

MATERIAL SUPPORTING THE AGENDA

VOLUME XXXVIIIb

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

February 14, 1991
March 18, 1991
April 11, 1991

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.: 854

Date: April 11, 1991

Location: Galveston, Texas

BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

CALENDAR

Place: Caduceus Room, 6th Floor, Administration Building
The University of Texas Medical Branch at Galveston
301 University Boulevard
Galveston, Texas

Host Institution: The University of Texas Medical Branch
at Galveston

Thursday, April 11, 1991

10:00 a.m.

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

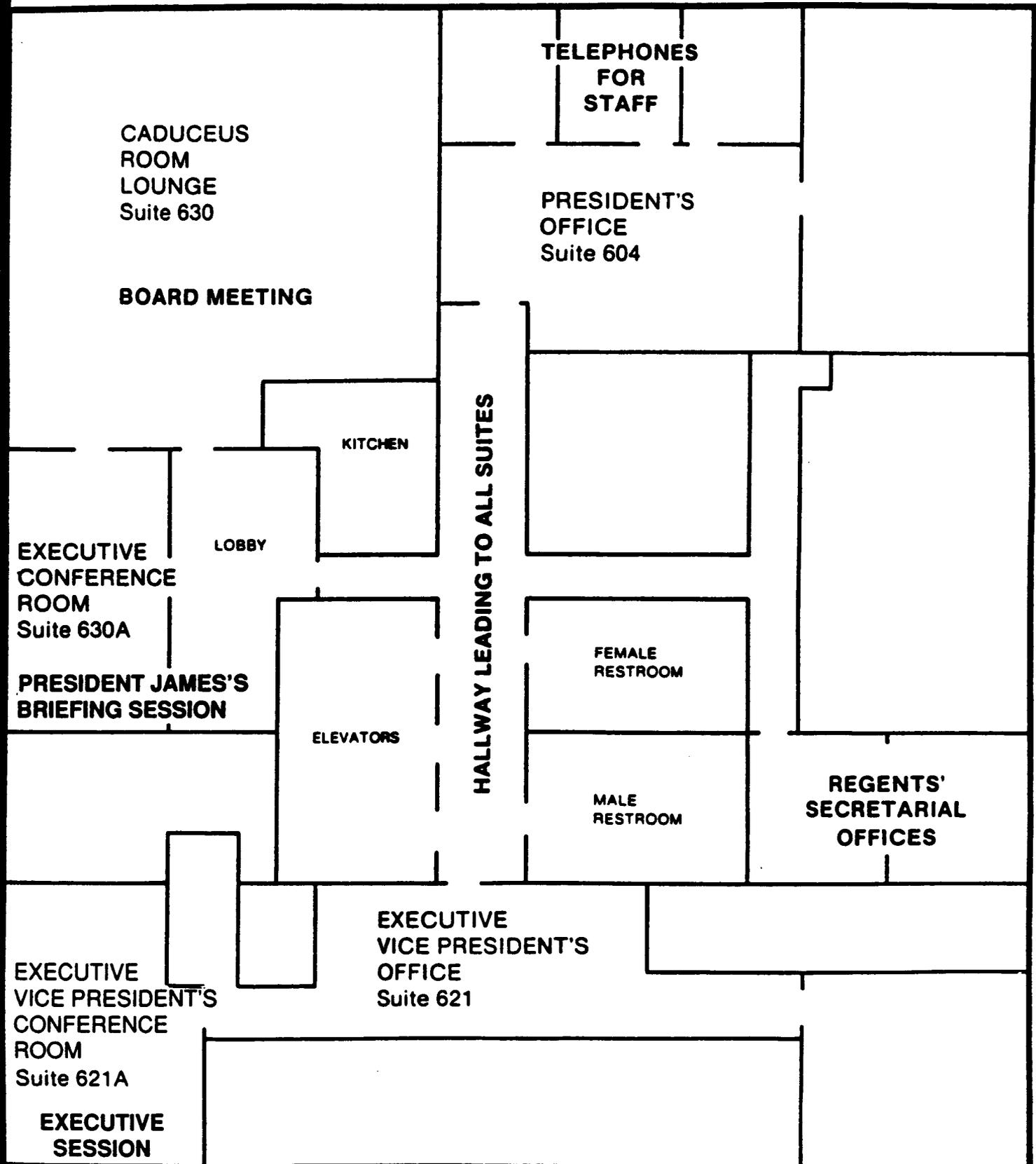
See Pages B of R 1 - 3,
Items A - N

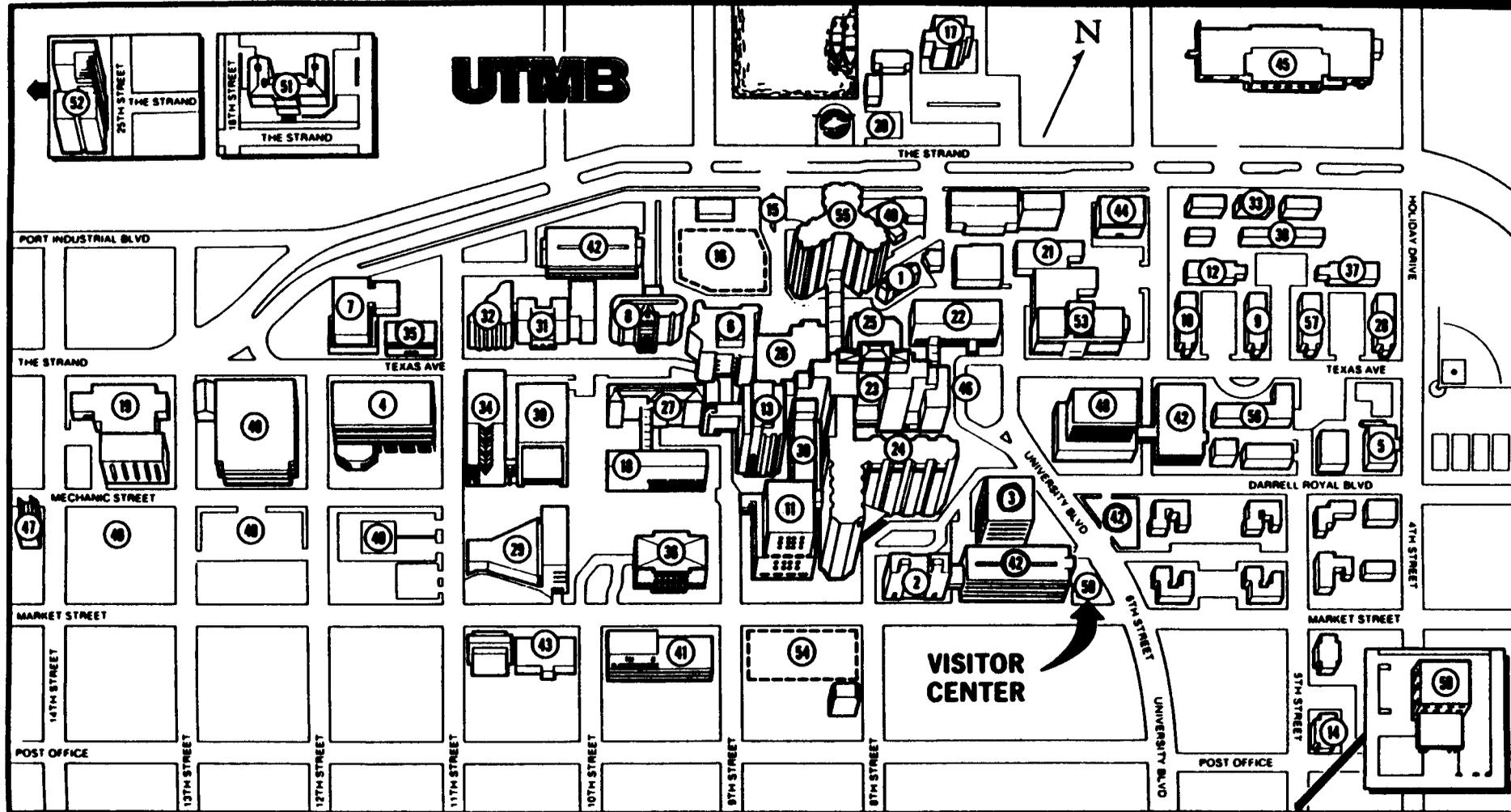
Telephone Numbers

President James' Office (409) 761-1902

The Tremont House
2300 Ship's Mechanic Row (409) 763-0300

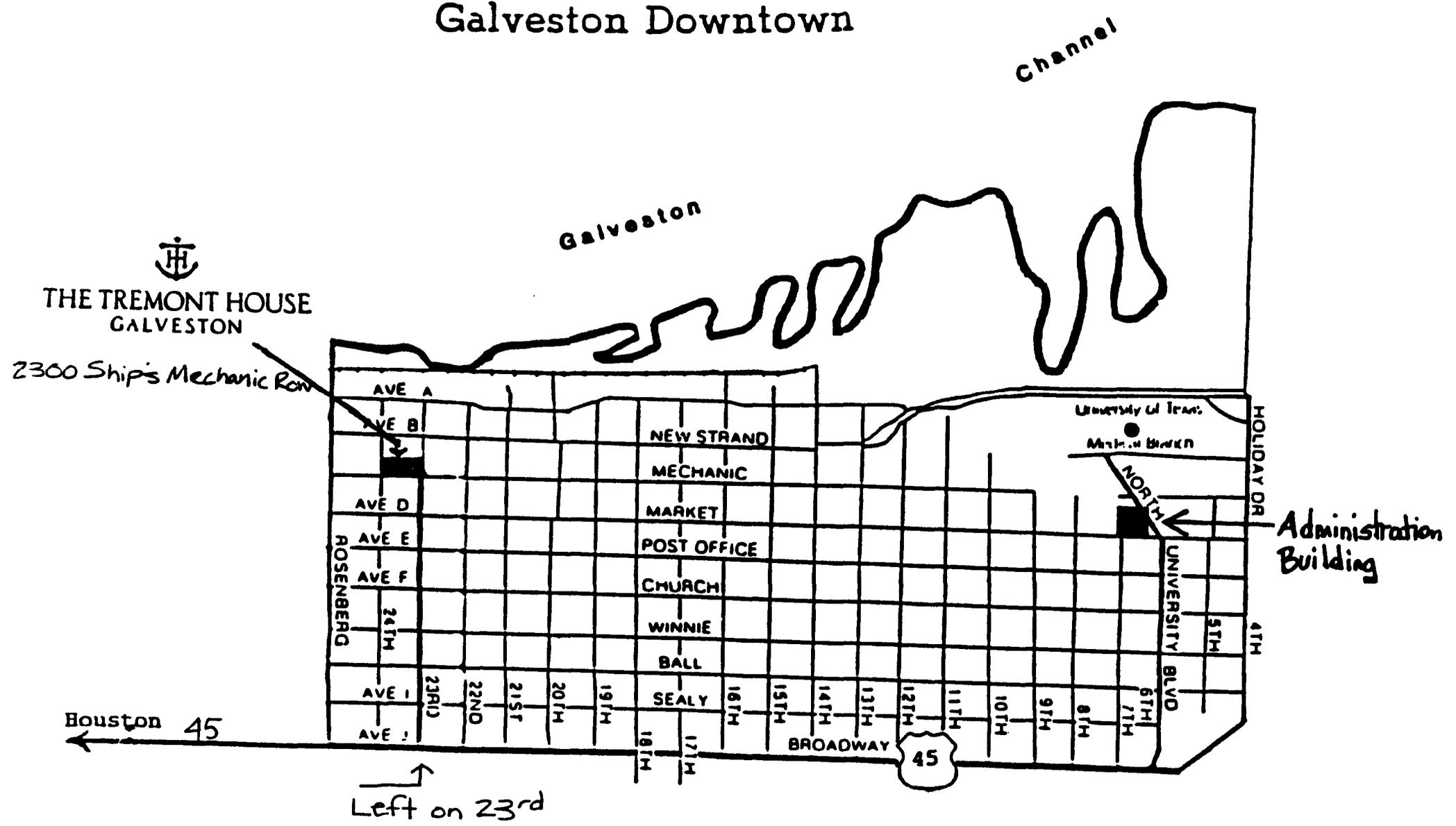
SIXTH FLOOR
ADMINISTRATION BUILDING





- | | | | |
|--|--|---|---|
| 1. Administration Annex I | 15. Emergency Entrance | 32. Mary Moody Northen Pavilion | 50. Seven Hundred University Boulevard |
| 2. Administration Annex | 16. Site of New Emergency Department | 33. Medical Engineering | 51. Seventeen-Hundred Strand Building |
| 3. Administration Building | 17. Ewing Hall | 34. Medical Research Building | 52. Shearn Moody Plaza |
| 4. Allied Health Sciences and Nursing Building | 18. Gail Borden Building | 35. Microbiology Building | 53. Shriners Burns Institute |
| 5. Alumni Field House and Swimming Pool | 19. General Stores Warehouse | 36. Moody Medical Library | 54. Site of New Shriners Hospital |
| 6. Ambulatory Care Center | 20. Heliport | 37. Morgan Hall | 55. Texas Department of Criminal Justice Hospital |
| 7. Animal Care Center | 21. Hyperbaric Facility | 38. Nolan Hall | 56. Unit D (Family Medicine and Geriatric Day Hospital) |
| 8. Ashbel Smith Building (Old Red) | 22. Jennie Sealy Hospital | 39. Old Children's Hospital | 57. Vinsant Hall |
| 9. Bethel Hall (Center for Audiology & Speech Pathology) | 23. John Sealy Hospital | 40. Parking—Employee | 58. Visitor Center |
| 10. Brackenridge Hall | 24. John Sealy Tower | 41. Parking—Faculty | |
| 11. Child Health Center | 25. John Sealy Hospital Surgical Annex | 42. Parking—Public | |
| 12. Clay Hall (Chronic Home Dialysis Center) | 26. John W. McCullough Building | 43. Pharmacology Building | |
| 13. Clinical Sciences Building | 27. Keiller Building | 44. Physical Plant Building | |
| 14. Credit Union | 28. League Hall | 45. Port Holiday Mall | |
| | 29. William C. Levin Hall | 46. R. Waverley Smith Pavilion | |
| | 30. Libbie Moody Thompson Basic Science Building | 47. Ronald McDonald House | |
| | 31. Marvin Graves Building | 48. Sealy & Smith Professional Building | |
| | | 49. Services Building | |

Galveston Downtown



(see reverse side for directions)

NOTES:

1. Tremont House is host hotel, located in the 2300 block of Ship's Mechanic Row (Mechanic Street on map).
2. Valet parking is available.
3. To go to the Administration Building on the UTMB Campus which is where the meeting is held, take a left on 24th Street. Go one block to Market Street. Take a left on Market Street and go to 6th and Market Street where there is a high-rise parking garage on your left that is connected to the Administration Building.
4. One place for parking if you choose to drive is the high-rise parking garage located at 6th and Market Street. There is a lot located across the street from the Administration Building (located off University Boulevard) that can also be used if space is available.
5. For your convenience and the mode of transportation we would suggest, we will provide buses that will begin at 8:30 a.m. in front of the Tremont House and will make runs back and forth from the hotel to the Administration Building approximately every 20-30 minutes all day.

**Meeting of
the Board**

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

Date: Thursday, April 11, 1991

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

Place: Caduceus Room, 6th Floor (Open Session) and
Suite 621A (Executive Session), Administration
Building, U. T. Medical Branch - Galveston

- A. CALL TO ORDER
- B. WELCOME BY PRESIDENT JAMES
- C. APPROVAL OF MINUTES OF REGULAR MEETING HELD
FEBRUARY 14, 1991, AND SPECIAL MEETING HELD
MARCH 18, 1991
- 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

Personnel and Audit Committee: Chairman Loeffler
Regent Cruikshank, Regent Holmes
MSA Page P&A - 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

Finance and Facilities Committee: Chairman Moncrief
Regent Barshop, Regent Cruikshank, Regent Rapoport
MSA Page F&F - 1

Land and Investment Committee: Chairman Cruikshank
Regent Beecherl, Regent Loeffler, Regent Rapoport
MSA Page L&I - 1

- E. RECONVENE AS COMMITTEE OF THE WHOLE
- F. REPORT OF BOARD FOR LEASE OF UNIVERSITY LANDS
- G. REPORT OF SPECIAL COMMITTEES
- H. OTHER MATTERS

U. T. System: Report from Student Advisory Group
Regarding Benefits of and Need for Biomedical Animal
Research.--

Members of the U. T. System Student Advisory Group will report on their joint plans with the U. T. System Faculty Advisory Group to develop public service announcements designed to educate the public of Texas on the benefits of and need for biomedical animal research in the State.

- I. 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.

- J. RECONVENE IN OPEN SESSION

- K. 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)

U. T. Southwestern Medical Center -
Dallas: 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

U. T. San Antonio: Consideration of
Recommendation of Hearing Tribunal
Regarding Nonreappointment of Non-
tenured Faculty Member

L. SCHEDULED MEETINGS

1. Board of Regents' Meetings

<u>Dates</u>	<u>Locations/Hosts</u>
June 6, 1991	Regents' Room, Austin
August 8, 1991	Regents' Room, Austin
October 11, 1991	U. T. Arlington
December 5, 1991	U. T. Health Science Center - Houston

2. Official Commencements - 1991

May 3	U. T. Tyler
May 9	U. T. Pan American (Brownsville)
May 10	U. T. San Antonio
May 11	U. T. El Paso
	U. T. Permian Basin
May 12	U. T. Pan American
May 18	U. T. Austin
	U. T. Dallas
May 25	U. T. Medical School - Galveston
	U. T. Medical School - San Antonio
May 31	U. T. Medical School - Houston
June 1	U. T. Southwestern Medical School - Dallas

M. OTHER BUSINESS

N. ADJOURNMENT

1991

January 1991						
S	M	T	W	T	F	S
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February 1991						
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April 1991						
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June 1991						
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August 1991						
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September 1991						
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October 1991						
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November 1991						
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December 1991						
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30	31					

**Executive
Committee**

EXECUTIVE COMMITTEE
Committee Chairman Beecherl

Date: April 11, 1991
Time: Following the convening of the Board of Regents
at 10:00 a.m.
Place: Caduceus Room, 6th Floor, Administration Building
U. T. Medical Branch - Galveston

	<u>Page</u> <u>Ex.C</u>
1. U. T. Board of Regents: Request for Approval of Standing Committee Chairmen and Members of the Board for Lease of University Lands and Report of Appointments to the Standing Committees, Special Committees, and Other Liaison Groups Effective Immediately (Exec. Com. Letter 91-15)	2
2. U. T. System: Request for Authorization to Purchase Real Property and Improvements Thereon (Colorado Building) Located in Austin, Travis County, Texas (Exec. Com. Letter 91-13)	4
3. U. T. Southwestern Medical Center - Dallas - Aston Ambulatory Care Center - Additions and Renovations (Project No. 303-692): Recommended Award of Construction Contract to Lee Lewis Construction, Inc., Lubbock, Texas (Exec. Com. Letter 91-11)	5
4. U. T. Southwestern Medical Center - Dallas - Alterations to A. W. Harris Faculty Club (Project No. FC9-2231): Proposed Appointment of Hearing Officer for Disputed Claim Under Construction Contract with Multi-National Investments, Inc., Dallas, Texas, and Authorization for Hearing Officer to Employ Personnel to Conclude Such Hearing and to Present Findings and Recommendations to the U. T. Board of Regents (Exec. Com. Letter 91-13)	8
5. U. T. Southwestern Medical Center - Dallas - Research Building - Phase I North Campus Expansion - Bid Package Two "C" - Switchgear for Thermal Energy Plant Building (Project No. 303-702): Recommended Award of Procurement Contract to General Electric Company/ED&C Sales, Dallas, Texas (Exec. Com. Letter 91-12)	9
6. U. T. M.D. Anderson Cancer Center: Request for Approval to Employ Engineering Firm of Lockwood, Andrews and Newnam, Inc., Houston, Texas, to Perform a Utility Study (Exec. Com. Letter 91-14)	10

1. U. T. Board of Regents: Request for Approval of Standing Committee Chairmen and Members of the Board for Lease of University Lands and Report of Appointments to the Standing Committees, Special Committees, and Other Liaison Groups Effective Immediately (Exec. Com. Letter 91-15).--

RECOMMENDATION

In accordance with the requirements of the Regents' Rules and Regulations, Part One, Chapter I, Section 7, the Executive Committee concurs with Chairman Beecherl's request for approval by the Board of the chairmen of the Standing Committees and the members of the Board for Lease of University Lands as set forth below.

Chairman Beecherl's other appointments to the Standing Committees, Special Committees and other liaison groups, which do not require Regental approval, are set forth below for information. All are effective immediately.

1. STANDING COMMITTEES

Executive Committee

Mr. Louis A. Beecherl, Jr., Chairman
Mario E. Ramirez, M.D., Vice-Chairman
Mr. Robert J. Cruikshank, Vice-Chairman

Personnel and Audit Committee

Mr. Tom Loeffler, Chairman
Mr. Robert J. Cruikshank
Rev. Zan W. Holmes, Jr.

Academic Affairs Committee

Mr. Sam Barshop, Chairman
Rev. Zan W. Holmes, Jr.
Mario E. Ramirez, M.D.
Mrs. Ellen C. Temple

Health Affairs Committee

Mario E. Ramirez, M.D., Chairman
Mr. Robert J. Cruikshank
Mr. W. A. "Tex" Moncrief, Jr.
Mrs. Ellen C. Temple

Finance and Facilities Committee

Mr. W. A. "Tex" Moncrief, Jr., Chairman
Mr. Sam Barshop
Mr. Robert J. Cruikshank
Mr. Bernard Rapoport

Land and Investment Committee

Mr. Robert J. Cruikshank, Chairman
Mr. Louis A. Beecherl, Jr.
Mr. Tom Loeffler
Mr. Bernard Rapoport

2. BOARD FOR LEASE OF UNIVERSITY LANDS

Mario E. Ramirez, M.D.
Mr. Bernard Rapoport

3. SPECIAL COMMITTEES

Endowment Lands - Collin County, Texas (U. T. Dallas)

Mr. Louis A. Beecherl, Jr., Chairman
Mr. Robert J. Cruikshank

Joint Conference Committee of Board of Regents of The University of Texas System and Trustees of Hermann Hospital

Mario E. Ramirez, M.D., Chairman
Mr. Robert J. Cruikshank
Mr. W. A. "Tex" Moncrief, Jr.
Mrs. Ellen C. Temple

Santa Rita Award

Mr. Louis A. Beecherl, Jr., Chairman
Mr. Sam Barshop
Mr. W. A. "Tex" Moncrief, Jr.

4. REGENTAL REPRESENTATIVES

Association of Governing Boards of Universities and Colleges

All Members of the Board of Regents

General Assembly of Inter-University Council - North Texas Region

Mr. Louis A. Beecherl, Jr.

The University of Texas at Austin Development Board (Liaison)

Mr. Sam Barshop

Committee of Governing Boards, Texas Public Senior Colleges and Universities

Mr. Louis A. Beecherl, Jr.

Ex-Students' Association - The University of Texas at Austin (Liaison)

Mrs. Ellen C. Temple

Joint Administrative Affairs Committee of Dallas County Hospital District (U. T. Southwestern Medical Center - Dallas)

Mr. Louis A. Beecherl, Jr.

Bexar County Hospital District, San Antonio, Texas (Liaison) (U. T. Health Science Center - San Antonio)

Mr. Sam Barshop

BACKGROUND INFORMATION

Chairman Beecherl indicates that he would be pleased to increase the membership of the Standing Committees to accommodate any special Regental preferences.

2. U. T. System: Request for Authorization to Purchase Real Property and Improvements Thereon (Colorado Building) Located in Austin, Travis County, Texas (Exec. Com. Letter 91-13).--

RECOMMENDATION

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

- a. Authorize the U. T. System to purchase a portion of Lot Three (3) and all of Lots Four (4), Five (5), and Six (6), Block Eighty-Two (82), Original City of Austin, Travis County, Texas, and improvements located thereon, commonly referred to as the Colorado Building, for \$4,500,000
- b. Following review and approval by the Office of General Counsel, authorize the Chancellor or his designated representative to execute all documents pertaining to the purchase of this property
- c. Appropriate \$4,500,000 in Permanent University Fund Bond Proceeds for the purchase of this property.

BACKGROUND INFORMATION

The Colorado Building is a six story office building with a basement and an attached two-level parking structure. The original three floors were built in the mid-1930s and the remaining three floors were added in 1956. The building was remodeled in 1982 and 1983. The building has 83,060 gross square feet of building area (74,613 net leasable square feet) and is located on approximately 23,592 square feet of land. The U. T. System currently leases 35,820 square feet or forty-eight percent of the building. The property is valued at \$4,850,000 by the Travis County Tax Appraisal District and at \$5,000,000 in a January 1991 appraisal obtained by the seller, Franklin Federal Bancorp.

The U. T. System Administration and the U. T. Board of Regents have considered acquisition of the property for a number of years, because of the volume of space leased by the University and because of its proximity to the System complex of buildings in downtown Austin. Only recently, as a result of foreclosure on this property by the Federal Deposit Insurance Corporation (FDIC), has the purchase price become viable. The asset is now managed for the FDIC by Franklin Federal Bancorp. The sale price of \$4,500,000 is the minimum amount that Franklin will accept.

This proposed purchase was outlined for the U. T. Board of Regents in briefing sessions at its December 1990 and February 1991 meetings. Authorization to purchase was sought via Executive Committee Letter in order to close the transaction in a timely manner, because Franklin Federal Bancorp has other parties ready and willing to purchase the property for an equal or higher price.

Approval of this request will amend the current Capital Improvement Plan and FY 1991 Capital Budget.

3. U. T. Southwestern Medical Center - Dallas - Aston Ambulatory Care Center - Additions and Renovations (Project No. 303-692): Recommended Award of Construction Contract to Lee Lewis Construction, Inc., Lubbock, Texas (Exec. Com. Letter 91-11).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and President Wildental that the U. T. Board of Regents award a construction contract for Aston Ambulatory Care Center - Additions and Renovations at the U. T. Southwestern Medical Center - Dallas to the lowest responsible bidder, Lee Lewis Construction, Inc., Lubbock, Texas, for the Base Bid and Alternate Bid Nos. 1, 2, and 3 in the amount of \$18,245,000.

BACKGROUND INFORMATION

In accordance with authorization of the U. T. Board of Regents in October 1990, bids for Aston Ambulatory Care Center - Additions and Renovations were received on January 4, 1991, as shown on Pages Ex.C 6 - 7.

The recommended contract award to Lee Lewis Construction, Inc., Lubbock, Texas, in the amount of \$18,245,000 for the Base Bid and Alternate Bid Nos. 1, 2, and 3 can be made within the authorized total project cost of \$26,750,000. Total project funding in the amount of \$26,750,000 will be from the issuance of Revenue Financing System Parity Debt to be serviced out of medical practice plan revenues. The authorized total project cost is composed of the following elements:

Construction Cost	\$18,245,000
Fees and Administrative Expenses	1,712,320
Furniture, Furnishings, and Equipment	4,421,680
Future Work (Testing and Air Balancing, Institutional Renovations)	1,386,000
Miscellaneous Expenses	135,000
Project Contingency	<u>850,000</u>
Total Project Cost	\$26,750,000

This project is included in the Capital Improvement Program approved in June 1989, and in the FY 1991 Capital Budget approved in June 1990 by the U. T. Board of Regents. The project was approved by the Texas Higher Education Coordinating Board in October 1990.

ASTON AMBULATORY CARE CENTER
 ADDITIONS AND RENOVATIONS
 THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS
 Bids Received January 4, 1991

<u>BIDDER</u>	<u>Lee Lewis Construction, Inc. Lubbock, TX</u>	<u>Morganti Texas, Inc. Houston, TX</u>	<u>Hensel Phelps Construction Co. Austin, TX</u>
BASE BID	\$17,935,000	\$18,250,000	\$18,662,000
Alt. #1 - Construct Snack Bar, Maintenance Office, Elevator Entrance	60,000	41,000	40,000
Alt. #2 - Complete Work in 540 Calendar Days in lieu of 660 Calendar Days	150,000	212,000	150,000
Alt. #3 - Replace Carpet	100,000	98,000	120,000
Alt. #4 - Renovate Interior after Regular Hours of Facility	130,000	90,000	50,000
Alt. #5 - Construct Top Two Floors after Regular Hours of Facility	<u>50,000</u>	<u>250,000</u>	<u>50,000</u>
Total Base Bid and Alternate Bids	\$18,425,000	\$18,941,000	\$19,072,000
Recommended Award Base Bid Plus Alt. Bid Nos. 1, 2, and 3	\$18,245,000	\$18,601,000	\$18,972,000

EX.C - 6

ASTON AMBULATORY CARE CENTER
 ADDITIONS AND RENOVATIONS
 THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS
 Bids Received January 4, 1991

<u>BIDDER</u>	<u>J. W. Bateson Company, Inc. Dallas, TX</u>	<u>Spaw-Glass General Contracting, Inc. Irving, TX</u>	<u>McDevitt & Street Company Atlanta, GA</u>
BASE BID	\$18,657,000	\$18,663,000	\$19,775,000
Alt. #1 - Construct Snack Bar, Maintenance Office, Elevator Entrance	57,000	70,000	No Bid
Alt. #2 - Complete Work in 540 Calendar Days in lieu of 660 Calendar Days	250,000	No Bid	No Bid
Alt. #3 - Replace Carpet	96,000	130,000	No Bid
Alt. #4 - Renovate Interior after Regular Hours of Facility	65,000	No Change	No Bid
Alt. #5 - Construct Top Two Floors after Regular Hours of Facility	<u>31,000</u>	<u>No Bid</u>	<u>No Bid</u>
Total Base Bid and Alternate Bids	\$19,156,000	Nonresponsive	Nonresponsive
Recommended Award Base Bid Plus Alt. Bid Nos. 1, 2, and 3	\$19,060,000	Nonresponsive	Nonresponsive

4. U. T. Southwestern Medical Center - Dallas - Alterations to A. W. Harris Faculty Club (Project No. FC9-2231): Proposed Appointment of Hearing Officer for Disputed Claim Under Construction Contract with Multi-National Investments, Inc., Dallas, Texas, and Authorization for Hearing Officer to Employ Personnel to Conclude Such Hearing and to Present Findings and Recommendations to the U. T. Board of Regents (Exec. Com. Letter 91-13).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor and the Vice Chancellor and General Counsel that the U. T. Board of Regents appoint Mr. George W. Overshiner, an attorney, as Hearing Officer to represent the Board to hear a claim under the Disputes clause of a construction contract with Multi-National Investments, Inc., dba Texas Metro Planners & Company ("Multi-National") Dallas, Texas. The contract was for alterations to the A. W. Harris Faculty Club at the U. T. Southwestern Medical Center - Dallas. Further, that the Hearing Officer be empowered to adopt such rules of procedure for the hearing as he deems necessary and that he be authorized with the concurrence of the Vice Chancellor and General Counsel to employ any personnel necessary to conclude such hearing in an expeditious manner. Finally, that the Hearing Officer be instructed that, upon completion of testimony and receipt of all pertinent data, he present his findings and recommendations to the U. T. Board of Regents for its decision regarding the validity of the claim.

BACKGROUND INFORMATION

U. T. Southwestern Medical Center - Dallas ("the Owner") awarded a construction contract dated September 21, 1989, in the amount of \$113,117.40 for alterations to the Owner's A. W. Harris Faculty Club. The Owner terminated for default the right of the contractor, Multi-National, to proceed under the contract and called upon Indiana Lumbermens Mutual Insurance Company (the "Surety") under its performance bond to have the work completed by another contractor. The Surety had the work completed. The Owner charged liquidated damages of \$200 per day for 108 days of late completion for a total of \$21,600.

The Surety disputed the amount of liquidated damages charged and took the position that the contract completion date should have been extended for 69 days and consequently the liquidated damages of \$21,600 should be reduced to \$13,800. The Surety's position was denied by Mr. R. S. Kristoferson, Director of the Office of Facilities Planning and Construction at U. T. System, in a decision under the Disputes clause. The denial was upheld on appeal to Chancellor Hans Mark of The University of Texas System. The Surety has now appealed to the U. T. Board of Regents.

Mr. George W. Overshiner, a lawyer in Fort Worth, Texas, has retired from the Army Corps of Engineers, where he acted as a trial attorney in construction disputes before contract appeals boards. In 1989, he heard a construction claim on behalf of the U. T. Board of Regents and he has agreed to act in the same capacity with respect to this construction claim.

5. U. T. Southwestern Medical Center - Dallas - Research Building - Phase I North Campus Expansion - Bid Package Two "C" - Switchgear for Thermal Energy Plant Building (Project No. 303-702): Recommended Award of Procurement Contract to General Electric Company/ED&C Sales, Dallas, Texas (Exec. Com. Letter 91-12).--

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 a procurement contract for the Research Building - Phase I North Campus Expansion - Bid Package Two "C" - Switchgear for Thermal Energy Plant Building at the U. T. Southwestern Medical Center - Dallas to the lowest responsive and responsible bidder, General Electric Company/ED&C Sales, Dallas, Texas, for the Base Bid in the amount of \$1,009,233.

BACKGROUND INFORMATION

In accordance with authorization of the U. T. Board of Regents in February 1990, bids for the second stage of construction for the Research Building - Phase I North Campus Expansion at the U. T. Southwestern Medical Center - Dallas were received on January 31, 1991, as shown below:

BID PACKAGE TWO "C" - SWITCHGEAR FOR THERMAL ENERGY PLANT BUILDING

<u>Bidder</u>	<u>Base Bid</u>
Westinghouse Electric Supply Company, Division of Westinghouse Electric Corporation, Dallas, Texas	\$ 989,915*
General Electric Company/ED&C Sales Dallas, Texas	1,009,233
Siemens Energy and Automation, Inc. Wendell, North Carolina	1,049,800
Mills Electrical Contractors, Inc. Dallas, Texas	1,157,364

*Bid was reviewed by the Office of General Counsel and was determined to be nonresponsive.

The project for expansion of the North Campus is divided into three stages. Executive Committee Letter No. 90-18 awarded a construction contract for the first stage of construction for roads, utility distribution, and site infrastructure. Executive Committee Letter No. 91-7 awarded procurement contracts for the second stage of construction for Two "A" - Chillers and Two "B" - Boilers. Executive Committee Letter No. 91-7 also awarded a construction contract for the third stage of construction for the Research Building and Thermal Energy Plant Building. This additional recommended procurement contract award for Two "C" - Switchgear for Thermal Energy Plant Building will complete the second stage of construction for the North Campus.

Four bids were received for the project on January 31, 1991. The bids were reviewed by the Office of General Counsel, and one bidder was found to be nonresponsive, as indicated on the above bid tabulation. The bidder was found to be nonresponsive because the bid included conditions which are contrary to conditions in the bid documents. Therefore, the recommended contract award is to the lowest responsive and responsible bidder.

The recommended procurement contract award to General Electric Company/ED&C Sales, Dallas, Texas, in the amount of \$1,009,233 can be made within the authorized total project cost of \$61,000,000.

This project is included in the U. T. System Capital Improvement Program approved in June 1989 and the FY 1991 Capital Budget. The project was approved by the Texas Higher Education Coordinating Board in October 1989.

6. U. T. M.D. Anderson Cancer Center: Request for Approval to Employ Engineering Firm of Lockwood, Andrews and Newnam, Inc., Houston, Texas, to Perform a Utility Study (Exec. Com. Letter 91-14).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and President LeMaistre that the U. T. Board of Regents approve institutional employment of the engineering firm of Lockwood, Andrews and Newnam, Inc., Houston, Texas, to perform a study of utility distribution systems both external and internal to the U. T. M.D. Anderson Cancer Center buildings at a cost not to exceed \$166,000.

BACKGROUND INFORMATION

The requested study will investigate external and internal utility systems in the area bounded by Holcombe Boulevard on the South, John Freeman on the East, Bertner Avenue on the West, and the U. T. Dental Branch - Houston on the North. It will study the capacity and distribution of all utilities to assure adequacy to support the expansion contemplated in the foreseeable future. The utilities to be studied include: potable water, sanitary sewage, storm sewage, chilled water, steam, electricity, natural gas, and incineration of wastes. The study will consider existing capacities and reliabilities, expansion to meet future needs, possibilities for increasing reliabilities, and the possible benefits to be gained from relocating existing equipment and from purchasing certain utilities from external sources as opposed to generating them in-house.

The data gathered will lead to decisions that will have a far-reaching effect on the future development of the U. T. M.D. Anderson Cancer Center.

This item was processed via Executive Committee Letter in order to permit the engineer to begin work as soon as possible.

**Personnel and
Audit Committee**

PERSONNEL AND AUDIT COMMITTEE
Committee Chairman Loeffler

Date: April 11, 1991
Time: Following the meeting of the Executive Committee
Place: Caduceus Room, 6th Floor, Administration Building
U. T. Medical Branch - Galveston

	<u>Page</u> <u>P&A</u>
1. U. T. Board of Regents: Proposed Restructuring of System Audit Office and Amendments to the Regents' <u>Rules and Regulations</u> , Part One, Chapter I, Subdivision 7.15 (Duties of the Personnel and Audit Committee); Part One, Chapter II, Subsection 3.3 (Audit); and Part Two, Chapter II, Section 3 (Auditing)	2
2. U. T. Board of Regents: Recommendation to Amend the Regents' <u>Rules and Regulations</u> , Part One, Chapter III, Section 1, Subsection 1.4 (Appointments); Section 2 (Classified Personnel Systems); Section 6, Subsection 6.(11) (Tenure, Promotion, and Termination of Employment); Section 10, Subsection 10.3 (Communications, Appeals, and Hearings); and Section 13, Subsection 13.7 (Outside Employment)	5
3. U. T. Board of Regents: Recommendation to Amend the Regents' <u>Rules and Regulations</u> , Part One, Chapter III, Section 27, Subsection 27.3 (Power to Authorize Expenditures Out of System Funds); Part Two, Chapter IV, Section 4 (Purchase of Supplies and Equipment) and Section 7 (Purchases from Employees); and Part Two, Chapter VII, Section 8, Subsection 8.6 (Disposal of Property of the System)	7
4. U. T. System: Recommendation to Amend the Policies and Procedures for Discipline and Dismissal of Employees	9

1. U. T. Board of Regents: Proposed Restructuring of System Audit Office and Amendments to the Regents' Rules and Regulations, Part One, Chapter I, Subdivision 7.15 (Duties of the Personnel and Audit Committee); Part One, Chapter II, Subsection 3.3 (Audit); and Part Two, Chapter II, Section 3 (Auditing).--

RECOMMENDATION

The Chancellor recommends restructuring of the U. T. System Audit Office to conform with the Texas Internal Auditing Act (Article 6252-5d, Vernon's Texas Civil Statutes) and the interpretation in the State Auditor's Internal Audit Policy Statement issued September 24, 1990, and recommends that the Regents' Rules and Regulations, Parts One and Two, related thereto, be amended as set forth below in congressional style:

- a. Amend Part One, Chapter I, Subdivision 7.15 as set forth below:

7.15 Duties of the Personnel and Audit Committee.--The Personnel and Audit Committee shall:

. . .

7.154 Obtain, review, and report to the Board on all State Auditor's Reports and Management Letters and[7] System [Administration7] and institutional internal audit reports.

7.155 Approve the System-wide internal audit plan [~~Exercise supervision over all internal and external auditing activities related to the conduct and administration of the System and component institutions~~].

7.156 Transmit to the Chancellor, subject to the prior approval of the Board, such instructions as it deems necessary for the implementation of appropriate internal [~~enforcement of sound accounting and~~] auditