergraduate officers must be enrolled and remain enrolled during his/her term of office for at least six (6) semester hours or the equivalent clock hours at The University of Texas at Brownsville and have a cumulative grade point average of at least a 2.5 on a 4.0 scale.
- b) All graduate officers must be enrolled and remain enrolled during his/her term of office for at least three (3) graduate hours at The University of Texas at Brownsville and have a cumulative graduate grade point average of at least a 3.0 on a 4.0 scale.

D. Terms of office:

- 1) Each representative and officer shall serve no more than 2 consecutive terms in the same office.
- 2) Term of office will be one year from the date elected or until the next general election (if elected mid-year).

**ARTICLE II
THE EXECUTIVE BOARD AND OFFICERS**

Section 1. Membership

The Executive Board of the Student Government Association shall consist of the President, Vice President, Treasurer, Secretary, Historian, Parliamentarian, and one Representative to the U. T. System Student Advisory Group.

Section 2. Duties and Responsibilities

A. Executive Board

- 1) Meet as a group prior to the regular Student Government Association meetings to set the agenda for the next meeting.
- 2) Appoint members of the Student Fee Advisory Committee and standing and ad hoc committees as described in Article IV, Section 7 of this Constitution.

B. President

- 1) Serve as the official representative of the Student Body and the Student Government Association.
- 2) Preside at all meetings of the Student Government Association.
- 3) Have authority to call emergency meetings of the SGA as per Article III, Section 3 of this Constitution.
- 4) Exercise the option of voting in case of tie.

- 5) Have authority to call an emergency meeting of the Executive Board.

C. Vice President

- 1) Perform the duties of the President in the case of absence or disability of the President, including exercising the option to vote in case of a tie vote.
- 2) Assist the President in the execution of duties.
- 3) Should the office of President become vacant, shall assume the office of President and shall call a Student Government Association meeting within two (2) weeks for the purpose of appointing a new Vice President with two-thirds (2/3) approval of the SGA until the next general election.
- 4) Exercise the option of voting on any proposal of the Student Government Association.
- 5) Serve as chair of the Student Life Committee.

D. Secretary

- 1) Maintain a record of all proceedings of the Student Government Association.
- 2) Be responsible for all correspondence with other universities and organizations.
- 3) Post in designated locations the minutes of each Student Government Association meeting.
- 4) Distribute a copy of the minutes of the Student Government Association meeting to each Representative and to the Student Government Association faculty advisor(s) within seventy-two (72) hours of the meeting.
- 5) Exercise the option of voting on any proposal of the Student Government Association.
- 6) Serve as chair of the Public Relations Committee.

E. Treasurer

- 1) Report orally at each meeting of the Student Government Association on the financial status of that organization.
- 2) Be responsible for the keeping of a journal of the financial transactions of the Student Government Association.
- 3) Prepare an end-of-the year financial report and submit to the chief business officer, with a copy to the chief student affairs officer.
- 4) Be prepared to report to the chief business officer and/or the chief student affairs officer the financial status of the SGA when called.

- 5) Exercise the option of voting on any proposal of the Student Government Association.
 - 6) Serve as chair of the Finance Committee.
- F. Parliamentarian
- 1) Advise the President of basic parliamentary procedures as outlined in Robert's Rules of Order.
 - 2) Assist the President and Vice President in their duties whenever necessary.
 - 3) At the request of the President, rule on any question of parliamentary procedure.
 - 4) Serve as chair of the Student Services and Campus Operations Committee.
 - 5) Exercise the option of voting on any proposal of the Student Government Association.
- G. Historian
- 1) Keep the official historical archives for the Student Government Association.
 - 2) Assist the President, Vice President, and Secretary in their duties whenever necessary.
 - 3) Exercise the option of voting on any proposal of the Student Government Association.

ARTICLE III MEETINGS

Section 1. Quorum

One over one-half (1/2) of the voting Student Government Association shall constitute a quorum.

Section 2. Scheduled Meetings

The Student Government Association must meet at least twice a month or more often as deemed necessary and scheduled by a majority of the Executive Board.

Section 3. Emergency Meetings

The President may call the Student Government Association into emergency session when he or she has notified two-thirds (2/3) of the current Association membership and has a two-thirds (2/3) quorum present for the emergency meeting.

Section 4. Executive Board

Executive Board meetings will be prior to each meeting of the Student Government Association. The President may call the Executive Board into emergency session when less than one week is available to prepare for a Student Government Association meeting.

Section 5. All meetings will be conducted pursuant to Robert's Rules of Order.

**ARTICLE IV
COMMITTEES**

Section 1. Composition and Membership

- A. Standing committees of the Student Government Association shall be the Student Services and Campus Operations Committee, the Public Relations Committee, the Student Life Committee, the Finance Committee, and the Student Fee Advisory Committee.**
- B. Chairpersons of these committees shall be the Vice President, the Secretary, the Treasurer, and the Parliamentarian as described in their Duties and Responsibilities.**
- C. No member of the Student Government Association shall serve on more than two (2) standing committees.**
- D. No standing committee shall be composed of less than four (4) members.**
- E. All standing committee members shall be appointed by the Executive Board and approved by a majority vote of the SGA.**
- F. Each standing committee chair shall prepare a written report to be submitted to the SGA at each meeting consisting of any activities in their respective committees.**

Section 2. Student Services and Campus Operations Committee

- A. The Student Services and Campus Operations Committee shall be concerned with student grievance and disciplinary hearing policies, health services, counseling, open records, financial aid, and all other areas of student concern relating to Student Services. This Committee shall also be concerned with physical facilities and buildings, projected needs of the campus, parking, cafeterias, classroom facilities and equipment, and any other areas of concern related to operations of the campus.**
- B. The Student Services and Campus Operations Committee shall be chaired by the Parliamentarian.**

Section 3. Public Relations Committee

- A. The Public relations Committee shall be responsible for the development and implementation of strategies for the promotion of the Student Government Association and The University of Texas at Brownsville.**
- B. The Public Relations Committee shall be chaired by the Secretary.**

Section 4. Student Life Committee

- A. The Student Life Committee shall be responsible for investigating and improving the curricular and extracurricular concerns of the student body and be responsible for coordination of all Student Government Association activities.
- B. The Student Life Committee shall be chaired by the Vice President.

Section 5. Finance Committee

- A. The Finance Committee shall be responsible for administering the expenditures of the Student Government Association funds under the outlines of the laws of the State of Texas, the Rules and Regulations of the Board of Regents, and the Handbook of Operating Procedures of the institution with the approval of the majority of the SGA and shall also be responsible for preparing the annual budget for the SGA.
- B. The Finance Committee shall be chaired by the Treasurer.

Section 6. Student Members of the Student Fee Advisory Committee

- A. The student members of the Student Fee Advisory Committee along with the members appointed by the President of the institution shall be responsible for recommending the allocation of the Student Services Fee in compliance with the Texas Education Code.
- B. The Student Fee Advisory Committee shall be comprised of members in compliance with the Texas Education Code.

Section 7. Ad Hoc Committees

- A. Ad hoc committees may be formed at the request of the SGA members and/or of the Executive Board with the majority approval of the SGA.
- B. The chair for ad hoc committees will be selected by the Executive Board.

Section 8. Institutional Partnership Advisory Committees

- A. The Student Government Association may have representation on The University of Texas at Brownsville Institutional Advisory Partnership Committees, as called for by the institution.
- B. Representatives will be appointed by the President of The University of Texas at Brownsville upon recommendation of the President of the SGA and approval by two-thirds (2/3) of the Student Government Association.

**ARTICLE V
ADVISORS**

Section 1. Advisor(s)

- A. The Student Government Association must have at least two (2) advisors who are full-time members of either the university staff or faculty.

B. Selection Process

The advisor(s) shall be appointed by the President of The University of Texas at Brownsville to serve a term of one (1) year, beginning in the Fall Semester. A two thirds (2/3) vote is needed by the SGA in order to petition the President of The University of Texas at Brownsville that an advisor be removed.

C. Duties and Responsibilities of the Advisor(s)

- (1) Attend group meetings.
- (2) Assist in program and/or project development.
- (3) Serve as a resource to the organization regarding university policy and regulations.
- (4) Advise the organization regarding financial matters. For the purpose of financial accounting, the advisor should ensure that adequate accounting procedures be established and followed upon change of the Executive Board.
- (5) Advise and counsel the organization toward its goals or organizational growth in meeting its objectives.

**ARTICLE VI
VOTING AND ELECTIONS**

Section 1. Voting

- A. Officers - Any member of the student body may vote in the officer elections.**
- B. School/College Representatives - Students will only be allowed to vote for candidates in their respective class and school or college.**

Section 2. Elections for officers will be held in the 11th week of the Spring Semester.

Section 3. Elections for representatives and any vacant officer positions will be held in the third week of the Fall Semester.

Section 4. Applications shall be submitted to the Election Monitor/Director of Student Activities for verification at least seven (7) school days prior to the election.

Section 5. The candidate receiving the greatest number of the total votes cast shall be declared the winner.

Section 6. In the case of a tie, a runoff election will be held within one week between the two candidates.

Section 7. Voting hours will be from 7:30 a.m. to 9:00 p.m.

Section 8. Monitors

- A. The Election Monitor will be the Director of Student Activities. Election judges will consist of faculty sponsors and general members of the student body, as selected by the Election Monitor.
- B. Each candidate has the right to have a single monitor to watch the elections. The monitor will be seen but not heard, and if the monitor believes that he or she notices an illegality in the election procedure, he/she has the right to protest to the election judge of the illegality. The election judge will determine if an illegality has occurred and, if so, will correct the procedure. This monitor will not be allowed to campaign.

Section 9. Posting of the results

- A. Results will be posted by 12 noon the next day at the Student Activities Office. SGA members will be sworn in one week after the completion of elections.

Section 10. Absentee Voting

- A. Absentee voting will take place three (3) days prior to an election.
- B. Hours for absentee voting will be the regular hours of operation of the Student Activities Office.
- C. Absentee voting will be monitored by the staff of the Student Activities Office.

Section 11. Special Elections

In the case of vacancy, elections will be held two (2) weeks after the vacancy and members will be sworn in one (1) week after election, following the same rules as the general elections. All members elected by special elections will be subject to the provisions of this Constitution.

**ARTICLE VII
REMOVAL FROM OFFICE**

Section 1. Any member or officer of the Student Government Association may be removed from office for not meeting the qualifications or fulfilling the duties and responsibilities of their respective offices, as determined by this Constitution, by a two-thirds (2/3) vote.

Section 2. Any Representative or officer who has three (3) absences per semester may be removed by a two-thirds (2/3) vote of the total voting membership of the Student Government Association.

**ARTICLE VIII
STUDENT PROPOSALS AND REFERENDUMS**

Section 1. Proposals

Any member of the Student Body may present a proposal to a Student Government Association Representative. The Representative is then required to take this proposal before the Student Government Association.

Section 2. Referendum

Any referendum issue presented to the Student Government Association, which is accompanied by a petition bearing the signatures and identification number of fifty (50) members of the Student Body, must be placed on the ballot of the next general student election.

**ARTICLE IX
RATIFICATION AND AMENDMENT**

Section 1. Student Government Association-Initiated Amendment

Any voting member of the Student Government Association may propose amendments to this Constitution. The proposed amendment must lie on the table for thirty (30) days, after which the Student Government Association must vote on the proposed amendment. If three-fourths (3/4) of the total membership of the Student Government Association favor the amendment, the Student Government Association must call an election within thirty (30) days for approval or disapproval of said amendment.

Section 2. Student Body-Initiated Amendment

If ten percent (10%) of the Student Body petition the Student Government Association to amend the Constitution, the Student Government Association must call an election within thirty (30) days for approval or disapproval of said amendment.

Section 3. Ratification

A. Amendments

- (1) Amendments to this Constitution shall become effective after ratification by two-thirds (2/3) of the Student Body voting on said amendments in an election, and after it is transmitted to and acted upon by the chief student affairs officer, the chief administrative officer, the Executive Vice Chancellor for Academic Affairs and Chancellor and approved by the U. T. System Board of Regents.
- (2) Amendment or Repeal by Regents. The U. T. System Board of Regents shall amend or repeal any portion of this Constitution when, in the judgment of the Board, the interests of U. T. Brownsville shall require it.
- (3) Amendment or Repeal by the Chief Student Affairs Officer. The chief student affairs officer has the power when, in his or her

judgment, the interests of the institution require it, to amend or repeal any provision in this Constitution, but such an action shall be in force only until the next meeting of the U. T. System Board of Regents when Item (1) above shall become applicable.

- B. In the case of rejection of ratification by the U. T. System Board of Regents, the amendments shall be returned to the SGA at which point the SGA will act in the best interest of the student body and collect the necessary data to justify and substantiate the need for such an amendment and may resubmit the amendments to the U. T. System Board of Regents through appropriate channels for reconsideration.

Section 4. Permanent Copy

Amendments shall be attached to the permanent copy of this Constitution preserved in the records of the Student Government Association.

Section 5. Ex Post Facto

No proposed amendment or act of the Student Government Association shall violate the rules of ex post facto, concerning present individuals or organizations so named in this constitution.

- Section 6.** Nothing contained in this Constitution of the student body shall in any way limit the final authority of The University of Texas at Brownsville or the Board of Regents of The University of Texas System.

9. U. T. Dallas: Request for Approval of Sculpture Project for Callier Center for Communication Disorders and Acceptance of Gift to Reimburse Associated Costs.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Rutford that a sculpture project entitled "The Joy of Sound" be approved for installation in the courtyard of the U. T. Dallas Callier Center for Communication Disorders and that a gift in the amount of \$20,000 from the Rupe Foundation, Dallas, Texas, be accepted to fund all costs associated with the project.

BACKGROUND INFORMATION

The recommended sculpture project, which will be completed by Ms. Annette Davis, Dallas, Texas, will include the bronze cast life-sized figures of three children. Photographs of the proposed project will be available at the meeting of the U. T. Board of Regents.

The Rupe Foundation is funding this project in honor of Miss Nelle C. Johnston, Dallas, Texas, who has devoted herself to supporting the Callier Center since its early beginnings.

10. U. T. Pan American: Recommendation for Approval for Proposed Revisions to Student Government Association Constitution and Bylaws.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nevarez that approval be given to proposed revisions to the Student Government Association Constitution and Bylaws of U. T. Pan American set out on Pages AAC 46 - 100 in congressional style.

BACKGROUND INFORMATION

The proposed revisions to the Constitution and Bylaws have been developed by the Student Government Association (SGA) and will be included in a campus-wide election to be held in mid-September 1992. Hence, this recommendation is conditioned upon successful passage of these proposed amendments. The proposed amendments acknowledge the merger of Pan American University with The University of Texas System and make significant changes in organizational structure and procedures.

Highlights of the proposed revised Constitution are as follows:

- a. The title "Attorney General" is changed to "Chief of Staff"
- b. The Student Senate has the right to fill vacancies in student membership of University committees if the SGA President fails to act
- c. There are significant changes regarding membership of the Student Senate including:
 - a residency requirement of one long semester or two consecutive summer sessions
 - allowance for one senator for each 800 students enrolled in each school or college instead of the former 400 students in each classification (freshman, sophomore, junior, senior, graduate)
 - creation of four Senator-at-Large positions, and
 - creation of a Senate seat for the Council of Student Organizations (a newly formed organization)
- d. Student Senators have the right to appeal removal from office
- e. A majority, rather than two-thirds, of the actual number of Student Senators is sufficient to call a Senate meeting
- f. Absentee votes are not allowed
- g. The Judiciary Committee is now called the Personnel Committee; the separate standing student committees for Student Service Fee Allocations and Academic Affairs Committees have been eliminated as duplicative of established University committees
- h. Supervision and coordination of general campus elections, formerly solely under SGA supervision, are conducted by the Office of Student Development
- i. Changes to the qualifications of President and Vice President include:
 - A residency requirement of one long semester or two summer sessions
 - The minimum GPA is raised from 2.0 to 2.5 at the time of filing, and a GPA no lower than 2.25 must be maintained while holding office, and
 - Candidates must have completed at least thirty semester hours at the time of filing

- j. Language related to appointive authority of the President is changed slightly to agree with the content of the Publications Guide regarding student membership of the Publications Committee; the U. T. System Student Advisory Group is referenced as an additional exception to the appointive authority of the SGA President
- k. Removal of the President or Vice President is done by impeachment (through grievances filed with the Student Court) rather than by recall election
- l. The Student Court is the original hearing body on complaints against the SGA and/or its officers
- m. The function of validating signatures on petitions is delegated by the Student Court rather than by the Judiciary Committee of the Student Senate
- n. Membership in the Student Court has changed from one Chief Justice and six Associate Justices to one Judge Advocate and four Judges
- o. The amendment process required by the Regents' Rules and Regulations is included.

The prior Executive Bylaws, Legislative Bylaws, Judicial Bylaws, and Election Code, formerly four separate documents, have been consolidated into a single set of Bylaws with highlights as follows:

- a. In the Legislative Bylaws, the Student Senate Procedural Rules have slight modifications
- b. There are no substantive changes in the Executive Bylaws
- c. In the Judicial Bylaws, members of the Judicial Branch are restricted from participating in hearings where a conflict of interest may exist, and the prior section prohibiting political activity of members of the Judicial Branch has been deleted
- d. The Election Code is deleted entirely, to be replaced with office procedures concerning the details of calling and handling elections by the Office of Student Development.

Although the exact history of the Student Constitution of the institution is unclear prior to 1954, there are some documents that reference the Constitution and the Student Senate. In the early 1950s, the Student Senate was comprised of two representatives from each campus club and class, and the Senate elected its Speaker and Subspeaker. In 1955, the Constitution was amended to allow campus elections for the Speaker and Subspeaker. The Constitution was rewritten in 1958 and the "Student Government of Pan American College" was organized. Minor amendments were recorded periodically for the next thirty years with two major amendments occurring during that period. Revision of the Constitution in 1977 reduced the size of the Senate by reducing the number of representatives. The next major amendments were in 1987 to

allow for representation by class instead of by school; to restrict the number of appointments made by the President; to add new standing committees; and to designate the University President as the final level of appeal for grievances.

The current proposed revisions have been reviewed and approved by the Office of General Counsel and have received the institutional approvals required by the Regents' Rules and Regulations, Part One, Chapter VI, Section 5, Subsection 5.12 concerning mode of amending constitutions and bylaws.

CONSTITUTION
OF THE
STUDENT GOVERNMENT ASSOCIATION
OF
THE UNIVERSITY OF TEXAS - PAN AMERICAN
~~[PAN-AMERICAN UNIVERSITY]~~

PREAMBLE

We, the students of The University of Texas - Pan American [~~Pan-American University~~], in order to provide an official student representative body to receive questions and suggestions, promote the rights of each student of the University, provide the official voice through which student opinion may be expressed, participate [~~participation~~] in the overall policy and decision-making processes of the University community, foster awareness of the students' role in the academic community, assist in enhancing the quality and scope of education at The University of Texas - Pan American [~~Pan-American University~~], provide means for responsible and effective participation in all facets of campus life, and provide identified services to students, do establish this Constitution for the Student Government Association of The University of Texas - Pan American [~~Pan-American University-at-Edinburg~~].

STUDENT RIGHTS

Student rights are detailed in the Student Guide, the Catalog, and in the Handbook of Operating Procedures of The University of Texas - Pan American and in the Rules and Regulations of the Board of Regents of The University of Texas System.

- ~~[1.-----The enumeration in the Student Government Association Constitution of certain rights shall not be construed to deny or disparage other rights retained by Pan American University students under the Constitution of the United States, the State of Texas and the laws in pursuance thereof.~~
- ~~2.-----The Student Government Association shall not make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, citizens of the State of Texas or the students of Pan American University nor shall the Student Government Association deny to any person the equal protection of the laws.~~

~~3.-----The right of Pan-American-University students to vote shall not be denied or abridged by the Student Government Association on account of nationality, race, creed, sex, or age.~~

~~4.-----The Student Government Association shall have authority to enforce the previously mentioned provisions through appropriate legislation.~~

~~5.-----The Student Government Association, as the student representative structure, is subject to the rights and responsibilities authorized by the Pan American University Board of Regents and administered by the Student Affairs Division.]~~

ARTICLE I: MEMBERSHIP

1.1 The representative structure for the students of The University of Texas - Pan American [~~Pan-American-University~~] shall be known as the Student Government Association, The University of Texas - Pan American [~~Pan American-University~~], herein referred to as the Student Government Association.

1.2 All full-time and part-time students enrolled and attending The University of Texas - Pan American [~~Pan-American-University~~] are members of the Student Government Association.

~~[1.3---The students shall exercise their authority through the student representative structure as outlined by the Student Government Association Constitution and By-Laws.]~~

ARTICLE II: STRUCTURE

2.1 The student representative structure of the Student Government Association shall consist of three (3) branches: the Legislative Branch, the Executive Branch, and the Judicial Branch.

2.2 [~~The Student Government Association is the most comprehensive forum of student representation in the University community.---The jurisdiction and authority of the student representative structure as outlined by the Student Government Association Constitution and By-Laws is to officially represent and conduct the proposed order of business in identified areas of student concern.---Areas of student and organizational concern shall include, but are~~

~~not limited to:--Faculty Evaluations,--Services and Programs,--University Student Organizations,--Student Service Fees,--University Committees, Student Appeals,--Curriculum Development,--Students on Academic Committees,--and Faculty Search Committees.]~~

- [2.3] A student may not serve [as a member] in more than one branch nor be the incumbent of more than one elected or appointed position within the Student Government Association at the same time, with the exception of membership in standing, ad hoc or temporary committees.

ARTICLE III: THE LEGISLATIVE BRANCH

- 3.1 The Legislative Branch of the Student Government Association shall be [~~composed of~~] the Student Senate.

3.1[2].1 All legislative authority is vested in the Student Senate.

3.1[2].2[+] The total number of the Student Senate is as stipulated in Section(s) 3.4.2 through 3.4.6 [3.5].

3.1[2].3[2] The actual number of the Student Senate refers to the Student Senators currently in office.

- 3.2[3] Authority and Responsibilities [~~The Student Senate has the following authorities and responsibilities:~~]

3.2[3].1 Sponsor all legislation and take appropriate action which shall be necessary and proper for executing the authority[ies] vested in the Student Senate. Legislation must be sponsored by a Student Senator and must be approved by two-thirds (2/3) of the actual number of Student Senators [~~present and voting~~].

3.2[3].2 Research and evaluate legislation, programs, reports, and available information so as to provide the Executive Branch officers with well-developed proposals.

3.2[3].3 Review [Approve] and/or amend, as deemed necessary, the proposed budget of the Student Government Association, and

submit it to the Student Fees Allocations Committee [~~and the recommendations made on Student Service Fee allocations, as submitted by the President~~]. No appropriation of funds shall exceed the total amount budgeted. Approval shall be by two-thirds (2/3) of Student Senators present and voting.

- 3.2[3].4 Approve or reject [~~Advise and act on~~] nominees for appointments made by the President.
- 3.2[3].5 Offer and accept input through legislation developed so as to provide a consensus of student opinion in the University community.
- 3.2[3].6 Initiate research [~~these investigative authorities~~] necessary to provide an effective student representative body; this may [~~will~~] include research [~~investigation~~] of all aspects of the University community.
- 3.2[3].7 Formulate suggestions and submit proposed revisions to the Student Guide [~~Handbook and any other publication affecting students~~].
- 3.2[3].8 Keep minutes of Student Senate meetings and proceedings current and available in the Student Government Association office, minutes herein referred to as the Student Senate Journal. Copies of these minutes will [~~shall~~] be submitted to the Office of Student Development.
- 3.2[3].9 Meet at least once during the Fall and Spring semesters with constituents at previously publicized times and places.
- 3.2[3].10 Consider and initiate [~~Approve~~] amendments to this Constitution and approve amendments to By[-]laws[;] with a two-thirds (2/3) vote of the total number of Student Senators [~~required~~].
- 3.2[3].11 Maintain the right to override a Presidential veto by two-thirds (2/3) vote of the total number of Student Senators.

3.2[3].12 Faithfully execute all authorities, duties, and responsibilities as outlined by the Student Government Association Constitution and By[[-L]aws.

3.2[3].13 Review, approve, modify, and/or disapprove recommendations as submitted by the President on such measures as he or she shall have deemed necessary and expedient in areas of student and organizational concerns. (~~SEE [Relates to]~~ Section 4.4.14 [5 and 2.2].)

3.2[3].14 [~~Assume the responsibility to~~] P[~~p~~]lace into nomination appointments to vacancies existing in the Legislative and/or Judicial Branches, University committees, and to the offices of Vice President and Chief of Staff [Attorney-General], should the President fail to meet the [his] responsibility [as] stated in Section 4.4.6[47] of this Constitution.

3.2.15 Elect a temporary chair to preside at Senate meetings in the absence of the Vice President.

3.3[4] Student Senators will be elected by a plurality of the votes cast.

3.4[5] Membership [~~in the Student Senate shall be based on a quota system, according to the following formula (X is the number of senators to be elected from each classification level, including Beginning-Freshman, Freshman, Sophomore, Junior, Senior, and Graduate):~~

~~X = # eligible students at classification level / 400~~

~~Any mixed number with a fraction exceeding one half (.5) increases X to the next higher integer.~~

~~Each classification shall have at least one senator.]~~

3.4[5].1 An undergraduate Student Senator shall be a student enrolled at The University of Texas - Pan American for no less than one long semester or two consecutive summer sessions, shall have and maintain a minimum GPA of 2.0 throughout his or her term of office, and shall not be on disciplinary probation. Except for

Senators-at-Large, Student Senators must be enrolled in the college or school that they represent at the time of filing and while holding office. All undergraduate Student Senators must be registered for at least six (6) semester hours at the time of filing and while holding office, and all graduate Student Senators must be registered for at least three (3) semester hours at the time of filing and while holding office [~~Beginning Freshman-Senators are those PAU-enrolled-students who enrolled at Pan American University for a summer or fall term immediately following the General Campus Elections and who had neither attempted nor accumulated any college semester credit hours (other than during concurrent enrollment, if applicable) prior to that enrollment.~~]

~~The number of Beginning Freshman Senators will be determined by the formula stipulated in Section 3.5].~~

3.4[5].2

Each undergraduate college and school shall have one Senator for each eight hundred (800) undergraduate students enrolled, to be elected by the students enrolled in each undergraduate college or school. Graduate students shall have one senator for each eight hundred (800) students enrolled in graduate school, to be elected by the students enrolled in graduate school. Enrollment figures from the preceding Fall Semester shall be used to determine the number of Senators each college or school shall have for the following year. For the determination of this figure, a majority portion of eight hundred (800) (i.e. 401) shall be used [~~Freshman-Senators are those PAU-enrolled-students who have accumulated 0-29 semester credit hours, as recognized by the Office of the Registrar, at the time of General Campus Elections.~~]

~~The number of Freshman Senators will be determined by the formula stipulated in 3.5].~~

3.4[5].3

Each undergraduate college, school, and the graduate student body shall be allotted at least one (1) Senator [~~Sophomore~~]

~~Senators are those PAU-enrolled students who have accumulated 30-59 semester credit hours, as recognized by the Office of the Registrar, at the time of General Campus Elections.~~

~~The number of Sophomore Senators will be determined by the formula stipulated in 3.5].~~

3.4[5].4 Four (4) students shall serve as Senators-at-Large, to be elected by the students of The University of Texas - Pan American [Junior Senators are those PAU-enrolled students who have accumulated 60-89 semester credit hours, as recognized by the Office of the Registrar, at the time of General Campus Elections.

~~The number of Junior Senators will be determined by the formula stipulated in 3.5.~~

3.5.5-----~~Senior Senators are those PAU-enrolled students who have accumulated 90 or more semester credit hours, as recognized by the Office of the Registrar, at the time of General Campus Elections.~~

~~The number of Senior Senators will be determined by the formula stipulated in 3.5.~~

3.5.6-----~~Graduate Senators are those PAU-enrolled students who have earned an undergraduate degree and are officially enrolled in a graduate school at Pan-American University as recognized by the Office of the Registrar.~~

~~The number of Graduate Senators will be determined by the formula stipulated in 3.5].~~

3.4[5].5[7] One Student Senator will be elected by the University Program Board Executive Council [as recognized by the Office of Student Development and the Student Government Association].

~~[3.5.7.1]~~ Only one member of the University Program Board Executive Council may serve as a member of the Student Senate at any one time.

3.4.6 One Student Senator shall be elected by the Council of Student Organizations.

3.5[6] Student Senators, elected in March, shall serve a one-year term, beginning on the 15th day of April and ending on the 14th day of April of the following year ~~[The term of office for Beginning Freshman Senators shall be for one year, beginning on the first day of November and expiring on the last day of October. The term of office for all other Senators shall be for one year, beginning on the first day of May and expiring on the last day of April.~~

~~3.7~~ ~~Student Senator qualifications are outlined by the Student Government Association Election Code].~~

3.6[8] Vacancies

3.6[8].1 Student Senate~~[erial]~~ vacancies will occur in the following ~~[valid]~~ circumstances:

- A. Resignation or graduation during term of office
- B. Removal from office for t[~~F~~]hree (3) unexcused absences from the Student Senate meetings and/or Senate Committee meetings in one (1) semester[;] or four (4) absences in one year, or for failing to meet the qualifications for office outlined in Section 3.4.1 [and subsequent removal.

~~G.-----Graduation-~~

~~D.-----Failure to meet these qualifications outlined in the Election Code, Section 4 and subsequent removal].~~

3.6.2 Senators who are removed from office on the basis of Section 3.6.1.B may appeal their removal to the Student Senate.

3.6[8].3[2] Student Senate[orial] vacancies occurring during a term of office [~~in positions originally elected through the quota system~~] shall be filled by Presidential appointment with the advice and approval of two-thirds (2/3) of the Student Senate present and voting.

3.6[8].4[3] Until approved by the Student Senate, the nominee for appointment shall not function as the official representative to the assigned position.

3.6[8].5[4] A student, once appointed and approved to fill a Student Senate vacancy, shall complete that term of office.

3.7[9] Meetings of the Student Senate

3.7[9].1 The Student Senate shall assemble to initiate its session the third [~~first~~] week in April [~~May~~].

3.7[9].2 Meetings of the Student Senate shall be called by the Vice President as presiding officer of the Student Senate or by written request of a majority [~~two-thirds-(2/3)~~] of the actual number [~~members~~] of the Student Senate.

3.7[9].3 The Student Senate shall meet at least once a month during the Fall and Spring Semesters [~~terms~~].

3.7[9].4 A quorum shall consist of one (1) more than one-half (1/2) of the actual membership of the Student Senate [~~positions filled~~].

3.7[9].5 No official business of the Student Senate shall be conducted at any meeting when a quorum is not present. The meeting may be called to order, the roll called, and in the absence of a quorum, the meeting recessed or adjourned. Any Student Senate meeting that [~~which~~] begins with a quorum, but later loses a quorum, is a valid meeting until the absence of a quorum is recognized. At that point, the only motions in order are to call the roll and to recess or adjourn.

3.8[+0] Voting

Each Student Senator shall have one vote, and no proxy votes shall be allowed. ~~[Absentee votes shall be allowed, provided criteria in Section 2.03B of the Legislative By laws are met. Voting procedures are outlined in Section 4 of the Legislative By laws, Senate Procedural Rules.]~~

3.9[+1] Parliamentary Authority

Unless otherwise noted by the Student Government Association Constitution and/or By[~~L~~]aws, Robert's Rules of Order shall be used as parliamentary authority.

3.10[2] Student Senate Officers

3.10[2].1 The Vice President shall serve as presiding officer of the Student Senate.

3.10[2].2 The Sergeant-at-Arms shall be elected by a majority of votes cast from among the Student Senators at a Student Senate meeting, shall [te] serve as parliamentarian of the Student Senate, and shall monitor absences of Senators and the Vice President at Senate and committee meetings ~~[shall assist the Executive Branch officers when assigned responsibilities]~~. The Sergeant-at-Arms shall remain a member of the Student Senate, ~~[and]~~ shall retain all rights and privileges of such a position, and shall be a member of the Student Government Association Advisory Council.

3.10[2].3 The Secretary shall be elected by a majority of votes cast from among the Student Senators at a Student Senate meeting and shall [te] record Student Senate minutes ~~[, and assist the Executive Branch officers when assigned responsibilities]~~. The Secretary shall remain a member of the Student Senate, ~~[and]~~ shall retain all

rights and privileges, and shall be a member of the Student Government Association Advisory Council.

3.10[2].4 The Student Senate officers shall perform all duties and responsibilities as outlined by this Constitution and By[~~L~~]aws.

3.11[3] Student Senate Standing Committees

3.11[3].1 The following committees shall be known as the Standing Committees of the Student Senate:

- A. Fiscal Operations
- B. Personnel [~~Judiciary~~]
- C. [~~Student-Service-Fee-Allocations~~]
- ~~D.]~~ University and Community Affairs
- [~~E.-----Academic-Affairs~~]
- ~~D~~[F]. Housing
- ~~E~~[G]. Special Student Groups

3.11[3].2 Membership, chairmanship and t[~~F~~]he duties, [and] responsibilities, and procedures of the Student Senate Standing Committees[~~,-membership-and-chairmanship procedures~~] are outlined in the Legislative By[~~-~~]laws.

ARTICLE IV: THE EXECUTIVE BRANCH

4.1 The Executive Branch officers [~~of the Student Government Association~~] are the President, Vice President, and Chief of Staff [~~Attorney-General~~].

4.2 The executive and administrative duties of the Student Government Association are vested in the Executive Branch officers.

4.3 The P[~~p~~]resident and V[~~v~~]ice P[~~p~~]resident [~~Executive Branch officers~~] shall be elected as a ticket in University-wide elections by a majority of the votes cast as stipulated by election procedures, under the supervision of the Office of Student Development [~~in the Election Code~~].

4.3.1 The President and Vice President shall be students enrolled at The University of Texas - Pan American for no less than one long semester or two consecutive summer sessions at the time of filing.

4.3.2 The President and Vice President shall each have and maintain a minimum cumulative GPA of 2.5 at the time they file and maintain no lower than a cumulative GPA of 2.25 while holding office.

4.3.3 Candidates for President and Vice President must have completed at least thirty (30) semester hours at the time of filing.

4.4 The President is vested with [~~delegated~~] the following authority[ies] and responsibilities:

4.4.1 To serve as the chief executive officer.

4.4.2 To officially represent [~~or cause to represent~~] the Student Government Association at all meetings, functions, and activities affecting the interests of the Student Government Association.

4.4.3 To appoint and remove, subject to Senate approval by simple majority of those present and voting, the Chief of Staff, executive aides, and [the] student representative[is] of the standing and ad hoc University committees and councils having student membership [~~from the student body who serve on boards, University committees, as executive aides and as the Attorney General.---This appointive authority shall be subject to legislative approval by simple majority; the removal authority for University committees shall be subject to legislative approval by simple majority.---Appointee(s) to boards, University committees, as executive aides and the Attorney General are representatives of the Student Government Association.---They are responsible and accountable to the Office of the Executive Branch~~]. The only exceptions to this appointive authority of the [Student Government Association] President will be the student membership of the Publications Committee which consists of the two editors of Student

Publications, two students elected by the student body, and two students appointed by the President of SGA, and the U. T. Pan American members of the U. T. System Student Advisory Group who are selected through a process specified by the U. T. Pan American President [~~Half of the student membership shall be appointed by Student Government Association; the other half of the student membership shall be appointed by the Student Publications Association.-- Student editors shall not be appointed as voting members of this committee~~].

- 4.4.4 To deal with nonpolicy matters in a manner consistent with this Constitution and its By[-]laws until such times as the Student Senate establishes policy on the matter in question.
- 4.4.5 To [~~establish and~~] appoint executive aides as [~~s/he shall~~] deemed necessary [~~and expedient~~] for [~~investigation,~~] research[-;] and assistance purposes.
- 4.4.6 To place into nomination appointments to vacancies existing in the Legislative Branch, [~~and~~] the Judicial Branch and University committees, as well as to the offices of Vice President and Chief of Staff [~~Attorney-General~~] within twenty (20) class [~~30 calendar~~] days after a vacancy occurs.
- 4.4.7 To participate in activities [~~enter into agreements~~] with agencies or [~~and~~] groups [~~organizations~~] outside [~~of~~] the University [~~community~~] by and with approval of two-thirds (2/3) vote of the Student Senate present and voting and the Office of the Dean of Students.
- 4.4.8 To sign and execute legislation passed by the Student Senate or to veto such legislation [~~unless vetoed.-- Any legislation passed by the Student Senate requiring Presidential signature may be vetoed~~].
- 4.4.9 To prepare, authorize, and submit all Student Government Association requisitions required by state law or University procedures to the Office of Student Development.

- 4.4.10 To negotiate and formulate a Student Government Association budget through University administrative channels [~~and submit recommendations on the allocation of Student Service Fees through the Student Affairs Advisory Committee~~]. The President shall present the proposed budget to the Student Senate for consideration and approval prior to submission to the Dean of Students.
- 4.4.11 To submit recommendations on the allocation of Student Service Fees through the Student Fees Allocations Committee [~~To brief the incoming President by means of a written progress transition report on the state of student and University affairs. A copy of this report must be submitted to the Assistant Dean of Students~~].
- 4.4.12 To ensure that all provisions of this Constitution, the By[-]laws[; Election Code,] and statutory enactments of the Student Senate are faithfully executed and adhered to.
- 4.4.13 To require written [~~in writing~~] submission of all action(s) taken by the Judicial Branch on any Constitution[;] or By[-]laws [; Election Code] provisions, or any statutory enactment that is in question.
- 4.4.14 To present to the Student Senate, on a monthly basis[;] during the F[f]all and S[s]pring semesters, information concerning the state of the Student Government Association and recommend for [its] consideration such measures as he or she [s/he] deems necessary and expedient.
- 4.4.15 To submit to the Student Senate during the first regular meeting of the F[f]all Semester a presentation of goals of the Executive Branch [~~legislative programs~~].
- 4.4.16 To serve as presiding officer and call meetings of the Student Government Association Advisory Council (referenced in Section 4.10.1).

~~[4.4.17]-----To serve as the student representative to the Pan American University Board of Regents.~~

~~4.4.18-----To appoint an executive assistant whose duty is to assist the President, if s/he deems necessary, in fulfilling the executive and administrative functions of the Student Government Association.]~~

4.5 The Vice President shall have the following authority[ies] and responsibilities:

4.5.1 To call meetings and preside over the Student Senate.

4.5.2 To determine [and formulate] the items of business to be placed before the Student Senate.

4.5.3 To appoint and remove the [chairpersons and] members of the Student Senate Standing Committees[;] and the chairs and members of ad hoc[;] and temporary committees.

4.5.4 To add such duties as he or she [s/he] deems necessary to any committee, provided that such duties do not conflict with the established duties of another committee.

4.5.5 To coordinate the Student Senate Standing Committees and[;] ad hoc[;] and t[emporary] c[G]ommittees and see that the Student Senate responsibilities are faithfully executed.

4.5.6 To assist the President in fulfilling the executive and administrative functions of the Student Government Association.

4.5.7 To assume the duties of the President when so directed by the President.

4.5.8 To succeed as President if the office becomes vacant and to temporarily assume the authority and responsibilities of President if the President is absent.

- 4.5.9 To ~~[establish and]~~ appoint such legislative ~~[executive]~~ aides as he or she ~~[s/he]~~ shall deem necessary and expedient for ~~[investigative]~~ research and assistance purposes.
- 4.5.10 To serve as student representative and liaison to the Faculty Senate[;] or to delegate this function to a Student Senator.
- 4.5.11 To be a member and attend meetings of the Student Government Association Advisory Council ~~[when called by the President]~~.
- 4.5.12 To vote in the Student Senate only to break a tie.
- ~~[4.5.13-----To appoint an executive assistant whose duty is to assist the Vice President, if s/he deems necessary, in fulfilling vice presidential duties.]~~
- 4.6 The Chief of Staff ~~[Attorney General]~~ shall have the following authority[ies] and responsibilities:
- 4.6.1 Represent the Student Government Association before the Student or Student Supreme Court ~~[or Election Commission]~~ when a complaint by a student is issued regarding violation of this Constitution or Bylaws ~~[an official University policy and/or regulation, as stipulated in this Constitution and the Election Code], if so requested by the President.~~
- 4.6.2 Receive and forward all complaints to the appropriate presiding official of a judicial body; ensure that copies are forwarded to each member of the respective judicial body to which the complaint has been referred, as well as to the President, Dean of Students, plaintiff(s), and defendant(s).
- 4.6.3 Advise the President and Advisory Council on judicial matters and be available to render advisory opinions relating to the Student Government Association ~~[procedures]~~ when requested in writing ~~[a written petition]~~ by a U. T. Pan American ~~[University]~~ student(s).

4.6.4 [Te] A[a]ssist the President in fulfilling the executive and administrative functions of the Student Government Association.

~~[4.7----Qualifications shall be outlined in the Election Code.]~~

4.7[8] The term of office for Executive Branch officers shall be for one year, beginning on the fifteenth [first] day of April [~~in May~~] and ending [expiring] on the fourteenth [last] day of April.

4.8[9] Vacancies

4.8[9].1 Vacancies in the office of President[ial,] or Vice President[ial,-or Attorney-General-vacancies] will occur in the following [valid] circumstances:

- A. Resignation or graduation during term of office
- B. Removal from office for f[F]ailure to meet the qualifications outlined in the Constitution or [and Section 4 of the Election Code]
- C. Through impeachment [Attorney-General-removal-
- D.-----Removal of the President and Vice-President will be caused by a majority of votes cast in a recall election. For a recall election to take place, a petition of 40% of the number of ballots cast in the General Election in which they were elected must be submitted to the Attorney-General].

4.8[9].2 A vacancy in the office of [The] Vice President[ial-or-Attorney General-vacancy] shall be filled by appointment by the President as outlined by this Constitution and [-Executive] By[-]laws, [~~and Election Code,~~] with the advice and approval of two-thirds (2/3) of the Student Senate present and voting.

- 4.8[9].3 Until approval by the Student Senate, the nominee for appointment shall not function as Vice President [~~the official student representative to the assigned position~~].
- 4.8[9].4 A student, once appointed and approved to fill a vacancy in the office of the Vice President [~~ial or Attorney General vacancy~~], shall complete that term, unless a vacancy occurs as stipulated in Section 4.8[9].1.
- 4.9[10] The President and Vice President are each entitled to a salary, stipend or grant, as stipulated in the Student Government Association budget for the fiscal year.
- 4.10[11] The Student Government Association Advisory Council shall serve as a forum of communication between the Legislative, Judicial [~~respective student representative branches~~] and [~~the~~] Executive Branches.
- 4.10[11].1 Membership on the Student Government Association Advisory Council shall consist of the President, Vice President, Chief of Staff [~~Attorney General~~], Secretary, Sergeant-at-Arms, Chief Justice and Judge Advocate [~~Election Commission Chairperson~~].
- 4.10[11].2 The President shall call meetings as he or she [~~s/he shall~~] deems necessary and expedient to promote the efficiency of the Student Government Association.
- 4.10[11].3 The purpose and sole authority of the Student Government Association Advisory Council is to offer reflections, opinions, and suggestions in all matters affecting the Student Government Association and to aid in carrying out those functions necessary to promote efficiency in all aspects of the Student Government Association.

ARTICLE V: THE JUDICIAL BRANCH

- 5.1 The Judicial Branch shall be composed of a Student Court and a Student Supreme Court [~~Election Commission~~].

5.2 All [J]udicial authority shall be vested in the Student Court and the Student Supreme Court [~~Election-Commission~~].

5.3 Authority of the Student Court

5.3.1 Original jurisdiction to hear and rule on cases involving this Constitution, its By[-]laws, [~~Election-Code,~~] and the constitutionality of statutory enactments [~~in-pursuance thereof~~] when so requested in writing [~~a-written-petition~~] by a U. T. Pan American [~~University~~] student(s).

~~[5.3.2-----Serve on recognized Student Affairs committees as outlined in the Student Handbook and Judicial By-laws.]~~

5.3.2[3] Hear and rule on appeals from plaintiffs regarding an election decision of the Office of Student Development [~~Election Commission~~].

5.3.3[4] Hear and rule on all original cases from plaintiffs on complaints against the Student Government Association and/or its officers [~~when a complaint is other than an appeal of a decision of the Election-Commission~~].

5.3.4[5] Hear and rule on all original cases referred from the Office of Student Development regarding candidates' alleged violations of election procedures as promulgated by the Office of Student Development [~~Faithfully execute all authorities, duties, and responsibilities as outlined by this Constitution and its By-laws~~].

5.3.5 Determine the validity of signatures on petitions, as specified in the Judicial Bylaws, Section 1.

5.4 Authority of the Student Supreme Court [~~Election-Commission~~]: To act as the final level of appeal for decisions made by the Student Court.

~~[5.4.1-----To conduct all the elections under the jurisdiction of the Election-Code appended to this Constitution.~~

- 5.4.2-----~~To ensure the proper apportionment of Student Senatorial positions as prescribed under this Constitution.~~
- 5.4.3-----~~To supervise and therefore assure the correctness of the printing of ballots, copies of proposed Constitutional amendments, complete texts of issues to be considered in referendums and any other official publications of the Election Commission that are designated to assist the voter.~~
- 5.4.4-----~~To supervise the filing of candidates for elections.~~
- 5.4.5-----~~To ensure that polls are established in compliance with the Election Code.~~
- 5.4.6-----~~To supervise the counting and/or extracting of the ballots.~~
- 5.4.7-----~~To supervise the locking of the ballot boxes in one (1) room or the locking of voting booths as designated by the Election Commission when the polls are closed.~~
- 5.4.8-----~~To certify campaign material as prescribed in the Election Code appended to this Constitution.~~
- 5.4.9-----~~To hear and rule on original cases from plaintiff(s) when a complaint is issued regarding an election, except when a complaint is registered against a member(s) of the Election Commission.~~
- 5.4.10-----~~To faithfully execute the election procedures of the Student Government Association as provided in this Constitution, the Election Code, and the By laws.]~~

5.5 Membership in the Judicial Branch

- 5.5.1 The Student Court will consist of a Judge Advocate [Chief Justice] and four (4) [~~six (6)~~] Judges [~~Associate Justices~~].

5.5.2 The Student Supreme Court shall consist of a Chief Justice and four (4) Associate Justices, including two (2) students and two (2) faculty members. The position of Chief Justice will be filled by a student appointed by the President [Election Commission will consist of an Election Chairperson and at least six (6) other Election Commissioners, not to exceed fifteen (15) commissioners, unless otherwise deemed necessary by the President].

5.5.3 Judges and Associate Justices [and Election Commissioners] will be [designated and] nominated for appointment by the President with the advice and approval of two-thirds (2/3) of the Student Senate present and voting. Faculty Associate Justices will be appointed by the Faculty Senate for two year staggered terms.

Appointments to the Judicial Branch must be made within twenty (20) class days after the first day of the Fall Semester.

5.5.4 The Chief Justice and Judge Advocate must have a minimum cumulative GPA of 2.5 at the time of appointment and maintain no lower than a cumulative GPA of 2.25 while holding office.

5.6 Terms of Office for Members of Judicial Branch

5.6.1 The Chief Justice's and the Judge Advocate's terms of office shall be concurrent with the Executive and Legislative Branches under which they were [s/he-was] appointed.

5.6.2 The terms of office for Judges and for Associate Justices shall be designated as follows:

In each respective judicial body, half of the [Three-(3)] Associate Justices' and Judges' terms will begin in [an] an odd year and end concurrently with the terms of the Executive and Legislative Branches in [an] the next odd year; the remaining [Three-(3)] Associate Justices' and Judges' terms

will begin in ~~[on]~~ an even year and end concurrently with the terms of the Executive and Legislative Branches in ~~[for]~~ the next even year.

5.6.3 ~~[Election Commissioners' terms of office will end when Executive Branch officers, Student Senate, and the University Program Board election results are certified and the newly elected officials take office. This includes any necessary runoff elections.]~~

5.7 Associate Justices and Judges ~~[Election Commissioners]~~ must have a minimum cumulative GPA of 2.25 at the time of appointment and maintain no lower than a cumulative GPA of 2.0 while holding office ~~[meet the same qualifications as do elected student representatives during their term of offices as outlined in the Election Code, Sections 4.01 through 4.04].~~

5.8 Vacancies

5.8.1 Vacancies will occur for the following reasons in the Judicial Branch:

A. Resignation or graduation during term of office or

B. Removal from office for t[~~7~~]wo (2) unexcused absences or three (3) absences for any reason or for failure to meet qualifications outlined in this Constitution [and subsequent removal.

~~C. Failure to meet qualifications outlined in this Constitution and Sections 4.01 through 4.04 of the Election Code and subsequent removal].~~

5.8.2 Vacancies in the Student Court ~~[Judicial Branch]~~ will be filled by appointment by the President based upon the qualifications and process as outlined by this Constitution and ~~[Executive]~~ Bylaws, with the advice and approval of two-thirds (2/3) of the Student Senate present and voting; vacancies in the Student

Supreme Court shall be filled in the same manner as they were originally filled. Should a student vacancy exist for more than twenty (20) class days, the SGA Advisory Council shall fill that vacancy with approval of a majority of the Student Senate present and voting.

5.8.3 Until approval of the Student Senate and other appropriate parties, the nominee for appointment shall not function as the official [student] representative to the assigned position.

~~[5.8.4-----A student, once appointed to fill a Judicial Branch vacancy, shall complete the remaining designated term of the Justice or Election Commissioner vacating the position.]~~

5.9 Hearings [Meetings] of the Judicial Branch

5.9.1 All Judicial Branch records shall be kept at the Student Government Association office, easily accessible to all students.

5.9.2 Judicial Branch [meetings,] hearings, [etc.,] with exception of deliberation, shall be open to the University community.

5.9.3 Notice of [Student] Judicial Branch [Court meetings,] hearings[-etc.] shall be posted with the following information at the Student Government Association office at least three class days before convening [with the following information]:

Place and Time of Meeting

Date of Meeting

Nature of Meeting

~~[Signed by Chief Justice or Election Chairperson]~~

5.9.4 Five (5) members shall constitute a quorum for the Student Court and three (3) members, including at least one (1) faculty member, shall constitute a quorum for the Student Supreme Court.

~~5.9.5-----Anyone charged with an offense shall be notified of charges, person(s) who levied charges, time, place, and date at least three (3) class days prior to meeting, hearing, etc.; if s/he needs more time to prepare a defense, s/he may petition the Chief Justice or Election Chairperson where applicable.~~

~~5.9.6-----Both sides shall have right to cross-examine witnesses.~~

~~5.9.7-----Both Defense and Plaintiff may enter any evidence, provided opposing sides are given copies before presenting evidence to the Judicial Body.~~

~~5.9.8-----Copies of transcripts or tapes of Judicial Branch meetings will be provided to anyone at his or her expense.~~

~~5.9.9-----Plaintiff will present case first, followed by Defense.]~~

5.9.5[10] The Defendant is considered [Students are] innocent until proven guilty by a preponderance of evidence [and Plaintiff must "prove beyond a reasonable doubt" any allegations made].

5.9.6[11] A. [For failure to abide by the Election Code, t]The Judicial Branch body will administer appropriate [the] penalties and sanctions to candidates who fail to abide by election procedures of the Office of Student Development [outlined in the Election Code].

B. The Judicial Branch body[-in ruling on cases other than the Election Code,] will [may] refer any perceived violations of University rules [the case] to the [Faculty-Student Disciplinary Committee] Dean of Students.

5.9.7[12] Within ten (10) [Three-(3)] class days after the Judicial Branch body has concluded its hearing, all parties concerned shall be notified of the decision by certified mail (or by hand delivery, with a signed receipt required). A copy will be kept in the Student Government Association office for public inspection.

One class day is any day in which at least three (3) consecutive class periods are scheduled.

5.9.8[13] No official business will be conducted at any hearing or[:] meeting[:,-etc:] when a quorum is not present.

5.9.9[14] All decisions and authority of the Judicial Branch shall reside in a majority vote of the respective judicial body.

~~[5.9.15-----The Student Court shall meet to conduct official business only when requested in a written petition to the Attorney-General by a Pan-American University student(e) and called for by the Chief-Justice.]~~

5.9.10[6] After a case has been heard, but before a ruling is made by a [the] judicial body [Student-Court], advice and recommendations may be sought from the Dean of Students or his or her designee.

5.9.11[7] After a case has been heard and ruled on by the Student Court, an appeal may be presented, within five (5) class days, to the Student Supreme Court [Appeals-Panel].

[A: ~~This panel shall be made up of six (6) members, four (4) students and two (2) faculty. The Student Government Association President, Vice-President, Attorney-General, and Election Commission Chairperson will each appoint a student member, who hold neither an elected nor an appointed position in the Student Government Association, with approval by the Student Senate with a two-thirds (2/3) vote of Student Senators present and voting. The Faculty Senate shall appoint the two (2) faculty members to serve on this panel.]~~

5.9.12(B) The Student Supreme Court [~~Appeals Panel~~] shall rule on the appeal within ten (10) class days after receiving the appeals request. The Student Supreme Court's decision shall be final.

~~[5.9.18-----After an appeal has been heard and ruled on by the Student Appeals Panel, an appeal may be presented to the Office of the President, PAU, within five (5) class days. The President shall rule on the appeal within ten (10) class days after receiving the appeals request.]~~

5.9.13(9) Should [either] the Student Supreme Court [~~Appeals Panel or the University President~~] require more than the stipulated ten (10) class day time limit to rule on an appeal, notification should be given to all interested parties with the date when a decision is to be expected. This extended deadline must not exceed twenty (20) class days.

5.10 Voting

5.10.1 Each member of the Judicial Branch [~~Associate Justice and Election Commissioner~~] shall have one (1) vote and no proxy or absentee votes shall be allowed.

5.10.2 The manner in which a vote is cast [~~or not cast~~] shall be duly noted in the respective Student Court or Student Supreme Court [~~Election Commission~~] official records.

5.11 Presiding Judicial Officials

5.11.1 The Chief Justice shall be the chief administrator of the Judicial Branch [~~or Election Commission Chairperson shall vote only in the case of a tie~~]. He or she shall preside over meetings and hearings of the Student Supreme Court. The Judge Advocate shall preside over meetings and hearings of the Student Court.

5.11.2 The Chief Justice and Judge Advocate [~~or Election Commission Chairperson~~] shall be responsible for a complete

record of all judicial action, copies of which must be filed regularly in the Student Government Association office [~~of the Judicial Branch~~] and with the Dean of Students [~~President~~].

5.11.3 The Chief Justice or the Judge Advocate [~~Election-Commission Chairperson~~] shall be responsible for seeing that the respective judicial body conducts its business according to the provisions of this Constitution, By[-]laws, and additional procedures adopted by said judicial body.

5.11.4 The Chief Justice or Judge Advocate [~~Election-Commission Chairperson~~] shall have the authority to summon [~~εὐβρεῖα~~] witnesses, or a majority vote of the respective judicial body shall require the presiding judicial official to exercise this authority.

5.11.5 The Chief Justice or Judge Advocate [~~Election-Commission Chairperson~~] shall act as the official spokesperson and preside over meetings of the respective judicial body, coordinate work within the judicial body, and designate a member from their respective judicial body to record the meetings and[:] hearings[:,-etc].

5.11.6 The Chief Justice [~~or-Election-Commission-Chairperson-in-the respective-judicial-body~~] may remove any Justice or Judge [~~Election-Commissioner~~] for having two (2) unexcused absences or any three (3) absences to meetings or[:] hearings[:,-etc:], provided that a minimum of three (3) class days prior notice of such a meeting or[:] hearing[:,-etc:] has been given[:,-or-for-failing-to-meet-those-qualifications-outlined in-the-Election-Code,-Section-4].

The Chief Justice [~~or-Election-Commission-Chairperson~~] shall decide, based on the valid reasons provided below, whether the Justice or Judge [~~Election-Commissioner~~] is excused or unexcused:

A. Death, accident, or illness in the family

- B. Personal illness or accident
- C. Student Government Association official business
- D. Official University business or scheduled classes.

ARTICLE VI: OATH OF OFFICE

The Oath of Office, administered by the outgoing Student Government Association Chief Justice, shall be given to the Student Government Association President, Vice President, and Student Senators; ~~[at the first Student Senate meeting in May.]~~

~~[Beginning Freshman Senators will be administered the Oath of Office at the first Senate meeting after their election. The Oath will be administered by the Chief Justice.]~~

"I solemnly swear (or affirm) that I will faithfully execute the duties of my office and will, to the best of my ability, preserve, protect and defend the ~~[Student Government]~~ Constitution of the Student Government Association ~~[and enforce the enactments which may be made in the pursuance thereof]."~~

Associate Justices, Judges, the Judge Advocate ~~[Election Commissioners]~~, and the Chief of Staff ~~[Attorney General]~~, once approved by the Student Senate, shall take this Oath of Office. The Student Government Association Chief Justice shall administer it at a meeting of the Student Senate. The President shall administer the oath, at a meeting of the Student Senate, to the Chief Justice once he or she ~~[s/he]~~ has been approved by the Student Senate. ~~[The President shall administer the oath at a meeting of the Student Senate.]~~

ARTICLE VII: AMENDMENT [AMENDING] PROCESS

- 7.1 Amendments to this Constitution may be sponsored by a Student Senator or by petition of amendments signed by an equivalent of one-third (1/3) of the total number of students voting in the last General Election.

- 7.2 Constitutional amendments proposed by the Student Senate must be passed by a two-thirds (2/3) majority of the total number [membership] of the Student Senate in order to be placed on the ballot for consideration in a duly authorized election or referendum. [~~if an amendment is sponsored by a Student Senator, two-thirds (2/3) of the total number of Student Senators is required for the proposed amendment.~~]
- 7.3 If an amendment is introduced by the students, the petition of amendment shall contain the required signatures and shall be submitted to the Judge Advocate [~~Vice-President~~] so that it may be presented to the Student Court [~~Senate Judiciary Committee~~]. Upon validation and certification of required signatures, the proposed amendment shall be placed before the students.
- 7.4 Amendments shall be adopted as [~~become a~~] part of this Constitution when ratified by an affirmative vote of a majority of the students voting in a duly authorized election. However, the change shall not become effective until transmitted to and acted upon by the Dean of Students, the President of U. T. Pan American, the Executive Vice Chancellor for Academic Affairs, and the Chancellor and approved by the Board of Regents of The University of Texas System.
- 7.5 [~~By laws and Codes~~] Amendments to the By[~~-~~]laws [~~and Election Code~~] must be sponsored by a Student Senator and approved by a two-thirds (2/3) vote of the total number of Student Senators.
- 7.6 A. The Board of Regents of The University of Texas System shall amend or repeal any portion of the Constitution and Bylaws of the Student Government Association when, in the judgment of the Board, the interests of U. T. Pan American shall require it.
- B. The Dean of Students shall have the power, when in his or her judgment the interests of the institution require it, to amend or repeal any provision in the Constitution or Bylaws of the Student Government Association, but such action shall be in force only until the next meeting of the Board when Section A, above, shall become applicable.

ARTICLE VIII: RATIFICATION

- 8.1 This Constitution[;] and ~~[the Legislative, Executive, Judicial]~~ By[-]laws, ~~[and Election-Code]~~ shall be the official legal documents of the Student Government Association of The University of Texas - Pan American ~~[Pan American-University]~~ upon ratification by an affirmative vote of at least a majority of the students voting in a constitutional referendum, and when acted upon by the Dean of Students, the U. T. Pan American President, the Executive Vice Chancellor for Academic Affairs, and the Chancellor and approved by the Board of Regents of The University of Texas System ~~[approval through the agreed University processes and by the Board of Regents.--For temporary Student Government Association business, this Constitution will be provisionally effective upon ratification by the students].~~
- 8.2 ~~[This Constitution shall supersede all previous constitutions.--All laws heretofore now in effect and not in conflict with any provisions of this Constitution are hereby declared to be binding and valid as statutory enactments.~~
- 8.3] All officials elected or appointed under the requirements of the previous Constitution, which this Constitution supersedes, shall remain in their corresponding offices and exercise their corresponding duties and responsibilities as set forth within this Constitution until their terms of office expire.

BYLAWS
OF THE
STUDENT GOVERNMENT ASSOCIATION
OF
THE UNIVERSITY OF TEXAS - PAN AMERICAN

I. LEGISLATIVE BY[-]LAWS

1. ADVISOR

It shall be the duty and responsibility of the Advisor(s) to: ~~b~~^Be a nonvoting member(s) of the Student Government Association; aid and advise officers and legislative bodies of the Student Government Association; aid in providing beneficial relations between administrators and students; and act as representative(s) at ~~all~~ Student Government Association functions. The Advisor shall act as the official University account manager for Student Government Association funds.

2. STUDENT SENATE MEMBERSHIP

2.[0]1 The members of the Student Senate shall be those students duly elected or appointed according to those provisions outlined in the~~s~~^{is} Constitution.

~~[2.02--In all meetings of the Student Senate or its committees, members shall have the following privileges:~~

~~A.-----To vote~~

~~B.-----To introduce and sponsor legislation~~

~~C.-----To serve on committees of the Student Senate~~

~~D.-----To make or second motions~~

~~E.-----To address meetings of the Student Senate or its committees~~

~~F.-----To have all general rights, privileges and responsibilities granted to members of the Student Senate]~~

2.2[03] No Student Senator shall be absent from meetings of the Student Senate or his ~~or~~^r her committee without valid excuse.

- A. The Sergeant-at-Arms, as an officer of the Student Senate and bestowed with those duties delegated to him or[f] her by theis Constitution, shall keep a permanent record of the Student Senate roll attendance.
- B. The Sergeant-at-Arms shall decide, based on the valid reasons provided below, whether the absence of [~~there is a quorum or not, if~~] a Student Senator is excused or unexcused.[:] The following circumstances shall constitute an excused absence:
1. Death, accident, or illness in the family
 2. Personal illness or accident
 3. Student Government Association official business
 4. Official University business or [~~and~~] scheduled classes
- C. A Student Senator who has accumulated a total of three (3) unexcused absences [~~marks for failing to attend meetings~~] in one semester or a total of four (4) absences [~~unexcused marks~~] in one (1) year, or fails to meet those qualifications outlined in Section 3.4.1 of the Constitution [~~the Election Code Section 4~~] shall be removed as a Student Senator and a vacancy shall occur. This includes all committee and regular and special Student Senate meetings, provided that a minimum of three (3) class days prior notice of such a meeting has been given. Notification of removal must be in writing.
- D. After two unexcused absences or three absences of any kind, t[~~F~~]he Student Senator must be officially notified in writing of the impending action by the Vice President and the Sergeant-at-Arms. A signed receipt of this notification is required.
- E. In the case of removal, [f] a Student Senator may [~~wishes to~~] appeal the decision[~~, he or she may do so~~] within five (5) class days to the Student Senate Judiciary Committee who shall introduce its recommendation before the Student Senate for a vote.

F. A two-thirds (2/3) vote of the actual ~~[total]~~ number of Student Senators is required to overrule a Sergeant-at-Arms' decision.

3. OBSERVERS

3.[0]1 Observers shall be all students who are not Student Senators or officers of the Student Senate, as well as members of the faculty, staff, and administration[;] and other invited guests as determined by the Vice President.

3.[0]2 In all meetings of the Student Senate, or its committees, observers shall have the ~~[following]~~ privilege[s:] of addressing ~~[A.--To address]~~ such meetings when so allowed by the Vice President. A time limit may be imposed.

~~[B.-----To attend such meetings.]~~

3.[0]3 Any person attending a meeting of the Student Senate or a meeting of a Student Senate committee, or having been granted the privileges of addressing such a meeting, shall conform to, abide by, and be subject to all rules, laws, and regulations as adopted by either body for governing the conduct of its members and business.

~~[4--PROCEDURAL RULES~~

~~The Student Senate shall determine and adopt the Student Senate procedural rules.]~~

4[6]. STANDING COMMITTEES OF THE STUDENT SENATE

4.1[5-04] No Student Senator may serve as a voting member on more than two (2) Standing Committees of the Student Senate ~~[as a voting member]~~.

~~[5.02-----Student Senators and the Vice President shall not act as ex-officio members on any Student Senate Standing Committee.]~~

- 4.2[5.03] A quorum ~~[A majority of Student Senators of a respective Student Senate Standing Committee]~~ must be present before any ~~[the particular]~~ committee may conduct the duties and responsibilities as provided by these By[-]laws.
- 4.3[5.04] ~~[Each Standing Committee of the Student Senate shall fix regular meeting times (at least monthly) for the transaction of business before the committee.--Additional]~~ M~~[m]~~ meetings may be called by the chairperson of each committee as he or~~[f]~~ she shall deem necessary, or by a majority of committee members.
- 4.4[5.05] Each committee shall keep a complete record of attendance and all committee action, and such copies must be filed regularly with the Vice President.
- 4.5[5.06] Each committee shall elect its own chairperson. ~~[The Vice President shall appoint the chairpersons of the Student Senate Standing Committees with the advice of the Student Senate.]~~
- 4.6[5.07] It shall be the duty of the chairperson of each Student Senate Standing Committee to report or cause to report promptly to the Student Senate, in writing, any measure approved by a majority of the committee ~~[s/he chairs]~~.
- 4.7[5.08] The chairperson of each committee shall be responsible for seeing that the committee conducts its business according to the provisions of the ~~[this]~~ Constitution, the By[-]laws, and additional procedures adopted by that committee.
- 4.8[5.09] No measure or recommendation shall be reported to the Student Senate unless the measure or recommendation was approved by a majority of that committee.
- 4.9[5.10] Each Standing Committee shall determine its own rules of procedure as long as they do not conflict with ~~[other]~~ provisions of the Constitution, By[-]laws, and procedural rules.

4.10[5.11] The following committees shall be known as the Standing Committees of the Student Senate :

A. Fiscal Operations

All legislation concerning expenditures must go through this committee. The committee may recommend approval, modification, or rejection of legislation concerning expenditures. Its jurisdiction shall include matters relating to the following areas: appropriations and Student Government Association budget.

B. Personnel [Judiciary]

This committee may [must] recommend to the Student Senate approval or disapproval of Presidential nominations for appointments. This committee shall present the case to the Student Senate against a Student Senator for failure to perform his or her duties and may recommend sanctions against that senator [to the Student Senate disciplinary action against any Student Senator]. It may also hear Student Senatorial appeals regarding unexcused absences. [This committee shall have investigative authority to consider all subjects of interest or having direct influence on Pan American University students and may recommend courses of action for the Student Senate to take.]

C. University and Community Affairs

This committee shall have jurisdiction over the planning and conducting of all [the following:--All] Student Senate-sanctioned University special events. This committee shall promote public relations with students, faculty, administration, and the community.

~~[D.-----Student Service Fee Allocations~~

~~This committee will research and review Student Service Fee allocations and budgets.-- It shall send a representative to the Student Affairs Advisory Committee meetings, as an observer,~~

~~with consent from the Dean of Students, when student service fee budget requests are examined or at any time student service fee policies and items are the topic of discussion. The President of Student Government Association, as a member of the Student Affairs Advisory Committee, will meet with the Student Government Association Student Service Fee Allocations Committee to participate in discussions. This committee may make recommendations regarding student service fee allocations to the Senate, and the Student Senate, in turn, may make recommendations to the President of the University when deemed advisable.]~~

~~[E.-----Academic Affairs~~

~~This committee will study and have investigative authority in the following areas:--curriculum requirements, degree plans, academic division reorganization, faculty evaluations and any other academic areas of concern.]~~

D[F]. Housing

This committee's purpose will be to protect the interests of the Residence Hall constituents. Its membership shall include [have] two (2) dorm residents, one elected from each residence hall [dorm], to serve as ex officio members of this committee. The Housing Committee may review Residence Hall budgets.

E[G]. Special Student Groups

This committee shall consider any requests for Student Government Association assistance from any special student group, as recognized by the Office of Student Development.

[6--CLASSIFICATION OF LEGISLATION

6.01---Constitutional Amendments

A.-----Constitutional amendments may be proposed by Student-Senators.

B.-----Constitutional amendments considered by the Student-Senate shall be proposed for entry on the ballot following approval of two-thirds (2/3) of the total number of Student-Senators.

C.-----Constitutional amendments will also be entered on the ballot after petition by one-third (1/3) of the total number of ballots cast in the last General-Election.

6.02---Pan-American-University-Bills

A.-----Pan-American-University-Bills shall be introduced in the Student Senate when the substance of such bills involve action by areas or departments within the University other than the Student-Government Association.

B.-----University-Bills shall become law only when approved according to the procedures outlined in Section-1 of the Executive-By-laws.

6.03---Student-Senate-Bills

A.-----Student-Senate-Bills shall be introduced when action is required only by the Student-Senate or when such action affects only the members of the Student-Government-Association.

B.-----Student-Senate-Bills shall become law only when approved according to the provisions outlined in Section-1 of the Executive-By-laws.

6.04---Student-Senate-Resolutions

A.-----Student-Senate-Resolutions shall be introduced when the Student Senate wishes to state a concept of policy or theory of the Student Government-Association or wishes to express itself on any issue.

~~B.-----Student Senate Resolutions shall become law only when approved according to the procedures outlined in Section 1 of the Executive By-laws.~~

~~6.05---Legislation "By Request"~~

~~Legislation may be introduced and sponsored by request when the Student Senator is acting in support of a constituent(s).~~

~~7--PETITIONS VALIDITY~~

~~7.01---The following criteria shall be used to determine the validity of signatures on all petitions submitted to the Student Senate requiring action on the part of the Student Government Association:~~

~~A.-----The complete text of all petitions shall be attached to the petition at the time the petition is being presented for signatures.~~

~~B.-----Beside each signature on the petition, the Student's printed name and social security number shall appear.~~

~~C.-----Signatures must be those of currently enrolled students at Pan American University.~~

~~7.02---It shall be the duty of the Student Senate Judiciary Committee to determine the validity of all signatures on the petitions.~~

~~A.-----Signatures found to be invalid shall be removed from the petition.~~

~~B.-----Petitions found to have an insufficient number of valid signatures will be rejected but may be resubmitted when sufficient signatures are obtained.~~

~~7.03---Petitions calling for constitutional amendments or referendums must be presented to the Student Senate Judiciary Committee.---It shall be the duty of the committee only to determine signature validity and ensure that the~~

~~required number of signatures have been obtained. The committee shall then refer the petition to the Election Commission if the required signatures are present and valid.~~

~~7.04 The Student Senate does not have jurisdiction over petitions.]~~

5. STUDENT SENATE PROCEDURAL RULES

5.1 Order of Business

~~[The order of business shall be:]~~

- A. Call to order by the presiding officer
- B. Call of the roll by the Sergeant-at-Arms
- C. Reading and approval of the Student Senate minutes [~~Journal~~] from the previous meeting by the Secretary
- D. President's Report [~~Financial Report by Chair, Fiscal Committee~~]
- E. Reports of the Standing Committees
- F. Reports of Special (Select or Ad Hoc) Committees
- G. [~~President's Report~~]
- H). Unfinished business [~~and general orders~~]
- H[I]. New business
- ~~[J.-----Introduction of legislation]~~
- I[K]. Comments and announcements
- J[L]. Adjournment

5.2 Legislation [~~The Legislative Process~~]

~~2.01-----Origination of Legislation]~~

- A. Legislation may be proposed by several means, including reports from the Officers, from Student Senate committees, and from the faculty, administration, staff, or students.
- B. Legislative Process
 - 1[B]. [~~However,;~~] A[a]ll legislation to be considered by the Student Senate must be sponsored and read by title (first reading) on the Student Senate floor by one or more Student Senators.

Such legislation may include, but is not limited to, budget changes, resolutions, constitutional amendments, etc.

2.[02] At least three (3) class days ~~b[B]~~efore the next session in which the legislation is to be introduced, the Student Government Association office shall furnish at least one copy for each member, and at least one copy shall be filed with the Secretary ~~[at least three (3) class days before said session and numbered in regular order]~~.

3.~~[2-03]~~ Following introduction, the Vice President shall refer legislation to the proper Standing Committee.

4.~~[2-04]~~ Following referral, said committee shall proceed to consider such legislation, and shall have the authority to take any of the following actions:

a[A]. Report the legislation out of committee, recommending its adoption as referred.

b[B]. Report the legislation out of committee, making no recommendations.

c[G]. Report the legislation out of committee, recommending its rejection ~~[definite or indefinite postponement]~~.

d[D]. Report the legislation out of committee, recommending amendment ~~[{}or a substitute{}]~~.

5.3 Debate

A.~~[3-01]~~ When the Student Senate is ready to consider a measure, the procedure shall be as follows:

1[A]. One opening speech each in favor and opposed, not exceeding four (4) minutes each

~~[B.-----Consideration of minority reports]~~

~~2[G]. General Debate~~

~~3[D]. Closure of Debate~~

~~4[E]. Statement of the question by the presiding officer~~

~~5[F]. Vote on the measure~~

~~[3.02--Debate on amendments or other motions shall not be considered as speeches whether for or against the question before the body.]~~

B.[3.03] Debate shall be limited to no more than one hour on any piece of legislation, unless the Student Senate provides otherwise by a two-thirds (2/3) vote of Student Senators present.

C.[3.04] Debate shall be limited to three (3) minutes per argument [speech], unless the Student Senate, by a two-thirds (2/3) vote of Student Senators present, provides otherwise.

D.[3.05--Closure of Debate] The presiding officer shall call for debate three (3) times at five (5) second intervals before closing debate.

1[A]. Debate may be ended in three ways:

a[1]. By the presiding officer, when debate appears to be finished, inquiring if the Student Senate is ready for the question. If after a reasonable pause, no one rises to claim the floor, the presiding officer shall assume that no member wishes to speak[;] and will proceed to put the question.

b[2]. By a member moving the previous question and the Student Senate approving by a majority [two-thirds-(2/3)] vote of Student Senators present.

c[3]. By the exhaustion of the limits of debate.

2[B]. If there is objection to a motion for the previous question before there has been at least one speaker in favor of and one speaker opposed to the matter under debate, the motion for the previous question shall not be entertained.

5.4 Voting

A.[4.04] Votes shall be taken in one or more of the following ways:

1[A]. A roll call vote of the members shall be ordered unless a majority of members object, and the results shall be entered by the Secretary on the record of the Student Senate Journal.

2[B]. Division of the Student Senate (members raise their hands, or stand).

3[G]. Voice vote (affirming answer aye, negative answer no).

4[D]. A vote by ballot shall not be in order, except in the following cases:

a[4]. elections

b[2]. appeals on removal [trials] of members [(and preliminary steps)]

~~[E]-----Absentee vote, if the following criteria are met:~~

~~1.-----The absentee voter must have a valid excuse for his/her absence from the Senate meeting.~~

~~2.-----An official absentee ballot must be completed by the Senator within two (2) class days prior to the announced Senate meeting.~~

~~3.-----The ballot must be placed in a sealed envelope with the Senator's name and social security number typed on the outside.~~

~~4.-----The envelope containing the absentee ballot must be submitted to the Student Government Association Secretary during normal office hours.~~

~~5.-----The absentee vote will be read and recorded only after the remainder of the Student Senate has voted at that same meeting.~~

~~6.-----Absentee votes shall not be counted in determining a quorum.]~~

B.[4.02] Recorded Votes

Any member may request that his or her vote be entered on the record of the Student Senate Journal, and in all such cases the presiding officer shall instruct the Secretary to do so.

5.5 Reconsideration

A.[5.01] A motion to reconsider shall be in order at any time during the meeting at which the vote to be reconsidered was taken or at the next meeting of the Student Senate.

B.[5.02] The motion to reconsider [It] must be made by a member who voted with the prevailing side.

5.6 Elections

A.[6.01] All nominations shall come from the floor when the election is pending.

B.[6.02] In the case of pending elections for different offices, when nominations for one office have been completed, votes are cast for the office and the result is announced before the presiding officer calls for nominations for the next office.

~~[6.03-----All elections for the Student Senate officers shall be by ballot, immediately following nominations.]~~

C.[6.04] A majority vote is required for election.

5.7 ~~[ROBERT'S RULES OF ORDER, REVISED]~~ The rules contained in the most recent edition of Robert's Rules of Order, Revised shall govern in all cases in which they are applicable and in which they are not inconsistent with the Constitution [~~,- these Rules of Order,]~~ and the By[-]laws and Statutes of the [~~Pan American University]~~ Student Government Association, The University of Texas - Pan American [~~Pan American University~~].

II. EXECUTIVE BY[-]LAWS

1. IMPLEMENTATION OF LEGISLATION

1.[0]1 Legislation pursuant to a fundamental policy or principle of the Student Government Association and any official action or position that [which] is to be undertaken by the student representative structure of the Student Government Association shall, in the form of written legislation and before it becomes a statutory enactment, be presented by the Vice President to the President within five (5) class days after approval by the Student Senate.

1.[0]2 If the President approves the legislation, he or she [~~s/he~~] shall sign and officially certify the legislation as a statutory enactment.

1.[0]3 If the President vetoes [~~disapproves~~] the legislation, he or she [~~e/he~~] shall return the legislation to the Vice President to be placed on the next Student Senate agenda. The President shall provide written objections which shall be entered in the Student Senate Journal. The Student Senate may then proceed to reconsider the legislation. If after such reconsideration two-thirds (2/3) of the total number of Student Senators shall vote in favor of overriding the President's veto, then the legislation shall become a statutory enactment without his or[~~f~~] her signature.

1.[0]4 If no action has been taken by the President within ten (10) class days after his or her notification that the legislation was approved by the Student Senate, the legislation shall become a statutory enactment without his or[~~f~~] her signature.

2. APPOINTIVE PROCEDURE

2.[0]1 General Information for Applicants

Nominations for appointment by the President to the Legislative and Judicial Branches, and to fill a vacancy in the Vice Presidency or for Chief of Staff [~~Attorney-General~~], shall be publicized through the campus media and[~~;~~] a notice in each academic building of The University of Texas - Pan American [~~Pan-American-University~~] campus, on the University Center bulletin board and [~~a notice~~] outside the Student Government Association office indicating [~~the filing deadline and~~] the following information at least five (5) class days prior to the filing deadline as set by the President:

1. Position(s) available [~~to file for~~]
2. How and where to file
3. Filing [~~a~~] deadline
4. General information on appointive position
5. Any other information that may be necessary

The Secretary will assist the President in providing this information to the students.

2.[0]2 Nomination for Appointment

- A. Any student wishing to file for consideration to an appointive position should ~~[contact the President to]~~ file an application at the Student Government Association office or at the Office of Student Development.
- B. The President ~~[in-turn]~~ shall ~~[,in]~~ review ~~[ing]~~ the applicants ~~[,]~~ and make a ~~[accept or refuse the]~~ nomination for appointment to the position and/or reopen the application process, as deemed appropriate.

2.[0]3 Student Senate Consideration

- A. The nomination (s) for appointment shall be submitted to the Vice President to be submitted to the Student Senate Judiciary Committee.
- B. The procedure for approving or disapproving the nomination (s) for appointment by the Student Senate is outlined in the Constitution, Sections 3.2.4, 3.6.3 and 4.4.3 ~~[Legislative By-laws]~~.

III. JUDICIAL BY[-]LAWS

1. PETITIONS

- 1.1 The following criteria shall be used to determine the validity of signatures on all petitions submitted to the Student Court requiring action on the part of the Student Government Association:
 - A. The complete text of all petitions shall be attached to the petition at the time the petition is being presented for signatures.
 - B. Beside each signature on the petition, the Student's printed name and social security number shall appear.
 - C. Signatures must be those of currently enrolled students at The University of Texas - Pan American.

1.2 It shall be the duty of the Student Court to determine the validity of all signatures on the petitions. This shall be accomplished within ten (10) class days after the petition(s) is submitted to the Student Court.

A. Signatures found to be invalid shall be removed from the petition.

B. Petitions found to have an insufficient number of valid signatures will be rejected but may be resubmitted when sufficient signatures are obtained.

1.3 Petitions calling for constitutional amendments or referendums must be presented to the Student Court. If the required signatures are present and valid, the Student Court shall then refer the petition to the Office of Student Development for implementation of referendum procedures.

2. HEARINGS

2.1 Defendants shall be notified of charges, person(s) who levied charges, time, place, and date at least three (3) class days prior to the hearing; if he or she needs more time to prepare a defense, he or she may petition the Chief Justice or Judge Advocate where applicable.

2.2 Both sides shall have the right to cross-examine witnesses.

2.3 Both Defendant and Plaintiff may enter any documentary evidence, provided opposing sides are given copies at least twenty-four (24) hours prior to the beginning of the hearing. Any evidence presented after this deadline will not be admitted by the hearing body unless adequate proof is furnished that this evidence was not accessible in time to meet the deadline.

2.4 Copies of transcripts or tapes of Judicial Branch hearings will be provided for anyone at his or her expense.

2.5 Plaintiff will present evidence first, followed by Defendant.

~~[Pan-American-University]~~
~~[Student-Government-Association]~~

3. CODE OF ETHICAL JUDICIAL CONDUCT

~~[Preamble]~~

The following Code of Ethical Judicial Conduct is adopted and set forth ~~[by the Student-Court]~~ as a proper guide for all members of the Student and Student Supreme Courts ~~[Justices and lower-Judicial-Bodies]~~ as an indication of what the campus community has a right to expect of these individuals ~~[its-Justices]~~. ~~[This Code is to apply to the Student-Court, Student-Faculty-Grievance and Disciplinary Committees, and the Election-Commission.]~~ Any violations of this Code of Ethical Judicial Conduct can result in removal.

Canon 1

A Member of the Judicial Branch
Should Uphold the Integrity and
Independence of the Judiciary

An independent and honorable judiciary is indispensable to justice in our University. A member of the Judicial Branch should participate in establishing, maintaining, enforcing, and observing high standards of conduct so that the integrity and independence of the Judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective.

Canon 2

A Member of the Judicial Branch
Should Avoid Impropriety and the
Appearance of Impropriety

2.1(A) A member of the Judicial Branch should respect and comply with the Student Government Association Constitution and ~~[;]~~ ~~By~~ ~~[-]~~ laws ~~[and Codes]~~ and conduct himself or ~~[him/]~~ herself at all times in a manner that promotes public confidence in the integrity and impartiality of the Judiciary.

2.2(B)

A member of the Judicial Branch should not allow family, social, or other relationships to influence judicial conduct or judgment. A member should not lend the prestige of his or[/] her office to advance the private interests of others[;] nor convey or permit others to convey the impression that they are in a special position of influence. A member should not testify voluntarily in an adjudicative proceeding as a character witness.

Canon 3

A Member of the Judicial Branch Should Perform the Duties Impartially and Diligently

The judicial duties of a member of the Judicial Branch take precedence over all activities. Judicial duties include the duties prescribed by the Student Government Association Constitution and[;] ~~By~~[laws[; ~~and~~ Codes]. In the performance of these duties, the following standards apply:

3.1(A) Adjudicative Responsibilities.

A.({1}) A member of the Judicial Branch should be faithful to the [is] Constitution [~~and maintain competence in it~~]. He or she [S/he] should be unswayed by partisan interests, public clamor, or fear of criticism.

B.({2}) A member of the Judicial Branch should maintain order and decorum in proceedings.

C.({3}) A member of the Judicial Branch should be patient, dignified, and courteous to litigants, witnesses, [~~lawyers,~~] and others with whom he or she [s/he] deals in his or[/] her official capacity, and should require similar conduct of [~~lawyers, and~~] staff, court officials, and others subject to his or[/] her direction and control.

D.[(4)] A member of the Judicial Branch should accord to every person who is legally interested in a proceeding[~~,-or his or her lawyer,~~] full right to be heard according to law, and, except as authorized by law, neither initiate nor consider ex parte or other private communications concerning a pending or impending proceeding.

E.[(5)] A member of the Judicial Branch should dispose promptly of the business of the Court.

F.[(6)] A member of the Judicial Branch should abstain from public comment about a pending or impending proceeding in any court[;] and should require similar abstention on the part of court personnel subject to his or[/] her directions and control. This subsection does not prohibit a member of the Judicial Branch from making public statements in the course of his or her [their] official duties or from explaining for public information the procedures of the Court.

G.[(7)] A member of the Judicial Branch should prohibit broadcasting, televising, recording, or taking photographs in the courtroom and areas adjacent thereto during sessions of court or recesses between sessions, except when the authority of the Judicial Branch authorizes:

1.[(a)] the use of electronic or photographic means for the presentation of evidence, for the perpetuation of a record, or for other purposes of judicial administration;

2.[(b)] the broadcasting, televising, recording, or photographing of investigative[,] or ceremonial proceedings.

H.[(8)] The photographic or electronic recording and reproduction of appropriate court proceedings will be approved under the following conditions:

1.[(i)] the means of recording will not distract participants or impair the dignity of the proceedings;

2.[(ii)] the parties have consented, and the consent to being depicted or recorded has been obtained from each witness appearing in the recording and reproduction;

3.[(iii)] the reproduction will not be exhibited until after the proceeding has been concluded and all direct appeals have been exhausted, and

4.[(iv)] the reproduction will be exhibited only for instructional purposes in educational institutions.

3.2[(B)] Administrative Responsibilities

A.[(1)] A member of the Judicial Branch should diligently discharge the administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other members and court officials.

B.({2}) A member of the Judicial Branch should require the staff and court officials subject to his or[f] her direction and control to observe the standards of fidelity and diligence.

C.({3}) A member of the Judicial Branch may [~~should take or~~] initiate appropriate disciplinary measures against a student through referral to the Dean of Students [~~lawyer~~] for misconduct [~~unprofessional conduct~~] of which the member may become aware.

D.({4}) A member of the Judicial Branch should not make unnecessary requests. He or she [S/he] should exercise his or[f] her authority only on the basis of merit, avoiding nepotism and favoritism.

3.3(G) Disqualification

A.({1}) A member of the Judicial Branch should disqualify himself or [him/]herself in a proceeding in which his or[f] her impartiality might reasonably be questioned, including, but not limited to, instances where:

1.({a}) he or she [s/he] has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

2.({b}) he or she [s/he] knows that he or she [s/he], individually, or his or[f] her relatives or acquaintances have an interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding.

B. (2) A member of the Judicial Branch should inform himself or [him/] herself about personal interests, and make a reasonable effort to inform himself or [him/] herself about personal interests of his or [f/] her spouse, relatives, or acquaintances.

[Canon 4

**A Member of the Judicial Branch
May Engage in Activities to Improve the Law,
the Legal System, and the
Administration of Justice**

~~A member of the Judicial Branch subject to the proper performance of his/her duties, may engage in the following quasi-judicial activities, if in doing so s/he does not cast doubt on his/her capacity to decide impartially on any issue which may come before him/her:~~

- ~~A)-----S/he may speak, write, lecture, teach, and participate in other activities concerning the law, the legal system, and the administration of justice.~~
- ~~B)-----S/he may appear at a public hearing before an executive or legislative body or official on matters concerning the law, the legal system, and the administration of justice, and may otherwise consult with an executive or legislative body or official, but only on matters concerning the administration of justice.~~
- ~~C)-----S/he may serve as a member, officer, or director of an organization or governmental agency devoted to the improvement of the law, the legal system, or the administration of justice.--S/he may assist such an organization in raising funds and may participate in their management and investment.--S/he may make recommendations to public and private fund granting agencies on projects and programs concerning the law, the legal system, and the administration of justice.]~~

Canon 4[5]

A Member of the Judicial Branch
Should Regulate Activities to
Minimize the Risk of Conflict

4.1 [A)] Avocation Activities. A member of the Judicial Branch may write, lecture, teach, and speak on nonlegal subjects and engage in the arts, sports, and other social and recreational activities, if such avocational activities do not detract from the dignity of his or[/] her office or interfere with the performance of his or[/] her judicial duties.

4.2 [B)] Membership in Student Organizations [~~Give and Charitable Activities.~~
~~A member of the Judicial Branch may participate in civic and charitable activities that do not reflect adversely upon his/her impartiality or interfere with the performance of his/her judicial duties.~~
~~A justice may serve as an officer, director, trustee, or non-legal advisor of an educational, religious, charitable, fraternal, or civic organization not conducted for the economic or political advantage of its members, subject to the following limitation:]~~ A member of the Judicial Branch should not serve if it is likely that a student organization of which he or she is a member [~~the organization~~] will be engaged in proceedings that would ordinarily come before himself or herself [~~him/her~~] or will be regularly engaged in adversary proceedings in any court.

[C) ~~Arbitration.~~ A member of the Judicial Branch should not act as an arbitrator or mediator.

D) ~~Extra-Judicial Appointments.~~ A member of the Judicial Branch should not accept appointment to a governmental committee, commission, or any position that is concerned with issues of fact or policy on matters other than the improvement of the law, the legal system, or the administration of justice.

Canon 6

**A-Member of the Judicial Branch
Should Refrain from Political Activity
Inappropriate to the Judicial Office**

A)-----Political Conduct in General

(1)-----A member of the Judicial Branch should not:

**(a)-----act as a leader or hold any office in a political
organization;**

**(b)-----make speeches for a political organization or candidate
or publicly endorse a candidate for public office.**

**(2)-----A member of the Judicial Branch holding an office may not
attend political gatherings, speak to such gatherings on his/her
own behalf, identify him/herself as a member of a political
party, nor contribute to a political party or organization.**

**(3)-----A member of the Judicial Branch should resign from office
when s/he becomes a candidate in a general election for an
office.**

**(4)-----A member of the Judicial Branch must remove him/herself if a
case is brought out concerning a supportive political party or a
possibility of a conflict of interest.**

**(B)-----Any candidate for office, including an incumbent justice, and others
acting on his/her behalf, should refrain from all conduct which might
tend to arouse reasonable belief that s/he is using the power or
prestige of the judicial position to promote his/her own beliefs.]**

11. U. T. Permian Basin: Recommendation to Approve Changes in Parking Permit and Enforcement Fees Effective Immediately (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Interim President Sharpe that the U. T. Board of Regents approve changes in parking permit and enforcement fees at U. T. Permian Basin effective immediately as set out below:

	<u>1991-92 Current Fees</u>	<u>1992-93 Proposed Fees</u>
<u>Parking Permits and Fees</u>		
Administration	n/a	\$30.00
Faculty/Staff	\$15.00	15.00
Students	15.00	15.00
Motorcycles, motorscooters, mopeds, and motor- assisted bicycles	15.00	15.00
Temporary (monthly)	3.00	3.00
Replacement or additional vehicle permit	5.00	5.00
<u>Enforcement Fees</u>		
Code 1000 Nonmoving Violations		
First Offense	5.00	5.00
Second Offense	10.00	10.00
Third or Subsequent Offense	15.00	15.00
Code 2000 Nonmoving Violations	15.00	15.00
Code 3000 Moving Violations	15.00	15.00
Late Charge (If not paid within ten calendar days)	3.00	3.00

Annual parking permit fees are prorated if purchased for the Spring Semester and/or Summer Session only.

Upon Regental approval, the Minute Order will reflect that the next appropriate catalog published at U. T. Permian Basin will be amended to conform to this action.

BACKGROUND INFORMATION

The parking permit and enforcement fees are being revised to include the addition of an administration designation for those parking in the covered parking areas under the Mesa Building. This additional designation is the only change being proposed at this time and will become effective immediately if approved.

12. U. T. Permian Basin: Recommendation for Approval of Proposed Replacement for Student Senate Constitution (Previously Referred to as Constitution of the Student Body and the Student Senate).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Interim President Sharpe that approval be given to a replacement for the Student Senate Constitution of U. T. Permian Basin (previously referred to as Constitution of the Student Body and the Student Senate) set out on Pages AAC 104 - 113. The proposed replacement Constitution is not set out in congressional style because of the comprehensive nature of the reorganization and revision of the document.

BACKGROUND INFORMATION

The proposed replacement Constitution has been developed by the Student Senate and was approved by more than two-thirds of the students voting in a campus-wide election held on April 21-22, 1992. Highlights of the proposed replacement Constitution are as follows:

- a. Reorganization of Articles for more uniform source of information
- b. Addition of Minority Affairs, Nominating and Election Committees. Merger of Public Affairs and Community Affairs Committees as "Public Affairs Committee"
- c. Addition of definitions for use throughout document
- d. Addition of specific procedures for election of Executive Board and Senators which were omitted from previous documents
- e. Definition of "quorum" for the passage of proposals and to conduct all official business of Student Senate
- f. Reduction of number of absences permitted by Executive Board and Senators; proposal stipulates two unexcused consecutive absences, rather than four, may lead to removal
- g. Addition of procedures for removal of Executive Board members, Senators, committee chairs, and advisors
- h. Addition of procedures for Senators to call a meeting
- i. Change in the term of office of Executive Board from April to April to September to September.

The Constitution was approved by the U. T. Board of Regents at the October 1976 meeting. The Board also approved amendments to the document at the August 1987 meeting. The proposed revision has been reviewed and approved by the Office of General Counsel and has received the institutional approvals required by the Regents' Rules and Regulations, Part One, Chapter VI, Section 5, Subsection 5.12 concerning amendment of student constitutions.

**PROPOSED CONSTITUTION
OF THE STUDENT SENATE**

The University of Texas of the Permian Basin

OCTOBER 1992

STATEMENT OF PURPOSE

The purpose of the Student Senate of The University of Texas of the Permian Basin shall be to represent the student body in any area of concern deemed appropriate for student opinion. The Student Senate shall serve as the liaison between the student body and the administration of the University. This includes, but is not limited to, the following:

1. Providing an official student organization to receive student questions and issues for review and recommendations.
2. Providing an official forum for student concerns regarding university and/or community affairs.
3. Providing a means for responsible student participation in the formulation of policy within the university.
4. Advising the administration of student opinion regarding university programs.
5. Appointment of five members to the institutional student service fee advisory committee to make recommendations on proposed increases in and allocation of student services fees as mandated by state legislation.

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Article II:	Student Senate
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Article VI:	Faculty Advisor
Article VII:	Rules of Order
Article VIII:	Proposals and Referendum
Article IX:	Constitutional Ratification and Amendment

ARTICLE I: DEFINITIONS

1. **STUDENT BODY:** The Student Body shall consist of all students enrolled at The University of Texas of the Permian Basin (U. T. Permian Basin).
2. **STUDENT SENATE:** The Student Senate shall consist of two student body representatives from each of the academic (Behavioral Science and Kinesiology, Business, Education, Humanities and Fine Arts, and Science and Engineering) divisions and as many at-large candidates as there are regularly constituted divisions, as well as the Executive Board.
3. **EXECUTIVE BOARD:** The Executive Board shall consist of the President, Vice-President, Secretary, and Treasurer.
4. **FACULTY ADVISOR:** The Faculty Advisor shall be a member of the faculty of The University of Texas of the Permian Basin.
5. **COMMITTEE CHAIR:** A committee chair shall be the duly elected member of the Student Senate who will preside over all meetings of the committee and present all proposals of that committee.
6. **QUORUM:** A quorum shall consist of fifty percent, plus one (50% + 1) senators. The Executive Board may be counted for the purposes of attaining a quorum.
7. **EMERGENCY SESSION:** An Emergency Session meeting may be called by the president and/or two-thirds of the senators. All senators and the Executive Board must be notified and a quorum present for the Emergency Session.
8. **PARLIAMENTARY PROCEDURE:** Parliamentary procedure utilized to conduct meetings shall be according to the guidelines listed in the Student Senate Guide and approved by a majority vote at the first regular fall meeting of the Student Senate [Robert's Rules, abbreviated].
9. **PROPOSALS:** Proposals shall consist of recommendations from the Student Body and the Student Senate:
 - a. Informal: areas of concern referred by a member of the Student Body.
 - b. Formal: recommendations of the Student Senate.
10. **REFERENDUM:** A referendum is any issue presented to the Student Senate which is accompanied by a petition bearing the signature and identification numbers of ten percent (10%) of the Student Body and will thus be placed on the ballot of the next student senate election.
11. **COMMITTEE:** Committees will be formed to conduct the formal research and advising procedures of the Student Senate.
 - a. Standing: shall consist of:
 1. Student Affairs
 2. Public Affairs
 3. Minority Affairs
 4. Election Committee
 5. Nominating Committee
 - b. Ad hoc: committee to develop a temporary issue as appointed by the President.
12. **CHIEF/ASST. CHIEF STUDENT PERSONNEL OFFICER:** The Chief/Asst. Chief Student Personnel Officer shall be an appointed University advisor to the Student Senate on matters relating to procedure, personnel, and administration.

ARTICLE II: STUDENT SENATE

SECTION I: MEMBERSHIP

- A. **Executive Board:**
President, Vice-President, Secretary, and Treasurer.

- B. Senators:**
Two senators per division from the upper level (junior, senior and graduate students) and as many at-large senators (freshmen through graduate students) as there are academic divisions (freshmen-graduate students).
- C. Advisors:**
One nonvoting faculty advisor; one nonvoting Chief/Asst. Chief Student Personnel Officer.

SECTION II: QUALIFICATIONS

- A. Executive Board:**
Candidates for Executive Board must maintain 9 undergraduate or 6 graduate hours per semester at U. T. Permian Basin, with a minimum GPA of 2.75 on a 4.0="A" scale per semester at U. T. Permian Basin. Candidates must have completed one semester at U. T. Permian Basin prior to the election.
- B. Senators:**
Candidates for Student Senator must maintain 6 hours per Fall and/or Spring semester at U. T. Permian Basin, with a minimum GPA of 2.5 on a 4.0="A" scale per semester at U. T. Permian Basin.

SECTION III: ELECTION PROCEDURES

- A. Executive Board:**
The President, Vice-President, Secretary, and Treasurer shall be elected from the Student Body at least four (4) weeks prior to the final day of classes of the Spring semester. The term of office shall begin on the first day of classes the following Fall semester and serve for one year until the first day of the subsequent Fall semester.
- B. Senators:**
- 1. Division:**
Division senators shall be elected by the student constituencies of each candidate's academic division on the final Tuesday and Wednesday of September.
 - 2. At-Large:**
At-Large senators shall be elected by the entire student body on the final Tuesday and Wednesday of September.
- C. Orientation:**
All applicants for spring and fall elections are required to attend an orientation session conducted by the Executive Board and Election Committee to be scheduled prior to the spring and fall elections. Orientation will consist of determination of eligibility and introduction to senate responsibilities and functions.
- D. Procedure:**
- 1.** All applications for senate positions shall be submitted to Student Life Office Personnel who will mark the date received and initial. The name of each qualified applicant shall be placed on the ballot in his/her respective or at-large division, and the order of placement shall be at random.
 - 2.** The Election Committee shall write the ballot for senate elections making a ballot for each division with the division candidates and all at-large candidates listed separately.
 - 3.** The Election Committee shall write one ballot for Executive Board elections listing all candidates for officer positions.
 - 4.** Elections shall be conducted through the PASS office or alternate election site. The Election Committee or members of the Student Senate (Executive Board or senators) NOT seeking re-election may assist with alternate election sites. Each student must be verified through student ID number prior to receiving a ballot.
 - 5.** In senatorial elections, students shall vote for two senators in his/her division and for five at-large senators. If more than two choices are indicated for division candidates, or more than five choices are indicated for at-large candidates, the incorrect ballot/s shall not be counted.

6. Winning write-in candidates shall be notified by an Executive Board member to verify intent/eligibility. If the write-in candidate does not wish to serve or does not meet eligibility requirements, the candidate receiving next highest votes shall be contacted.

E. Election Results:

Votes shall be counted by the Election Committee after the above requirements have been met and will post the results in designated areas not later than noon of the day following the close of the election.

SECTION IV: VACANCIES

A. Officers:

1. **President:** Should the office of President become vacant, the Vice-President shall assume the presidency and shall call a senate meeting for the purpose of electing a new Vice-President.
2. **Vice-President, Secretary, Treasurer:** Should the offices of Vice-President, Secretary, or Treasurer become vacant, the President shall call for nominations from the senate. A confirmation vote shall be conducted at the next meeting of the senate.

B. Senators:

1. If a vacancy occurs in a respective academic or at-large division in the Student Senate, the candidate receiving the next highest vote total from their division in the Student Senate fall election shall be contacted. If the student declines, the next student with the most votes will be contacted. This procedure will be followed until the position is filled. If the seat is not filled through said procedure, the senate will elect an eligible student to fill the vacancy. The senate shall offer a list of potential candidates from the appropriate academic division, and a vote will be taken by secret ballot or voice vote as deemed appropriate by the President, with a simple majority necessary for confirmation.

C. Faculty Advisor:

1. If a vacancy occurs in the office of Faculty Advisor, the Executive Board shall recommend a faculty member to the senate for confirmation at the next meeting of the senate.

D. Committee Chair:

1. If a vacancy occurs in the office of Committee Chair, the President shall appoint a replacement subject to confirmation by a simple majority vote of the senate.

SECTION V: TERMINATION OF DUTIES

A. Executive Board:

1. Resignation: Resignations will be accepted by any Executive Board member and brought before the senate at the next meeting for appropriate replacement and confirmation.
2. Removal:
 - a. IMPEACHMENT: A motion for impeachment may be brought before the senate during a regularly scheduled or emergency session of the senate. Said motion must include specific charges relating to failure to fulfill the function of the office held. A two-thirds vote of the senate is required to impeach an officer.
 - b. ABSENCES: An Executive Board member is subject to removal if absent for two regularly scheduled meetings of the senate without notice. After two consecutive, unexcused absences have been recorded and announced by the Secretary, the President shall make notification in writing to the member. Removal following said procedure is subject to a two-thirds vote of the senate during a regular or emergency session meeting.
3. Appeal: An Executive Board member has the right to appeal to the Dean of Students. An appeal must be received within two (2) weeks following removal from the senate.

B. Senators:

1. Resignation: Resignations will be accepted by any Executive Board member and brought before the senate at the next meeting.

2. **Removal:**

- a. **IMPEACHMENT:** A motion for impeachment may be brought before the senate during a regularly scheduled or emergency session of the senate. Said motion must include specific charges relating to failure to fulfill the function of the office held. A two-thirds vote of the senate is required to impeach a senator.
- b. **ABSENCES:** A senator is subject to removal if absent for two regularly scheduled meetings of the senate without notice. After two consecutive, unexcused absences have been recorded and announced by the secretary, the President shall make notification in writing to the member. Removal following said procedure is subject to a two-thirds vote of the senate during a regular or emergency session meeting.

3. **Appeal:** A senator has the right to appeal to the Dean of Students. An appeal must be received within two (2) weeks following removal from the senate.

C. **Standing Committee Chair:**

1. **Resignation:** Resignations will be accepted by any Executive Board member and brought before the senate at the next meeting.
2. **Removal:** A Standing Committee Chair will be subject to removal for absenteeism or failure to fulfill responsibilities of the chair. A motion for removal is subject to a two-thirds vote of the senate.

D. **Faculty Advisor:**

1. **Resignation:** Resignation will be accepted by any Executive Board member and brought before the senate at the next meeting.
2. **Removal:** A motion for removal of the faculty advisor is subject to a two-thirds vote of the senate.

ARTICLE III: POWERS, FUNCTIONS, AND TERMS OF OFFICE

SECTION I: EXECUTIVE BOARD

A. **Executive Board:** The Executive Board shall:

1. Assist the President in selection of the Faculty Advisor.
2. Assist in the Fall election of senators.
3. Prepare the agenda for each meeting.
4. Maintain minutes of all Executive Board meetings.

B. **President:** The President shall:

1. Serve as the official representative of the student body and the Student Senate.
2. Preside at all meetings of the Student Senate, Executive Board, and student body.
3. Advise the Executive Board on the selection of the Faculty Advisor.
4. Appoint and replace ad hoc committees and chairs deemed necessary to conduct the business of the senate.
5. Be responsible for the final draft of all proposals passed by the senate.
6. Serve as the liaison between the administration, faculty, and staff of the University.
7. Serve as the liaison to the Student Affairs chair of the Faculty Senate.
8. Exercise the option to vote only in case of a tie.
9. Serve a term of one (1) year from Fall semester to Fall semester.

C. **Vice-President:** The Vice-President shall:

1. Perform the duties of the President in the event of absence or disability of the President to include the option of a vote only in case of a tie.
2. Assist the President in the execution of senate duties and functions.
3. Call a meeting of the senate in the event of a vacancy in the office of President.

4. Vote on all matters before the senate.
5. Serve a term of one (1) year from Fall semester to Fall semester.

D. Treasurer: The Treasurer shall:

1. Report at each meeting of the senate on the financial status of the senate.
2. Be responsible for the financial transactions of the senate.
3. Assist the President in the execution of senate duties and functions.
4. Vote on all matters before the senate.
5. Serve a term of one (1) year from Fall semester to Fall semester.

E. Secretary: The Secretary shall:

1. Maintain a record of all proceedings of the senate, Executive Board, and student body.
2. Be responsible for correspondence with other organizations and universities.
3. Post minutes of all proceedings of the senate in designated locations of the University.
4. Distribute a copy of the minutes of all proceedings to each senator, Executive Board member, advisors, and all academic administrators within seventy-two hours of the meeting.
5. Vote on all matters before the senate.
6. Serve a term of one (1) year from Fall semester to Fall semester.

SECTION II: SENATORS

A. Division and At-Large: All Student Senators shall:

1. Function as the liaison between the division/student body and the senate in matters of student concern.
2. Be a member of at least one standing or ad hoc committee.
3. Bring issues of concern in the form of proposals to the senate for referral to committee.
4. Attend all meetings of the senate and advise any Executive Board member of absences prior to any meeting.
5. Maintain and review individual senator mailboxes in the Student Life office.
6. Submit items for the agenda to the President.
7. Maintain and return Student Senate Guide.
8. Serve a term of one (1) year from September to September.

B. Committee Chair: The Committee Chair shall:

1. Be responsible for the final draft of all referred proposals to the committee.
2. Maintain a file of all proposals submitted to the committee with action taken on each proposal.
3. Appoint committee or Executive Board member to present proposals in case of absence.
4. Serve a term of one (1) year from September to September.

SECTION III: FACULTY ADVISOR

A. Faculty Advisor: The Faculty Advisor shall:

1. Act in an advisory capacity to the senate with regard to University policy.
2. Attend all meetings of the senate.
3. Serve a term of one (1) year from September to September.

SECTION IV: CHIEF/ASST. CHIEF STUDENT PERSONNEL OFFICER/ADVISOR

A. Chief/Asst. Chief Student Personnel Officer/Advisor: The Advisor shall:

1. Act in an advisory capacity to the senate with regard to University policy and procedure.
2. Assist in the preparation of travel authorizations, student services fee advisement statements, and official disbursements of funds according to University policy.
3. Attend all meetings of the senate.
4. Serve continuously as designated by University appointment.

ARTICLE IV: MEETINGS

SECTION I: EXECUTIVE BOARD

- A. **Executive Board Meetings:** Shall be called by the President as necessary for planning the agenda or other pertinent business of the senate.

SECTION II: STUDENT SENATE

- A. **Student Senate Meetings:** Shall be held not less than twice monthly with the final meeting to be held two weeks prior to the conclusion of each semester.

SECTION III: COMMITTEES

- A. **Committee Meetings:** Meetings of standing and ad hoc committees will be called by the Committee Chair as necessary.

SECTION IV: EMERGENCY SESSION

- A. **Emergency Session Meetings:** May be called by the President (or Vice-President if presidency vacant) and/or two-thirds of the senators. All senators and Executive Board members must be notified and a quorum present for the Emergency Session.

ARTICLE V: COMMITTEES

SECTION I: STANDING COMMITTEES

- A. **Student Affairs:** The Student Affairs Committee shall be responsible for investigating and advising on issues related to the general welfare of the student body.
- B. **Public Affairs:** The Public Affairs Committee shall be responsible for investigating and advising on issues related to the general improvement of community/University relations and community activities held within the University.
- C. **Minority Affairs:** The Minority Affairs Committee shall be responsible for investigating and advising on issues related to the general welfare of minority students.
- D. **Election:** The Election Committee shall be responsible for carrying out all election activities.
- E. **Nominating:** The Nominating Committee shall be responsible for seeking candidates for election.

SECTION II: AD HOC COMMITTEES

- A. **Ad hoc Committees:** Ad hoc Committees shall be appointed by the President to investigate and advise on issues deemed necessary to conduct the business of the senate.

SECTION III: COMMITTEE PROCEDURE

- A. **Committee Procedure:** The committee shall be responsible for recommendations and proposals referred by and to the senate. The Committee Chair or designated member shall present proposals to the senate during scheduled or emergency sessions of the senate.

SECTION IV: COMMITTEE CHAIR SELECTION

- A. **Standing Committee Chair Selection Procedure:** The President shall call for nominations for committee chair for each of the standing committees of the senate, subject to a simple majority vote of the senate.
- B. **Ad hoc Committee Chair Selection Procedure:** The President shall appoint and replace the chair for all ad hoc committees.

ARTICLE VI: FACULTY ADVISOR

SECTION I: APPOINTMENT, REMOVAL, AND RESPONSIBILITIES

- A. **Appointment:** The Faculty Advisor shall be recommended to the senate by the President at the first meeting of the fall semester and subject to confirmation by a two-thirds vote of the senate.
- B. **Removal:** As designated in Article II, Section IV-C and Section V-D.
- C. **Responsibilities:** As designated in Article III, Section III.

ARTICLE VII: RULES OF ORDER

SECTION I: QUORUM AND PARLIAMENTARY PROCEDURE

- A. **Quorum:** A quorum shall consist of fifty percent, plus one (50% + 1) senators. The Vice-President, Secretary, and Treasurer may be counted for the purposes of attaining a quorum. A quorum is required to pass any proposals or recommendations of the senate.
- B. **Parliamentary Procedure:** All meetings of the senate and Executive Board shall be conducted according to Robert's Rules, abbreviated, as specified in the Student Senate Guide. Confirmation of said procedure is subject to a majority vote of the senate during the first regular Fall meeting of the senate.

ARTICLE VIII: PROPOSALS AND REFERENDUM

SECTION I: PROPOSALS

- A. **Proposals:**
 - 1. **Informal:** A member of the student body may present any issue of concern to a Student Senator. Informal proposals shall be referred to the appropriate committee and presented to the senate subject to a majority vote of the senate.
 - 2. **Formal:** Recommendations of the senate may be presented by any member of the senate or Executive Board and referred to the appropriate committee. Presentation shall be made by the committee chair, designated committee member, or designated Executive Board member. Formal proposals are subject to a majority vote of the senate.

SECTION II: REFERENDUM

- A. **Referendum:** Any referendum issue presented to the senate which is accompanied by a petition bearing the signatures and identification numbers of ten percent (10%) of the student body must be placed on the ballot of the next student senate election subject to a two-thirds vote of the total number of votes cast. If the issue passes said election, the item shall be placed on the agenda of the next meeting of the student senate.

ARTICLE IX: CONSTITUTIONAL RATIFICATION AND AMENDMENT

SECTION I: STUDENT-SENATE INITIATED AMENDMENT

- A. **Procedure:** A member of the student senate may propose amendments to the Constitution. The proposed amendment shall receive two consecutive readings after which the amendment is subject to a three-fourths vote of the senate.

- B. **Ratification:** The President shall appoint an Election Committee and Chair to conduct the vote of the student body to amend the Constitution. Amendments are subject to a two-thirds vote of the student body voting on said amendments.

SECTION II: STUDENT-BODY INITIATED AMENDMENT

- A. **Procedure:** A member of the student body may submit a proposed amendment to the constitution if accompanied by a petition bearing the signatures and identification numbers of ten percent (10%) of the student body.
- B. **Ratification:** The President shall appoint an Election Committee and Chair to conduct the vote of the student body to amend the Constitution. Amendments are subject to a two-thirds vote of the student body voting on said amendments.

SECTION III: FORMAL APPROVAL, AMENDMENT, AND REPEAL

- A. **Approval:** Amendments will become effective with the approval of the Chief Student Personnel Officer, the President of U. T. Permian Basin, the Executive Vice Chancellor for Academic Affairs, Chancellor, and the U. T. System Board of Regents.
- B. **Amendment or Repeal:**
1. **Chief Student Personnel Officer:** The Chief Student Personnel Officer may amend or repeal any amendment to the Constitution when in conflict with policies of the University or U. T. System Board of Regents or when the interests of the institution require it. Notification will be made to the senate regarding any action taken to amend or repeal. Such action shall be in force only until the next meeting of the U. T. System Board of Regents.
 2. **U. T. Board of Regents:** The U. T. System Board of Regents may amend or repeal any amendment to the Constitution when in conflict with the policies or interests of the University or Regents' Rules and Regulations. Notification will be made to the university and the senate regarding any action taken to amend or repeal.
- C. **Permanent Copy:** Amendments receiving the required approval shall be attached to this Constitution and preserved in the records of the senate.
- D. **Deletion and Substitution:** Amendment by deletion and substitution is permitted.
- E. **Procedural Conformity:** All provisions of this Article shall be conducted in accordance with all other provisions set forth in this Constitution. No provision of this Constitution shall be interpreted to conflict with or contradict the Rules and Regulations of the Board of Regents of The University of Texas System.

**Health Affairs
Committee**

HEALTH AFFAIRS COMMITTEE
Committee Chairman Ramirez

Date: October 9, 1992
Time: Following the meeting of the Academic Affairs
Committee
Place: Room 1.212, Conference Center, U. T. Dallas

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8. U. T. M.D. Anderson Cancer Center: Request for Permission for Individuals to Serve on the (a) Texas Board of Licensure for Professional Medical Physicists and (b) Texas Radiation Advisory Board [<u>Regents' Rules and Regulations</u> , Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11)]	8

1. U. T. System: Proposed Amendment to Article II (Definitions) of The University of Texas System Plan for Professional Medical Liability Self-Insurance.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and the Office of General Counsel that The University of Texas System Plan for Professional Medical Liability Self-Insurance ("Plan") be amended by deleting paragraph (m) from Article II (Definitions) of the Plan:

[m--"Special-Reserve-Fund"-means-a-special-medical liability-reserve-authorized-by-the-Board-and funded-by-a-participating-U.-T.-System-health component.--The-"Special-Reserve-Fund"-is distinct-from-the-"Fund,"-and-payments-from the-"Special-Reserve-Fund"-of-a-particular U.-T.-System-health-component-may-not-exceed \$1,000,000-in-the-aggregate-in-any-"annual period."--A-"Special-Reserve-Fund"-may-only be-utilized-for-payment-of-medical-liability claims-against-medical-staff-members-whose basic-Plan-coverage-is-exhausted.--A-U.-T. System-health-component-is-not-required-to maintain-the-"Special-Reserve-Fund"-at-a level-of-\$1,000,000-or-to-reestablish-such Fund-after-it-is-exhausted.]

BACKGROUND INFORMATION

At the June 1992 meeting, the U. T. Board of Regents deleted the Supplementary Limits of Liability Endorsement in Article VI of the Plan that provided for individual health component Special Reserve Funds. The definition of "Special Reserve Fund" in Article II was inadvertently not deleted from the Plan language at this time.

2. U. T. Southwestern Medical Center - Dallas: Proposed Appointment to the Dorothy Rogers Cullum Distinguished Chair in Neuro-Oncology Effective Immediately.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that S. Clifford Schold, Jr., M.D., be appointed as initial holder of the Dorothy Rogers Cullum Distinguished Chair in Neuro-Oncology at the U. T. Southwestern Medical Center - Dallas effective immediately.

This appointment is contingent upon the establishment of the Chair as proposed in Item 21 on Page AMC - 24.

BACKGROUND INFORMATION

Dr. Schold, Professor and Chairman of the Department of Neurology at the U. T. Southwestern Medical Center - Dallas, is a Fellow of the American Academy of Neurology and received its Ann and Jason Farber Award for Brain Tumor Research in 1992. He also received the C. and F. DeMuth Foundation International Award for Young Investigators in Neuroscience in 1982, the New Investigator Research Award from the National Institutes of Neurological and Communicative Disorders and Stroke in 1981 and 1984, and the Jacob Javits Investigator Award in the Neurosciences in 1988.

3. U. T. Medical Branch - Galveston: Proposed Appointments to Endowed Academic Positions Effective Immediately.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that the following initial appointments to endowed academic positions at the U. T. Medical Branch - Galveston be effective immediately:

<u>Name of Proposed Appointee</u>	<u>Endowed Academic Position</u>
William E. Johnston, M.D. Professor, Department of Anesthesiology	James F. Arens Chair in Anesthesiology; established June 1986
Robert L. Safirstein, M.D. Professor, Department of Internal Medicine	Paul R. Stalnaker, M.D. Professorship in Internal Medicine; established December 1983

BACKGROUND INFORMATION

Dr. Johnston is a Professor in the Department of Anesthesiology at the U. T. Medical Branch - Galveston. He is a graduate of Duke University School of Medicine and a Diplomate of the American Board of Anesthesiology, with Certification of Special Competency in Critical Care. Dr. Johnston has established a national and international reputation in research and as an anesthesiologist.

Dr. Safirstein is a Professor in the Department of Internal Medicine and Director of the Division of Nephrology at the U. T. Medical Branch - Galveston. His clinical skills along with his administrative abilities are providing strong leadership to the Division of Nephrology and the U. T. Medical Branch - Galveston.

4. U. T. Health Science Center - Houston (U. T. Medical School - Houston): Recommendation for Approval of an Administrative Reorganization of the Division of Neurosurgery and to Submit the Proposal to the Coordinating Board for Approval (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Low that approval be granted to reorganize the administrative structure of the U. T. Medical School - Houston at the U. T. Health Science Center - Houston to convert the Division of Neurosurgery, presently within the Department of Surgery, to the Department of Neurosurgery. Upon approval by the U. T. Board of Regents, the proposal will be submitted to the Texas Higher Education Coordinating Board for approval.

BACKGROUND INFORMATION

The proposal is administrative in nature and calls for the conversion of the Division of Neurosurgery, currently within the Department of Surgery, to a Department of Neurosurgery. Conversion to departmental status will enable the U. T. Medical School - Houston to achieve its academic and clinical goals in neurosurgery. Moreover, this proposed change is consistent with state and national trends. Neurosurgery has evolved from a limited clinical discipline to a medical and surgical specialty of broad scope and will continue to develop, requiring flexibility and independence. Conversion to a department will enhance recruitment and retention of qualified faculty.

Funding to support this reorganization and the growth associated with this activity will require no new state funds. Resources currently supporting the Division of Neurosurgery will be transferred to support the new department.

Upon approval by the Coordinating Board, the next appropriate catalog published at the U. T. Health Science Center - Houston will be amended to reflect this action.

A copy of the proposal is on file in the Office of Health Affairs.

5. U. T. Health Science Center - Houston (U. T. Allied Health Sciences School - Houston): Recommendation for Approval to Establish a Bachelor of Science Degree in Cytotechnology and to Submit the Proposal to the Coordinating Board for Approval (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Low that approval be granted to establish a Bachelor of Science degree in Cytotechnology in the U. T. Allied Health Sciences School - Houston at the U. T. Health Science Center - Houston. Upon approval by the U. T. Board of Regents, the proposal will be submitted to the Texas Higher Education Coordinating Board for approval.

BACKGROUND INFORMATION

The U. T. Allied Health Sciences School - Houston has been authorized by the Texas Higher Education Coordinating Board to grant a certificate in Cytotechnology since 1978. A Bachelor of Science degree is now a requirement for students to be eligible to take the Board of Registry examination. The proposed program will provide didactic training and clinical experiences resulting in the granting of a Bachelor of Science degree in Cytotechnology and is requested in response to the critical shortage of cytotechnologists in the state and nation. Clinical sites will include Lyndon B. Johnson General Hospital of the Harris County Hospital District, Hermann Hospital, The University of Texas M.D. Anderson Cancer Center, and St. Luke's Hospital. In addition, training will be integrated with that of the residents in the Department of Pathology and Laboratory Medicine.

This program in Cytotechnology will be administered by the Department of Pathology and Laboratory Medicine in conjunction with the U. T. Allied Health Sciences School - Houston. Therefore, no new state funds will be needed to support this program. Faculty are available and funded through the Department of Pathology and Laboratory Medicine. The Harris County Hospital District will provide faculty salary support as well as space for the didactic portion of the curriculum. The one-time purchase of microscopes for students will be funded by the Department of Pathology and Laboratory Medicine.

Upon approval by the Coordinating Board, the next appropriate catalog published at the U. T. Health Science Center - Houston will be amended to reflect this action.

A copy of the proposal is on file in the Office of Health Affairs.

6. U. T. Health Science Center - Houston (U. T. Nursing School - Houston): Request for Off-Campus Expansion of the Master of Science in Nursing Degree with a Specialty in Nurse Anesthesia and to Submit the Proposal to the Coordinating Board for Approval (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Low that approval be granted for the U. T. Nursing School - Houston of the U. T. Health Science Center - Houston to expand its Master of Science in Nursing degree program in Nurse Anesthesia off-campus by offering the program at the Academy of Health Sciences, United States Army, Fort Sam Houston, Texas, and to submit the proposal to the Texas Higher Education Coordinating Board for approval.

BACKGROUND INFORMATION

The proposed M.S.N. degree with a specialty in Nurse Anesthesia will be a cooperative program with the Academy of Health Sciences, United States Army, with the degree awarded by the U. T. Health Science Center - Houston. The Academy of Health Sciences, United States Army, has been conducting a Nurse Anesthesia Program since 1977. The program has been fully accredited by the Council on Accreditation of Nurse Anesthesia Educational Programs, as has the program at the U. T. Health Science Center - Houston. The Academy of Health Sciences wishes to affiliate with a program that can offer graduating students a Master's Degree in Nursing. The program will be administered by the School of Nursing at the U. T. Health Science Center - Houston. No changes in the curriculum other than sequencing of didactic courses are anticipated. The curriculum will be taught by faculty at the Academy of Health Sciences who have an academic appointment to the U. T. Nursing School - Houston. The U. T. Health Science Center - Houston will assume administrative responsibility for the Nurse Anesthesia clinical major, including admission, progression and graduation of students, course scheduling and offerings. The Academy of Health Sciences, United States Army, will enroll a maximum of 50 Army and Texas civilian students per class. Students will be admitted into the program in October 1992 for a January 1993 start-up date.

A recent study by the American Association of Nurse Anesthetists reported severe shortages of Certified Registered Nurse Anesthetists (CRNAs). The Association's 1990 survey indicated the availability of 6,000 job openings nationwide for Nurse Anesthetists and a projected need for 15,000 by the year 2010. Nurse Anesthetists provide 85% of the anesthesia services in rural America. Currently, the program in Nurse Anesthesia at the U. T. Health Science Center - Houston is only able to admit a maximum of 12 new students each year due to limited clinical resources. This year 58 individuals applied, 35 were well qualified, but only one-third could be admitted. While the program graduated 22 students this year, there are approximately 60 unfilled positions for Nurse Anesthetists within a

125 mile radius of Houston. The proposed collaborative effort between the nationally accredited program in Nurse Anesthesia at the U. T. Health Science Center - Houston and the U. S. Army Academy of Health Sciences at Fort Sam Houston will have a positive impact on the shortage of Nurse Anesthetists throughout Texas.

There will be no cost to the U. T. Health Science Center - Houston for this collaborative degree program. All expenses will be paid by the United States Army.

Upon approval by the Coordinating Board, the next appropriate catalog published at the U. T. Health Science Center - Houston will be amended to reflect this action.

A copy of the proposal is on file in the Office of Health Affairs.

7. U. T. M.D. Anderson Cancer Center: Proposed Appointment of Ashbel Smith Professor Effective Immediately.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President LeMaistre that Milam Leavens, M.D., be appointed as Ashbel Smith Professor at the U. T. M.D. Anderson Cancer Center effective immediately.

BACKGROUND INFORMATION

Dr. Leavens, Professor of Surgery at the U. T. M.D. Anderson Cancer Center, joined the staff in 1966 and, until recently, held the position of Chairman of the Department of Neurosurgery. He has introduced numerous new surgical techniques and treatment modalities and has been an effective teacher, held in the highest regard by his students. He possesses a caring and unselfish attitude which has added a unique humanitarian dimension to his care and treatment of patients. This appointment recognizes Dr. Leavens' long and distinguished service to the faculty, fellows and residents, and patients at the U. T. M.D. Anderson Cancer Center.

U. T. M.D. Anderson Cancer Center was authorized to award five Ashbel Smith Professorships by the U. T. Board of Regents in April 1980.

8. U. T. M.D. Anderson Cancer Center: Request for Permission for Individuals to Serve on the (a) Texas Board of Licensure for Professional Medical Physicists and (b) Texas Radiation Advisory Board [Regents' Rules and Regulations, Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11)].--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President LeMaistre that approval be given for the following faculty members at the U. T. M.D. Anderson Cancer Center to serve as indicated:

- a. Thomas S. Harle, M.D., Professor of Radiology, to the Texas Board of Licensure for Professional Medical Physicists
- b. James D. Cox, M.D., Professor of Radiotherapy, to the Texas Radiation Advisory Board.

It is further recommended that the U. T. Board of Regents find that: (1) the holding of these appointments by these individuals is of benefit to the State of Texas and (2) there is no conflict between their positions at U. T. M.D. Anderson Cancer Center and service on these boards.

BACKGROUND INFORMATION

The Texas Board of Licensure for Professional Medical Physicists is charged with regulating the practice of Medical Physicists in the State of Texas which includes the examination and approval for licensure of applicants. Dr. Harle has been appointed by Governor Ann Richards to the Board for a term to expire on February 1, 1997. He will receive no compensation for his service on this Board.

The Texas Radiation Advisory Board serves as technical consultants, providing advice and guidance in the development of regulations related to radiation in order to assure the protection of public health while allowing the development of beneficial uses of radiation throughout Texas. Dr. Cox has been appointed by Governor Ann Richards to the Board for a term to expire April 16, 1997. He will receive no compensation for his service in this capacity.

These recommendations are in accordance with approval requirements for positions of honor, trust, or profit provided in Article 6252-9a of Vernon's Texas Civil Statutes, and Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11) of the Regents' Rules and Regulations.

Fac. Plan. &
Const. Com.

FACILITIES PLANNING AND CONSTRUCTION COMMITTEE
Committee Chairman Moncrief

Date: October 9, 1992

Time: Following the meeting of the Health Affairs
Committee

Place: Room 1.212, Conference Center, U. T. Dallas

	<u>Page</u> <u>FPCC</u>
1. U. T. Austin - Balcones Research Center - Hypervelocity Launch Facility: Request for Project Authorization; Appointment of Project Architect for Preparation of Final Plans; and Appropriation Therefor	2
2. U. T. Southwestern Medical Center - Dallas - Aston Ambulatory Care Center - Ninth Floor Finish Out: Request for Project Authorization; Appointment of Project Architect to Prepare Final Plans; Authorization to Submit Project to Coordinating Board; and Appropriation Therefor	3
3. U. T. Southwestern Medical Center - Dallas - Research Building - Phase II North Campus Expansion (Project No. 303-755): Request for Approval of Final Plans for Stage Two; Authorization to Advertise for Bids and for Executive Committee to Award Contracts; Appropriation Therefor; and Approval of Use of Revenue Financing System Parity Debt, Receipt of Certificate, and Finding of Fact with Regard to Financial Capacity	4
4. U. T. M.D. Anderson Cancer Center - Bertner Complex (Project No. 703-772) and Clinical Services Facility (Project No. 703-773): Request for Approval of Final Plans for Bertner Complex Phase I; Authorization to Advertise for Bids and for the Executive Committee to Award Contracts; and Appropriation Therefor	8

1. U. T. Austin - Balcones Research Center - Hypervelocity Launch Facility: Request for Project Authorization; Appointment of Project Architect for Preparation of Final Plans; and Appropriation Therefor.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that the U. T. Board of Regents:

- a. Authorize a project for a Hypervelocity Launch Facility at U. T. Austin's Balcones Research Center at an estimated total project cost of \$2,000,000
- b. Appoint a Project Architect from a list to be submitted for consideration prior to the meeting with authorization to prepare final plans for future presentation to the U. T. Board of Regents
- c. Appropriate \$1,100,000 from Permanent University Fund Bond Proceeds that has been allocated to U. T. Austin for repair projects for the 1992-93 fiscal year and \$900,000 from General Fee Balances for total project funding. The FY 1992-1993 repair work which had been funded from Permanent University Fund Bond Proceeds will be accomplished with other university funds. Funding for this project will be advanced by U. T. Austin and recouped from contracts with the United States Army.

BACKGROUND INFORMATION

The Hypervelocity Launch Facility to be constructed at U. T. Austin's Balcones Research Center will be a simple but specialized building to provide a light gas gun laboratory that will permit state-of-the-art, efficient and timely investigation of high energy, hypervelocity physics. The research and development objectives are to test hypervelocity physics, advanced diagnostics and materials, and related phenomena. Funding for this \$2,000,000 project will be advanced by U. T. Austin and recouped from contracts with the United States Army. The estimated cost covers only the basic building. The testing devices and other equipment will be provided by the Institute for Advanced Technology at U. T. Austin.

This project is included in the FY 1993 Capital Budget approved by the U. T. Board of Regents in June 1992. In that document, the ultimate funding source, gifts and grants, was shown rather than the advance source, Permanent University Fund Bond Proceeds and General Use Fees.

2. U. T. Southwestern Medical Center - Dallas - Aston Ambulatory Care Center - Ninth Floor Finish Out: Request for Project Authorization; Appointment of Project Architect to Prepare Final Plans; Authorization to Submit Project to Coordinating Board; and Appropriation Therefor.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, Executive Vice Chancellor for Business Affairs, Vice Chancellor for Asset Management, and President Wildenthal that the U. T. Board of Regents:

- a. Authorize a project for the Aston Ambulatory Care Center Ninth Floor Finish Out at the U. T. Southwestern Medical Center - Dallas at an estimated total project cost of \$3,055,000
- b. Appoint the firm of HKS, Inc., Dallas, Texas, as Project Architect to prepare final plans and specifications to be submitted to the U. T. Board of Regents for consideration at a future meeting
- c. Authorize submission of the project to the Texas Higher Education Coordinating Board
- d. Appropriate \$170,000 from U. T. Southwestern Medical Center - Dallas Unexpended Plant Funds for fees and administrative expenses through preparation of final plans and specifications. These funds will be reimbursed from Tax-Exempt Revenue Financing System Bond Proceeds to be issued at a later date.

BACKGROUND INFORMATION

In April 1991, the U. T. Board of Regents awarded a construction contract for Additions and Renovations to the Aston Ambulatory Care Center at the U. T. Southwestern Medical Center - Dallas which included constructing floor levels eight and nine as shell space. The eighth level is currently being finished out under a separate contract. The completion of the ninth floor is made necessary by an estimated 18 percent increase in patient volume in 1992 over 1991, as well as the development of new programs in cancer, bone and joint disease, and a center for pain control.

The firm of HKS, Inc., Dallas, Texas, was Project Architect for Additions and Renovations to the Aston Ambulatory Care Center and is the Project Architect on the Eighth Floor Finish Out. It is recommended that this firm be appointed as the Project Architect for the Ninth Floor Finish Out based on the firm's familiarity with the project.

This project is included in the U. T. System Capital Improvement Plan approved in June 1991 and the Capital Budget approved in June 1992 for a total project cost of \$3,055,000.

3. U. T. Southwestern Medical Center - Dallas - Research Building - Phase II North Campus Expansion (Project No. 303-755): Request for Approval of Final Plans for Stage Two; Authorization to Advertise for Bids and for Executive Committee to Award Contracts; Appropriation Therefor; and Approval of Use of Revenue Financing System Parity Debt, Receipt of Certificate, and Finding of Fact with Regard to Financial Capacity.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that the U. T. Board of Regents:

- a. Approve final plans and specifications for the second stage of construction of the Research Building - Phase II North Campus Expansion at the U. T. Southwestern Medical Center - Dallas at an estimated total project cost of \$67,800,000, for all stages, exclusive of institutional equipment
- b. Authorize the Office of Facilities Planning and Construction to advertise for bids upon completion of final review
- c. Authorize the Executive Committee to award all contracts associated with this project within the authorized total project cost
- d. Appropriate \$20,000,000 from Permanent University Fund Bond Proceeds and \$42,300,000 from Revenue Financing System Bond Proceeds for total project funding. Previous appropriations of \$5,500,000 from U. T. Southwestern Medical Center - Dallas Interest on Designated Funds Time Deposits were made to cover the cost of the Inter-campus Connector. In addition, the advanced funding totaling \$5,600,000 from Interest on Designated Funds Time Deposits for fees, administrative expenses, and prepurchase of thermal energy plant equipment is to be reimbursed as previously approved.

The Chancellor also concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor for Asset Management, and President Wildenthal that in compliance with Section 5 of the Master Resolution Establishing The University of Texas System Revenue Financing System, approved

by the U. T. Board of Regents in April 1990, amended October 12, 1990, and the delivery of the Certificate of an Authorized Representative as set out on Page FPCC - 7, the U. T. Board of Regents resolve that:

- a. Parity Debt shall be issued to pay the project's cost including any project costs paid prior to the issuance of such Parity Debt
- b. Sufficient funds will be available to meet the financial obligations of the U. T. System including sufficient Pledged Revenues as defined in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System and to meet all financial obligations of the Board relating to the Financing System
- c. U. T. Southwestern Medical Center - Dallas, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its Direct Obligation as defined in the Master Resolution relating to the issuance by the U. T. Board of Regents of tax-exempt Parity Debt in the amount of \$42,300,000 for the construction of Research Building - Phase II North Campus Expansion
- d. This resolution satisfies the official intent requirement set forth in Section 1.103-18 of the Treasury Regulations.

This item requires the concurrence of the Health Affairs Committee.

BACKGROUND INFORMATION

In accordance with authorization of the U. T. Board of Regents in June 1992, final plans and specifications for the second stage of construction of the Research Building - Phase II North Campus Expansion at the U. T. Southwestern Medical Center - Dallas have been prepared by the Project Architect, Omniplan, Inc., Dallas, Texas.

Award of the first stage of work for the prepurchase of thermal energy plant equipment was made by the U. T. Board of Regents through Executive Committee Letter No. 92-18. See Item 4 on Page Ex.C - 7.

This second stage of work consists of a general construction contract for Research Building NA, Support Building NG, and expansion of the Thermal Energy Plant Building NJ.

Research Building NA will be the second research building constructed on the North Campus. It will be a ten-level facility consisting of approximately 182,913 gross square feet of research space (6 levels); 30,333 gross square feet of research support space (1 level); and 88,933 gross square feet of parking (3 levels). Support Building NG will provide an

additional 137,700 gross square feet of parking (3 levels) and a plaza area of 45,900 gross square feet. The Thermal Energy Plant Building NJ will also be expanded to accommodate the Phase II construction.

The six levels of research space in Research Building NA will be constructed as shell space to be finished out in the third stage of construction. Request for approval of the final plans for stage three will be presented to the U. T. Board of Regents at a future date.

A key part of Phase II is construction of an Intercampus Connector to provide safe pedestrian access, a data and communications bank, and a busway between the two campuses. The contract for construction of the Intercampus Connector was previously awarded by the U. T. Board of Regents at the June 1992 meeting for a total project cost of \$5,500,000. The total project cost for the Intercampus Connector is included within the total project cost of \$67,800,000 for construction of the second phase of development on the North Campus.

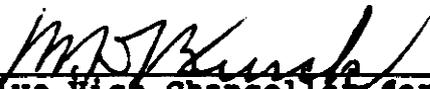
This project is included in the U. T. System Capital Improvement Plan approved in June 1991 and the Capital Budget approved in June 1992 for a total project cost of \$67,800,000. Final project funding will be \$20,000,000 from Permanent University Fund Bond Proceeds, \$42,300,000 from Revenue Financing System Bond Proceeds, and \$5,500,000 for the Intercampus Connector project as previously appropriated from U. T. Southwestern Medical Center - Dallas Interest on Designated Funds Time Deposits.

This project was approved by the Texas Higher Education Coordinating Board in October 1991.

PARITY DEBT CERTIFICATE OF U. T. SYSTEM REPRESENTATIVE

I, the undersigned Executive Vice Chancellor for Business Affairs of The University of Texas System, a U. T. System Representative under the Master Resolution Establishing The University of Texas System Revenue Financing System adopted by the Board on April 12, 1990 (the "Master Resolution"), do hereby execute this certificate for the benefit of the Board of Regents pursuant to Section 5(a) (ii) of the Master Resolution in connection with the authorization by the Board to issue "Parity Debt" pursuant to the Master Resolution to finance the cost of the North Campus, Phase II project at the University of Texas Southwestern Medical Center at Dallas, and do certify that to the best of my knowledge the Board of Regents is in compliance with all covenants contained in the Master Resolution, First Supplementary Resolution Establishing an Interim Financing Program, and the Second Supplemental Resolution, and is not in default of any of the terms, provisions and conditions in said Master Resolution, First Supplemental Resolution and Second Supplemental Resolution.

EXECUTED this 9th day of October, 1992



Executive Vice Chancellor for Business Affairs

4. U. T. M.D. Anderson Cancer Center - Bertner Complex (Project No. 703-772) and Clinical Services Facility (Project No. 703-773): Request for Approval of Final Plans for Bertner Complex Phase I; Authorization to Advertise for Bids and for the Executive Committee to Award Contracts; and Appropriation Therefor.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President LeMaistre that the U. T. Board of Regents:

- a. Approve the final plans and specifications for Phase I of the Bertner Complex at the U. T. M.D. Anderson Cancer Center at an estimated construction cost of \$59,500,000
- b. Authorize the Office of Facilities Planning and Construction to advertise for bids upon completion of final review and approval of the Coordinating Board, and the Executive Committee to award all contracts associated with this Phase I project within the authorized total project cost
- c. Appropriate \$62,355,000 from U. T. M.D. Anderson Cancer Center Educational and General Funds for total Phase I funding. Previous appropriations have been \$20,250,000 from the same source bringing the total amount appropriated to date to \$82,605,000 for Phase I construction, including fees and administrative expenses through preparation of final plans for the Bertner Complex and Clinical Services Facility. Approval of this recommendation will amend the FY 1991 Capital Improvement Plan and the FY 1993 Capital Budget with regard to source of funds.

BACKGROUND INFORMATION

At the June 1992 meeting, the U. T. Board of Regents approved the preliminary plans and specifications for the Bertner Complex and Clinical Services Facility at the U. T. M.D. Anderson Cancer Center. Authorization was granted for submission of the project to the Texas Higher Education Coordinating Board and for preparation of final plans in such a manner that the project could be constructed in one or more phases. Final approval of the project by the Coordinating Board is anticipated at the October 29-30, 1992 meeting of that Board.

An evaluation of construction of the Bertner Complex in one or more phases has been underway for some time resulting in a recommendation that phased construction beginning in early 1993 is the most prudent and best option. Most persuasive is a potential cost savings of \$3 million if contracts are awarded prior to the beginning of an anticipated

inflationary cycle in the building industry. Secondly, other institutions in the Texas Medical Center have construction plans to begin in 1993/1994 which total approximately \$300 million. Award of these contracts prior to this project could result in upward pressure on prices and a shortage of skilled construction labor. Thirdly, the U. T. M.D. Anderson Cancer Center is experiencing increased utilization of patient services beyond earlier projections, thus increasing demand for additional capacity earlier than anticipated. Phased construction beginning early could reduce the total duration of construction and favorably affect earned income. In addition, there may be other benefits realized from beginning construction earlier such as: ease of construction traffic and congestion within the Texas Medical Center; greater on-site staging for subsequent phases by providing a ground-level structural deck; and less interference with Texas Medical Center and utility improvements planned along Bertner Avenue.

The scope of the work included in this \$59.5 million first-phase of the Bertner Complex involves preconstruction activities, site preparation, and construction of the foundation, superstructure, exterior walls, and glass and roof for both the Bertner Complex and the Clinic Services Facility. Elevators, escalators, and stairs will also be included. The scope of work also includes construction of an additional transformer vault and a mechanical upgrade for the Gimbel Building.

The completed Bertner Complex will ultimately contain a total of 779,400 gross square feet and include the Bertner Patient Care Facility and the Bertner Research Building at a total project cost of \$206.2 million. The Clinical Services Facility totals 174,085 gross square feet of space in ten levels and a basement at a total project cost of \$42.4 million.

This project has been included in the FY 1991 Capital Improvement Plan and the FY 1993 Capital Budget. Approval of this recommendation will amend the funding sources as follows:

U. T. M.D. Anderson Cancer Center Revenue Bonds	\$ 65,400,000
Philanthropy	100,595,000
U. T. M.D. Anderson Cancer Center Educational and General Fund Balances	<u>82,605,000</u>
Total	<u>\$248,600,000</u>

**Asset
Management Com.**

ASSET MANAGEMENT COMMITTEE
Committee Chairman Cruikshank

Date: October 9, 1992
Time: Following the meeting of the Facilities Planning
and Construction Committee
Place: Room 1.212, Conference Center, U. T. Dallas

Page
AMC

I. Permanent University Fund

Investment Matter

Report of Clearance of Monies to the
Permanent University Fund for July
and August 1992 and Report on Oil and
Gas Development as of August 31, 1992

5

II. Trust and Special Funds

Gifts, Bequests and Estates

U. T. AUSTIN

1. James T. Doluisio Chair in Pharmacy
in the College of Pharmacy - Recom-
mendation to Allocate Matching Funds
Under The Regents' Endowment Program
and Redesignate as the James T.
Doluisio Regents Chair in Pharmacy
2. George H. Hitchings Professorship in
Drug Design in the College of Phar-
macy - Recommendation to Accept Addi-
tional Gift and Redesignate as the
George H. Hitchings Regents Chair in
Drug Design and Eligibility for
Matching Funds Under The Regents'
Endowment Program
3. The Hoechst-Roussel Centennial
Endowed Professorship in Pharmacy in
the College of Pharmacy - Recommenda-
tion to Accept Additional Gift and
Eligibility for Matching Funds Under
The Regents' Endowment Program

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6

7

U. T. AUSTIN

4. International Professional Development Fund in the College of Natural Sciences - Recommendation to Accept Pledge, Redesignate as the Rom Rhome International Professional Development Fund, and Broaden Use of Endowment Income 8
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I. PERMANENT UNIVERSITY FUND

INVESTMENT MATTER

Report on Clearance of Monies to the Permanent University Fund for July and August 1992 and Report on Oil and Gas Development as of August 31, 1992.--The following reports with respect to (a) certain monies cleared to the Permanent University Fund for July and August 1992 and (b) Oil and Gas Development as of August 31, 1992, are submitted by the Executive Vice Chancellor for Business Affairs:

	July 1992	August 1992	Cumulative Through August of this Fiscal Year (1991-1992)	Cumulative Through August of Preceding Fiscal Year (1990-1991)	Per Cent Change
Permanent University Fund					
Royalty					
Oil	\$ 4,125,524.78	\$ 3,906,733.53	\$ 47,991,203.69	\$ 66,431,980.71	-27.76%
Gas	1,135,966.41	1,287,700.86	13,378,547.88	18,617,455.42	-28.14%
Sulphur	0.00	0.00	(10,598.69)	0.00	--
Water	76,724.51	111,874.11	693,402.44	997,131.00	-30.46%
Brine	2,522.41	3,477.10	50,816.51	55,831.52	-8.98%
Trace Minerals	0.00	0.00	0.00	0.00	--
Rental					
Oil and Gas Lease	5,765.94	685.29	564,767.56	681,248.04	-17.10%
Other	6,000.00	4,897.65	27,964.65	25,717.65	8.74%
Sale of Sand, Gravel, Etc.	1,140.00	600.00	10,050.00	24,360.75	-58.75%
Total University Lands Receipts Before Bonuses	5,353,644.05	5,315,968.54	62,706,154.04	86,833,725.09	-27.79%
Bonuses					
Oil and Gas Lease Sales	0.00	0.00	1,932,665.52	2,383,107.90	-18.90%
Amendments and Extensions to Mineral Leases	0.00	0.00	2,506.03	91,413.64	-97.26%
Total University Lands Receipts	5,353,644.05	5,315,968.54	64,641,325.59	89,308,246.63	-27.62%
Gain or (Loss) on Sale of Securities	7,448,323.65	6,341,446.20	57,920,495.53	10,876,029.89	432.55%
TOTAL CLEARANCES	<u>\$12,801,967.70</u>	<u>\$11,657,414.74</u>	<u>\$122,561,821.12</u>	<u>\$100,184,276.52</u>	<u>22.34%</u>

Oil and Gas Development - August 31, 1992

Acres Under Lease - 646,950

Number of Producing Acres - 534,133

Number of Producing Leases - 2,513

II. TRUST AND SPECIAL FUNDS

Gifts, Bequests and Estates

1. U. T. Austin: James T. Doluisio Chair in Pharmacy in the College of Pharmacy - Recommendation to Allocate Matching Funds Under The Regents' Endowment Program and Redesignate as the James T. Doluisio Regents Chair in Pharmacy.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that \$75,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the James T. Doluisio Chair in Pharmacy in the College of Pharmacy at U. T. Austin for a total endowment of \$575,000 and that the Chair be redesignated as the James T. Doluisio Regents Chair in Pharmacy.

BACKGROUND INFORMATION

At the June 1991 meeting, the U. T. Board of Regents accepted \$150,000 in gifts and a \$350,000 pledge for a total of \$500,000 and established the James T. Doluisio Chair in Pharmacy. At the August 1992 meeting, the U. T. Board of Regents designated the endowment for the exclusive use of the Dean of the College of Pharmacy at U. T. Austin.

2. U. T. Austin: George H. Hitchings Professorship in Drug Design in the College of Pharmacy - Recommendation to Accept Additional Gift and Redesignate as the George H. Hitchings Regents Chair in Drug Design and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that \$50,000 in gifts from various donors be accepted for addition to the George H. Hitchings Professorship in Drug Design in the College of Pharmacy at U. T. Austin for a total endowment of \$691,750 and that the Professorship be redesignated as the George H. Hitchings Regents Chair in Drug Design.

It is further recommended that \$25,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$716,750.

BACKGROUND INFORMATION

The Regents Professorship in Psychiatric Pharmacy was established at the June 1984 meeting of the U. T. Board of Regents with \$30,000 in gifts and a \$70,000 pledge from the U. T. Austin Pharmaceutical Foundation Advisory Council. At the October 1988 meeting, the U. T. Board of Regents accepted an additional \$300,000 pledge from The Burroughs Wellcome Fund, Research Triangle Park, North Carolina, and a \$50,000 pledge from the U. T. Austin Pharmaceutical Foundation Advisory Council to increase the endowment to \$450,000 and redesignated the Professorship as the George H. Hitchings Professorship in Drug Design. Matching funds of \$175,000 were allocated under The Regents' Endowed Teachers and Scholars Program and used to increase the endowment to \$625,000.

Mr. George H. Hitchings, Scientist Emeritus of the Burroughs Wellcome Co., has served as President and Director of The Burroughs Wellcome Fund and is recognized for his advancements in the research of drug design.

3. U. T. Austin: The Hoechst-Roussel Centennial Endowed Professorship in Pharmacy in the College of Pharmacy - Recommendation to Accept Additional Gift and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that a \$50,000 gift from Hoechst-Roussel Pharmaceuticals, Inc., Somerville, New Jersey, be accepted for addition to The Hoechst-Roussel Centennial Endowed Professorship in Pharmacy in the College of Pharmacy at U. T. Austin for a total endowment of \$645,000.

It is further recommended that \$25,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$670,000.

BACKGROUND INFORMATION

At the February 1980 meeting, the U. T. Board of Regents accepted a \$59,000 gift and a \$41,000 pledge from Hoechst-Roussel Pharmaceuticals, Inc., Somerville, New Jersey, to establish the Hoechst-Roussel Professorship of Pharmacy. The endowment was redesignated as The Hoechst-Roussel Centennial Endowed Professorship in Pharmacy at the August 1982 meeting of the U. T. Board of Regents. Subsequent gifts and matching funds bring the endowment total to over \$600,000.

4. U. T. Austin: International Professional Development Fund in the College of Natural Sciences - Recommendation to Accept Pledge, Redesignate as the Rom Rhome International Professional Development Fund, and Broaden Use of Endowment Income.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that a \$50,000 pledge, payable by August 31, 1993, from Mr. Rom Rhome, Houston, Texas, be accepted for addition to the International Professional Development Fund in the College of Natural Sciences at U. T. Austin and that the Fund be redesignated as the Rom Rhome International Professional Development Fund.

It is further recommended that use of income earned from the endowment be broadened to include travel for students formally participating in international professional meetings. The U. T. System Office of General Counsel rendered an opinion that this modification is permissible under Section 65.36(f) of the Texas Education Code.

These recommendations are being made in accordance with the donors' requests.

BACKGROUND INFORMATION

The International Professional Development Fund was established at the December 1983 meeting of the U. T. Board of Regents with \$10,000 from unrestricted accounts of the College of Natural Sciences Foundation. Income earned from the endowment was dedicated to help defray travel costs of faculty members of the College of Natural Sciences for the purpose of formally participating in international professional meetings. Since that time, additional contributions have been received, primarily from members of the College of Natural Sciences Foundation Advisory Council, and the endowment principal is currently \$80,000.

Mr. Rom Rhome, Houston, Texas, Chairman of the College of Natural Sciences Foundation Advisory Council, received his B.A. from U. T. Austin in 1943.

5. U. T. Austin: Recommendation to Accept Gifts and Pledges to Establish Six Endowments in the School of Law and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that gifts, a pledge, and pledges of matching funds from The University of Texas Law School Foundation (LSF) be accepted to establish six endowments in the School of Law at U. T. Austin as set out below. The funds for the endowments are currently held and administered by The University of Texas Law School Foundation (an external foundation) in accordance with the Regents' Rules and Regulations.

It is further recommended that a total of \$88,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowments, respectively, as set out below. Upon approval of the matching allocation, the Law School Foundation will transfer all funds held for these endowments to the U. T. Board of Regents.

ENDOWMENT:	Gus Macey Hodges Endowed Presidential Scholarship in Law
Donor:	Mr. and Mrs. Harry Reasoner (Macey Hodges), Houston, Texas
Gift Amount:	\$22,665
LSF Matching:	\$12,500, payable by August 31, 1995
Regents' Matching:	\$12,500
Total Endowment:	\$47,665

ENDOWMENT:	Judge Harry Lee Hudspeth Endowed Presidential Scholarship in Law
Donor:	Various friends and colleagues of Judge Hudspeth
Gift Amount:	\$13,000
LSF Matching:	\$13,000, payable by August 31, 1995
Regents' Matching:	\$13,000
Total Endowment:	\$39,000

ENDOWMENT:	Sarah and Jack Gurwitz Endowed Presidential Scholarship in Law
Donor:	Mr. Gary Gurwitz, McAllen, Texas
Gift Amount:	\$6,250
Pledge Amount:	\$6,250, payable by August 31, 1993
Donor:	Mr. Morris Atlas, McAllen, Texas
Gift Amount:	\$1,500
LSF Matching:	\$12,500, payable by August 31, 1995
Regents' Matching:	\$12,500
Total Endowment:	\$39,000

ENDOWMENT:	Thomas H. Godfrey Endowed Presidential Scholarship in Law
Donor:	Mr. H. Lee Godfrey, Houston, Texas
Gift Amount:	\$12,500
LSF Matching:	\$12,500, payable by August 31, 1995
Regents' Matching:	\$12,500
Total Endowment:	\$37,500
ENDOWMENT:	James R. Alexander Endowed Presidential Scholarship in Law
Donor:	Mr. James R. Alexander, Dallas, Texas
Gift Amount:	\$12,500
LSF Matching:	\$12,500, payable by August 31, 1995
Regents' Matching:	\$12,500
Total Endowment:	\$37,500
ENDOWMENT:	Orlando Letelier and Ronni Karpen Moffitt Endowed Presidential Scholarship in Law
Donor:	Mr. Michael E. Tigar, Austin, Texas
Gift Amount:	\$25,000
LSF Matching:	\$25,000, payable by August 31, 1995
Regents' Matching:	\$25,000
Total Endowment:	\$75,000
Recipient	
Criteria:	Students who engage without other recompense in pro bono legal work in the area of human rights by working with privately supported human rights entities. Additional selection criteria may be based on merit or need.

Income earned from the first five endowments will be used to award scholarships to law students selected at the discretion of the Dean of the School of Law or the Dean's designee, based on merit or need. Income earned from the last endowment will be used to award scholarships to law students selected at the discretion of the Dean of the School of Law or the Dean's designee, taking into consideration special criteria requested by the donor, as indicated above for this endowment.

BACKGROUND INFORMATION

Of the individual donors for these six endowments, almost all are alumni of the School of Law at U. T. Austin.

6. U. T. Austin: Recommendation to Accept Gift and Pledge to Establish the Randal B. McDonald Endowed Professorship in Auditing in the College of Business Administration.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that \$20,000 in gifts from various members of the family of Mr. Randal B. McDonald, Sr., Houston, Texas, and \$80,000 in pledges, payable by August 31, 1995, from various donors for a total of \$100,000 be accepted to establish the Randal B. McDonald Endowed Professorship in Auditing in the Department of Accounting, College of Business Administration, at U. T. Austin.

Income earned from the endowment will be used to support the Professorship.

BACKGROUND INFORMATION

This endowment is being funded by various friends and family members of Mr. Randal B. McDonald, Sr., Houston, Texas, in appreciation for his contributions to the integrity of the public accounting profession. Mr. McDonald served as President and Chief Executive Officer of Pennzoil Company, Houston, Texas. He is a member of The Chancellor's Council, the Littlefield Society, and a past member of the College of Business Administration Foundation Advisory Council. Mr. McDonald received his B.B.A. from U. T. Austin in 1952.

7. U. T. Austin: Marlene and Morton Meyerson Centennial Visiting Professorship in Japanese Art in the College of Fine Arts - Recommendation to Redesignate as the Marlene and Morton Meyerson Centennial Visiting Professorship in Japanese and Asian Art and to Broaden Use of Endowment Income.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that the Marlene and Morton Meyerson Centennial Visiting Professorship in Japanese Art in the College of Fine Arts at U. T. Austin be redesignated as the Marlene and Morton Meyerson Centennial Visiting Professorship in Japanese and Asian Art.

It is further recommended that use of the income earned from the endowment be broadened to include support for visiting scholars and lecturers in the broad realm of Asian art, as well as Japanese art.

These recommendations are being made to clarify the original intent of the donor and have been reviewed and approved by the U. T. System Office of General Counsel.

BACKGROUND INFORMATION

At the February 1984 meeting, the U. T. Board of Regents accepted a \$500,000 gift and pledge from Mr. Morton H. Meyerson, Dallas, Texas, and established the Marlene and Morton Meyerson Centennial Chair in the College of Liberal Arts. Several endowments were created using matching funds from The Regents' Endowed Teachers and Scholars Program, including the Marlene and Morton Meyerson Centennial Visiting Professorship in Japanese Art in the College of Fine Arts with \$100,000.

8. U. T. Austin: Virginia Nokes Endowed Scholarship in Women's Athletics in Intercollegiate Athletics for Women - Recommendation to Accept Gift and Transfer of Funds and Redesignate as the Virginia Nokes Endowed Presidential Scholarship in Women's Athletics.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that U. S. Treasury Bonds, valued at \$29,641.06 from Mr. and Mrs. George O. Nokes, Jr., Austin, Texas, and a \$14,820.53 transfer of matching funds from the Second Century Fund for a total of \$44,461.59 be accepted for addition to the Virginia Nokes Endowed Scholarship in Women's Athletics in Intercollegiate Athletics for Women at U. T. Austin. These contributions will increase the endowment to a total in excess of \$58,000 and it is recommended that the Scholarship be redesignated as the Virginia Nokes Endowed Presidential Scholarship in Women's Athletics.

This recommendation is being made in accordance with the donors' request.

BACKGROUND INFORMATION

The Virginia Nokes Endowed Scholarship in Women's Athletics was established at the October 1988 meeting of the U. T. Board of Regents with a \$10,000 gift from Mr. and Mrs. George O. Nokes, Jr., Austin, Texas. Mr. Nokes received his LL.B. from U. T. Austin in 1949.

The Departments of Intercollegiate Athletics for Women and Intercollegiate Athletics for Men have jointly initiated a \$10,000,000 scholarship fund raising effort known as the Second Century Fund. Within the Second Century Fund, the Departments have adopted a program to match private gifts designated for student support endowments. Matching funds are being generated from gifts and other unrestricted funds available to the Departments.

9. U. T. Austin: Gustavus and Louise Pfeiffer Professorship in Toxicology in the College of Pharmacy - Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that \$10,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the Gustavus and Louise Pfeiffer Professorship in Toxicology in the College of Pharmacy at U. T. Austin for a total endowment of \$161,046.

BACKGROUND INFORMATION

The Gustavus Pfeiffer Centennial Fellowship in Pharmacology was established at the December 1982 meeting of the U. T. Board of Regents with a gift and pledge totalling \$50,023 from the Gustavus and Louise Pfeiffer Research Foundation, Redlands, California. The gift and pledge were matched with \$50,023 from The Centennial Teachers and Scholars Program which was used to establish the Louise Pfeiffer Centennial Fellowship in Pharmacy. At the April 1991 meeting of the U. T. Board of Regents, the two Fellowships were combined to establish the Gustavus and Louise Pfeiffer Professorship in Toxicology. At that time, a \$30,000 gift and pledge from the Gustavus and Louise Pfeiffer Research Foundation and \$20,000 of other gifts were accepted for addition to the Professorship. At the February 1992 meeting, the U. T. Board of Regents authorized the appropriation of \$15,000 in matching funds under The Regents' Endowment Program to increase the endowment.

10. U. T. Austin: The Cary and Kenneth Roberts Endowed Presidential Scholarship in Law in the School of Law - Recommendation to Accept Additional Pledges and Corporate Matching Funds Pledge and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that a \$10,000 pledge, payable by December 31, 1994, from Mr. Kenneth Roberts, Houston, Texas, a \$30,000 corporate matching funds pledge, payable by December 31, 1994, from Exxon Education Foundation, Irving, Texas, and a \$55,000 pledge, payable by August 31, 1995, from The University of Texas Law School Foundation and contingent upon receipt of the individual and corporate matching funds pledges for a total of \$95,000 be accepted for addition to The Cary and Kenneth Roberts Endowed Presidential Scholarship in Law in

the School of Law at U. T. Austin. The \$55,000 in Law School Foundation funds will be held and administered by The University of Texas Law School Foundation (an external foundation) in accordance with the Regents' Rules and Regulations.

It is further recommended that \$65,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$240,000. Upon approval of the matching allocation, the Law School Foundation will transfer all funds held for this endowment to the U. T. Board of Regents.

BACKGROUND INFORMATION

At the December 1991 meeting of the U. T. Board of Regents, The Cary and Kenneth Roberts Endowed Presidential Scholarship in Law was established with \$80,000 in gifts and pledges. Mr. Kenneth Roberts, Houston, Texas, General Counsel of Exxon Company, USA, received his B.B.A. in 1950, his LL.B. in 1951, and his LL.M. in 1953 from U. T. Austin. Mr. Roberts is a member of the Littlefield Society.

11. U. T. Austin: Recommendation to Redesignate Three Endowments in the College of Engineering.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that three previously established endowments in the College of Engineering at U. T. Austin be redesignated as follows:

<u>From</u>	<u>To</u>
a. Sun Exploration and Production Company Centennial Fellowship #1 in Petroleum Engineering established 12/3/82	Oryx Energy Company Centennial Fellowship #1 in Petroleum Engineering
b. Sun Exploration and Production Company Centennial Fellowship #2 in Petroleum Engineering established 12/3/82	Oryx Energy Company Centennial Fellowship #2 in Petroleum Engineering
c. Sun Exploration and Production Company Advanced Petrophysics Laboratory established 8/9/84	Oryx Energy Company Advanced Petrophysics Laboratory

This recommendation is being made in accordance with the donor's request to reflect the company's new name.

BACKGROUND INFORMATION

At the December 1982 meeting, the U. T. Board of Regents accepted a \$40,000 gift and a \$10,000 pledge from Sun Company, Inc., Radnar, Pennsylvania, to establish the Sun Exploration and Production Company Centennial Fellowship #1 in Petroleum Engineering. Additionally, at the December 1982 meeting, the U. T. Board of Regents authorized that matching funds from The Centennial Teachers and Scholars Program be allocated to establish the Sun Exploration and Production Company Centennial Fellowship #2 in Petroleum Engineering.

At the August 1984 meeting, the U. T. Board of Regents accepted a \$25,000 gift from the Sun Exploration and Production Company, Dallas, Texas, to establish the Sun Exploration and Production Company Advanced Petrophysics Laboratory in the College of Engineering.

See Item 3 on Page AAC - 20 related to the proposed renaming of a laboratory in the College of Engineering at U. T. Austin.

12. U. T. Austin: Heman Sweatt Memorial Scholarship in the School of Law - Recommendation to Accept Additional Gifts and Pledge, Redesignate as the Heman Sweatt Endowed Presidential Scholarship in Law, and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that \$10,603 in gifts from various donors and a \$4,397 pledge, payable by August 31, 1995, from The University of Texas Law School Foundation for a total of \$15,000 be accepted for addition to the Heman Sweatt Memorial Scholarship in the School of Law at U. T. Austin and that the Scholarship be redesignated as the Heman Sweatt Endowed Presidential Scholarship in Law. The funds for the endowment are currently held and administered by The University of Texas Law School Foundation (an external foundation) in accordance with the Regents' Rules and Regulations.

It is further recommended that \$7,500 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$32,500. Upon approval of the matching allocation, the Law School Foundation will transfer all funds held for this endowment to the U. T. Board of Regents.

BACKGROUND INFORMATION

At the April 1987 meeting of the U. T. Board of Regents, the Heman Sweatt Memorial Scholarship was established with \$10,000 in gifts given in memory of Mr. Heman M. Sweatt, the first African-American student to attend the School of Law at U. T. Austin.

13. U. T. Austin: Texas Real Estate Research Center Professorship in the College of Business Administration - Recommendation to Redesignate as the William C. Jennings, Sr. Professorship of Real Estate.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that the Texas Real Estate Research Center Professorship in the College of Business Administration at U. T. Austin be redesignated as the William C. Jennings, Sr. Professorship of Real Estate.

This recommendation is being made in accordance with a request from the donor.

BACKGROUND INFORMATION

The Texas Real Estate Research Center Professorship was established at the February 1978 meeting of the U. T. Board of Regents. The Texas A&M University Real Estate Center Advisory Committee wishes to honor Mr. William C. Jennings, Sr., Fort Worth, Texas, for his many years of leadership in the Texas real estate industry.

Mr. Jennings received his B.B.A. in Accounting from U. T. Austin in 1957.

14. U. T. Austin: Recommendation to Accept Gifts and Transfer of Funds to Establish the Logan Wilson Regents Graduate Fellowship in Academic Administration and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that \$12,690 in gifts from various donors and a \$25,000 transfer of funds from The President's Associates, for a total of \$37,690, be accepted to establish the Logan Wilson Regents Graduate Fellowship in Academic Administration at U. T. Austin.

It is further recommended that \$18,845 in matching funds be allocated under The Regents' Endowment Program to increase the endowment to a total of \$56,535.

Income earned from the endowment will be used to provide support to outstanding graduate students concentrating in higher education administration.

BACKGROUND INFORMATION

This endowment is being funded in memory of Dr. Logan Wilson by friends, family members, and colleagues in recognition of his important contributions to U. T. Austin and the U. T. System.

Dr. Wilson served as President of U. T. Austin from 1953 to 1954. He served as President of the U. T. System from 1954 to 1960 and as Chancellor of the U. T. System from 1960 to 1961. Dr. Wilson received his M.A. in Sociology from U. T. Austin in 1927.

15. U. T. Austin: Recommendation to Allocate Matching Funds from The Brackenridge Matching Program #2 for Addition to Previously Established Endowments.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that matching funds totalling \$1,051,055 be allocated from The Brackenridge Matching Program #2 to increase the previously established endowments at U. T. Austin as set out below:

<u>Eligible Endowment and Date of Establishment</u>	<u>Qualifying Gift</u>	<u>Matching Amount</u>
<u>School of Nursing</u>		
Mary Gibbs Jones Endowed Presidential Scholarship in Nursing established 8/13/92	\$25,000.00	\$12,500.00
PCA Health Plans Endowed Presidential Scholarship established 8/13/92	\$25,000.00	\$12,500.00
School of Nursing Faculty- Staff Endowed Presidential Scholarship established 8/13/92	\$25,175.00	\$12,588.00
<u>College of Pharmacy</u>		
Peter John Layden and Professor Willet T. Conklin Endowed Presidential Scholarship in Pharmacy established 8/13/92	\$33,334.00	\$16,667.00
Pharmacy Alumni Association Endowed Scholarship established 8/11/88 (* Includes \$190,666 in gifts and \$66,000 in pledges, payable by 8/31/95, to be matched as received)	* \$256,666.00	\$128,333.00

<u>Eligible Endowment and Date of Establishment</u>	<u>Qualifying Gift</u>	<u>Matching Amount</u>
<u>Interdisciplinary</u>		
A. D. Hutchison Student Endowment Fund established 8/13/92	\$1,090,599.00	\$545,299.00

Lyndon B. Johnson
School of Public Affairs

J. J. "Jake" Pickle Scholarship Program established 8/8/91	\$200,000.00	\$100,000.00
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The funds for the following endowments are currently held and administered by The University of Texas Law School Foundation (an external foundation) in accordance with the Regents' Rules and Regulations. Upon approval of the matching allocation, the Law School Foundation will transfer all funds held for these endowments to the U. T. Board of Regents.

<u>Eligible Endowment and Date of Establishment</u>	<u>Qualifying Gift</u>	<u>Matching Amount</u>
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School of Law

Joyce M. Burg--Class of 1926 Endowed Presidential Scholarship in Law established 2/13/92	\$25,000.00	\$12,500.00
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John H. Crooker, Jr. Endowed Presidential Scholarship in Law established 2/13/92	\$25,000.00	\$12,500.00
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Tom Martin Davis Endowed Presidential Scholarship in Law established 2/13/92	\$66,668.00	\$33,334.00
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George Pierre Gardere Endowed Presidential Scholarship in Law established 2/13/92	\$66,668.00	\$33,334.00
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Oveta Culp Hobby Endowed Presidential Scholarship in Law established 2/13/92	\$37,500.00	\$18,750.00
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William P. Hobby Endowed Presidential Scholarship in Law established 2/13/92	\$37,500.00	\$18,750.00
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Jenkins & Gilchrist Endowed Presidential Scholarship in Law established 2/13/92	\$37,500.00	\$18,750.00
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George E. Seay Endowed Presidential Scholarship in Law established 6/5/86	\$62,500.00	\$31,250.00
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Sander W. Shapiro Endowed Presidential Scholarship in Law established 2/13/92	\$37,500.00	\$18,750.00
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<u>Eligible Endowment and Date of Establishment</u>	<u>Qualifying Gift</u>	<u>Matching Amount</u>
Herbert F. and Vivian V. Singletary Endowed Presidential Scholarship in Law established 2/13/92	\$50,500.00	\$25,250.00

BACKGROUND INFORMATION

The establishment of The Brackenridge Matching Program #2 and guidelines for matching gifts are being proposed for adoption by the U. T. Board of Regents at the October 1992 meeting to match contributed monies and pledges received on or after September 1990 to endow or function as an endowment to benefit academic positions, student fellowships and scholarships, and library support or to add to existing endowments for these purposes.

See Item 5 on Page AAC - 21 related to the proposed approval of The Brackenridge Matching Program #2 guidelines.

16. U. T. Austin: Recommendation to Allocate Matching Funds from The Regents' Endowment Program for Addition to Previously Established Endowments.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Administration of U. T. Austin that matching funds totalling \$2,582,178.11 be allocated from The Regents' Endowment Program to increase the previously established endowments at U. T. Austin as follows:

<u>Eligible Endowment and Date of Establishment</u>	<u>Qualifying Gift</u>	<u>Matching Amount</u>
<u>College of Natural Sciences</u>		
Albert W. and Alice M. Weeks Fund in Geology established 6/11/92	\$353,512.00	\$176,756.00
<u>School of Law</u>		
Clarence Leon Carter Endowed Presidential Scholarship in Law established 10/11/91	\$60,622.00	\$30,311.00
John Winston Carter Endowed Presidential Scholarship in Law established 10/11/91	\$60,622.00	\$30,311.00
Clarence Leon Carter and John Winston Carter Endowed Presidential Scholarship in Law established 10/11/91	\$60,621.00	\$30,310.00

<u>Eligible Endowment and Date of Establishment</u>	<u>Qualifying Gift</u>	<u>Matching Amount</u>
<u>School of Law (continued)</u>		
Class of 63 Endowed Presidential Scholarship in Law established 10/11/91	\$26,145.00	\$13,072.00
Bob Gibbins Endowed Presidential Scholarship in Law established 10/11/91	\$82,763.00	\$41,382.00
Keith Morrison Endowed Presidential Scholarship in Law established 10/11/91	\$30,100.00	\$15,050.00
Judge Ben H. Powell Award (an Endowed Presidential Scholarship in Law) established 10/11/91	\$41,000.00	\$20,500.00
Judge Bob Shannon Endowed Presidential Scholarship in Law established 10/11/91	\$26,500.00	\$13,250.00
Judge Mace B. Thurman, Jr. Endowed Presidential Scholarship in Law established 10/11/91	\$25,000.00	\$12,500.00
The Jim Watson Endowed Presidential Scholarship established 10/11/91	\$25,000.00	\$12,500.00
David J. Beck Endowed Presidential Scholarship in Law established 12/5/91	\$25,000.00	\$12,500.00
Israel Dreeben Endowed Presidential Scholarship in Law established 12/5/91	\$25,061.00	\$12,500.00
Elton M. Hyder, Jr. Scholarship in Law (an Endowed Presidential Scholarship) established 12/5/91	\$35,233.00	\$5,000.00
The Johnson & Gibbs, A Profes- sional Corporation, Endowed Presidential Scholarship in Law established 12/5/91	\$25,000.00	\$12,500.00
Carl Parker Endowed Presidential Scholarship in Law established 12/5/91	\$25,500.00	\$12,500.00
Michael W. Perrin Endowed Presidential Scholarship in Law established 12/5/91	\$25,000.00	\$12,500.00
Oscar and Ethel Schwartz Endowed Presidential Scholarship in Law established 12/5/91	\$37,500.00	\$18,750.00

<u>Eligible Endowment and Date of Establishment</u>	<u>Qualifying Gift</u>	<u>Matching Amount</u>
<u>School of Law (continued)</u>		
The Charles S. Sharp Endowed Presidential Scholarship in Law established 12/5/91	\$50,000.00	\$25,000.00
Terry and Sue Tottenham Endowed Presidential Scholarship in Law established 12/5/91	\$25,000.00	\$12,500.00
Thomas C. Unis Endowed Presidential Scholarship in Law established 12/5/91	\$34,000.00	\$17,000.00
Beirne, Maynard & Parsons Endowed Presidential Scholar- ship in Law established 12/5/91	\$44,000.00	\$22,000.00
Campbell A. Griffin, Jr. Endowed Presidential Scholar- ship in Law established 12/5/91	\$50,000.00	\$25,000.00
State Bar of Texas Construction Law Section Endowed Presidential Scholarship in Law established 12/5/91	\$30,000.00	\$15,000.00
Charles and Elizabeth Tigar Endowed Presidential Scholar- ship in Law established 12/5/91	\$25,000.00	\$12,500.00
Jesse and Peggy Vaughter Endowed Presidential Scholar- ship in Law established 12/5/91	\$25,000.00	\$12,500.00
The Franklin Myers Endowed Presidential Scholarship in Law established 12/5/91	\$25,200.00	\$12,600.00
Dean Leon Green Endowed Presidential Scholarship in Law established 12/5/91	\$25,000.00	\$12,500.00
<u>Interdisciplinary</u>		
David Bruton, Jr. Endowment for Undergraduate Scholarships and Graduate Fellowships established 6/11/92	\$500,000.00	\$250,000.00
The Ex-Students' Association Endowed Scholarships established 8/11/88	\$355,772.22	\$177,886.11
Michener Fellowship Program established 8/13/92	\$11,000,000.00	\$1,500,000.00

<u>Eligible Endowment and Date of Establishment</u>	<u>Qualifying Gift</u>	<u>Matching Amount</u>
<u>Interdisciplinary (continued)</u>		
Carole L. Patterson Endowed Scholarship for Physically Disabled Female Students established 4/6/89	\$11,000.00	\$5,500.00

BACKGROUND INFORMATION

The guidelines for matching gifts under The Regents' Endowment Program were adopted by the U. T. Board of Regents at the February 1992 meeting following authorization by the 72nd Legislature allowing use of Available University Funds to match gifts for endowed academic positions, student fellowships and scholarships, and library support endowments.

17. U. T. San Antonio: Recommendation to Accept Gift to Establish The Ewing Halsell Chair in Biology.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Kirkpatrick that a \$500,000 gift from The Ewing Halsell Foundation, San Antonio, Texas, be accepted to establish The Ewing Halsell Chair in Biology at U. T. San Antonio.

Income earned from the endowment will be used to support the Chair.

BACKGROUND INFORMATION

The Ewing Halsell Foundation, San Antonio, Texas, is funding this endowment in support of the San Antonio Engineering and Bioscience Initiative approved by the U. T. Board of Regents at the December 1988 meeting. The Ewing Halsell Foundation is known for its commitment to education, health care, religion, children and the elderly, the arts, social justice and the conservation of the land and man's heritage.

18. U. T. San Antonio: Recommendation to Accept Gift to Establish the Onderdonk Family Memorial Scholarship.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Kirkpatrick that an \$11,000 gift from Dr. Martha S. Jones, San Antonio, Texas, be accepted to establish the Onderdonk Family Memorial Scholarship at U. T. San Antonio.

Income earned from the endowment will be used to provide one scholarship per semester to an education student who is beginning his or her student teaching semester. Scholarships will be awarded on the basis of merit, not financial need.

BACKGROUND INFORMATION

Dr. Martha S. Jones, San Antonio, Texas, a Visiting Professor at U. T. San Antonio from 1988 to 1992, is funding this endowment in memory of several members of her mother's family, the Onderdonks.

19. U. T. San Antonio: Recommendation to Accept Gift and Pledge to Establish the Southwestern Bell Doctoral Fellowship in Computer Science.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Kirkpatrick that a \$100,000 gift and a \$400,000 pledge, payable by December 31, 1996, from the Southwestern Bell Foundation, St. Louis, Missouri, be accepted to establish the Southwestern Bell Doctoral Fellowship in Computer Science at U. T. San Antonio.

Income earned from the endowment will be awarded to qualified students on the basis of merit where academic excellence, professional potential, and commitment to public service are demonstrated.

BACKGROUND INFORMATION

The Southwestern Bell Foundation, St. Louis, Missouri, is funding this endowment in support of the San Antonio Engineering and Bioscience Initiative approved by the U. T. Board of Regents at the December 1988 meeting. The Southwestern Bell Foundation is funded by Southwestern Bell Corporation, whose largest subsidiary, Southwestern Bell Telephone, provides telecommunications services to 9.5 million customers in five states. Promoting community-wide support for excellence in math and science education is a priority of the Foundation.

20. U. T. San Antonio: Recommendation to Accept Gifts to Establish the Keith Thomas Memorial Fund.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Kirkpatrick that \$14,300 in gifts from various donors be accepted to establish an endowment at U. T. San Antonio to be named the Keith Thomas Memorial Fund.

Income earned from the endowment will be used to further the education of students pursuing degrees in English and American literature and to recognize outstanding student accomplishments.

BACKGROUND INFORMATION

This endowment is being funded in memory of Dr. Keith G. Thomas by friends, family members, colleagues, and students. The major contributors to the Fund are his parents, Mr. and Mrs. Leslie Thomas, West Sussex, England, and his sister, Mrs. Brenda Adlam, Horsham, England.

Dr. Thomas was an Assistant Professor in English at U. T. San Antonio at the time of his death.

21. U. T. Southwestern Medical Center - Dallas: Recommendation to Establish the Dorothy Rogers Cullum Distinguished Chair in Neuro-Oncology.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that the Dorothy Rogers Cullum Distinguished Chair in Neuro-Oncology at the U. T. Southwestern Medical Center - Dallas be established. The funds for the endowment will be held and administered by the Southwestern Medical Foundation, Dallas, Texas (an external foundation).

Income earned from the endowment will be used to support the Distinguished Chair.

BACKGROUND INFORMATION

This Distinguished Chair is being funded with a \$500,000 gift from Mrs. Dorothy Rogers Cullum, Dallas, Texas, and a \$500,000 gift from the Southwestern Medical Foundation for a total endowment of \$1,000,000.

Mrs. Cullum is the widow of Mr. Robert B. Cullum, a prominent Dallas civic leader and the co-founder of the Tom Thumb grocery store chain. Mrs. Cullum is a distinguished member of the Dallas community who has been actively involved in the Dallas Museum of Art, the Dallas Woman's Club, the Junior League of Dallas, and other local organizations.

See Item 2 on Page HAC - 2 related to a proposed appointment to this Chair.

22. U. T. Medical Branch - Galveston: Recommendation to Accept Gift and Transfer of Funds to Establish The Mary K. and William J. McGanity Nursing Award.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that a \$5,000 gift from Dr. and Mrs. William J. McGanity, Galveston, Texas, and a \$5,000 transfer of current restricted funds for a total of \$10,000 be accepted to establish The Mary K. and William J. McGanity Nursing Award in the U. T. Nursing School - Galveston at the U. T. Medical Branch - Galveston.

Income earned from the endowment will be used to provide up to three annual awards to outstanding undergraduate nursing students interested in the field of maternal and neonatal health.

BACKGROUND INFORMATION

William J. McGanity, M.D., Galveston, Texas, was the Chairman of the Department of Obstetrics and Gynecology at the U. T. Medical Branch - Galveston from 1960 until his retirement. Dr. McGanity presently holds the title of Ashbel Smith Distinguished Professor.

23. U. T. Medical Branch - Galveston: Recommendation to Accept Gift to Establish The Jerome O. Ravel, M.D. Endowed Scholarship Fund for Primary Care Medicine.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that a \$40,000 gift from Drs. Jerome O. and Joanne M. Ravel, Austin, Texas, be accepted to establish The Jerome O. Ravel, M.D. Endowed Scholarship Fund for Primary Care Medicine at the U. T. Medical Branch - Galveston.

Income earned from the endowment will be used to provide scholarships and support to incoming first-year students who meet the eligibility requirements of the Scholarship guidelines.

BACKGROUND INFORMATION

Dr. Jerome O. Ravel, Austin, Texas, received his M.D. in 1940 from the U. T. Medical Branch - Galveston and completed his residency at the U. T. Medical Branch - Galveston in 1941. Prior to his retirement in 1987, Dr. Jerome Ravel maintained a private practice in Austin for over forty years.

Dr. Joanne M. Ravel received her B.S. in 1944, her M.A. in 1946 and her Ph.D. in 1954 in Chemistry from U. T. Austin. Dr. Joanne Ravel joined the faculty at U. T. Austin as an associate professor in the Department of Chemistry in 1972. She served as a professor and Ashbel Smith Professor. In 1985, she was named Ashbel Smith Professor Emeritus in the Department of Chemistry and Biochemistry.

24. U. T. Health Science Center - San Antonio: John J. Hinchey Professorship in Orthopaedics - Recommendation to Accept Gifts, Pledges, Accumulated Income and Transfer of Funds and Redesignate as the John J. Hinchey, M.D. Chair in Orthopaedics and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Howe that \$41,119 in gifts from various donors, \$50,000 in pledges, payable by December 31, 1995, from various donors, approximately \$73,687 in accumulated income, and a \$3,065.61 transfer of previously reported gifts from current restricted funds for a total of \$167,871.61 be accepted for addition to the John J. Hinchey Professorship in Orthopaedics at the U. T. Health Science Center - San Antonio and that the Professorship be redesignated as the John J. Hinchey, M.D. Chair in Orthopaedics.

It is further recommended that the actual income earned on \$94,184.61 in gifts be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

BACKGROUND INFORMATION

At the April 1988 meeting, the U. T. Board of Regents accepted gifts and a transfer of MSRDP funds to establish the John J. Hinchey Professorship in Orthopaedics at the U. T. Health Science Center - San Antonio. The current value of the endowment account is \$333,540.88.

Dr. Hinchey is a prominent orthopaedic surgeon in San Antonio, Texas. Patients, colleagues, and friends are funding this endowment in recognition of his tremendous contributions to Orthopaedics and the U. T. Health Science Center - San Antonio.

25. U. T. Health Science Center - San Antonio: Recommendation to Accept Gift to Establish The National Council of Jewish Women Ethel Weiner Bloom/Ann Gorsch Endowed Student Loan Fund.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Howe that a \$10,500 gift from the National Council of Jewish Women, San Antonio, Texas, be accepted, \$500 of which will be used outright as a student loan and \$10,000 of which will be used to establish an endowment at the U. T. Health Science Center - San Antonio to be named The National Council of Jewish Women Ethel Weiner Bloom/Ann Gorsch Endowed Student Loan Fund.

Income earned from the endowment will be used to provide loans to nursing, physical therapy, and occupational therapy students at the U. T. Health Science Center - San Antonio, based on need.

BACKGROUND INFORMATION

The National Council of Jewish Women, San Antonio, Texas, is funding this endowment in memory of Mrs. Ethel Weiner Bloom and Mrs. Ann Gorsch. The Ethel Weiner Bloom Student Loan Fund was established at the San Antonio Section National Council of Jewish Women by Dr. Bernard Bloom approximately fifty years ago.

Mrs. Ann Gorsch, a former member of the National Council of Jewish Women, San Antonio, Texas, and a registered nurse, received financial assistance from the National Council of Jewish Women to help finance her studies.

26. U. T. Health Science Center - San Antonio: Recommendation to Accept Transfer of Funds to Establish the Dr. Jay Stein Professorship in Nephrology.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Howe that a \$100,000 transfer of MSRDP funds be accepted to establish the Dr. Jay Stein Professorship in Nephrology at the U. T. Health Science Center - San Antonio.

Income earned from the endowment will be used to support the Professorship.

BACKGROUND INFORMATION

This endowment is being established in honor of Dr. Jay Stein, a distinguished nephrologist, who joined the U. T. Health Science Center - San Antonio in 1975. Dr. Stein served as Chairman of the Department of Medicine at the U. T. Health Science Center - San Antonio for fifteen years.

27. U. T. M.D. Anderson Cancer Center: Recommendation to Accept Bequest from the Estate of Meta Sophie Woltman Van Dyck, Waco, Texas.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President LeMaistre that a one-eighth remainder interest in the Estate of Meta Sophie Woltman Van Dyck, Waco, Texas, valued at approximately \$140,000 be accepted for use in cancer research at the U. T. M.D. Anderson Cancer Center.

BACKGROUND INFORMATION

Although Mrs. Van Dyck, Waco, Texas, had no known affiliation with the U. T. M.D. Anderson Cancer Center, both Mrs. Van Dyck and her sister were afflicted with cancer. She was interested in the furtherance of cancer research, as evidenced by her generous bequest.

**Executive Session
of the Board**

BOARD OF REGENTS
EXECUTIVE SESSION
Pursuant to Vernon's Texas Civil Statutes
Article 6252-17, Sections 2(e), (f) and (g)

Date: October 9, 1992

Time: Following the meeting of the Asset Management
Committee

Place: Rooms 1.304 and 1.212, Conference Center
U. T. Dallas

1. Pending and/or Contemplated Litigation - Section 2(e)
 - a. U. T. Medical Branch - Galveston: Proposed Settlement of Medical Liability Litigation
 - b. U. T. Health Science Center - Houston: Proposed Settlement of Medical Liability Litigation
 - c. U. T. Health Science Center - Houston: Proposed Settlement of Medical Liability Litigation
 - d. U. T. Health Science Center - San Antonio: Proposed Settlement of Medical Liability Litigation
2. Land Acquisition, Purchase, Exchange, Lease or Value of Real Property and Negotiated Contracts for Prospective Gifts or Donations - Section 2(f)
3. Personnel Matters [Section 2(g)] Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees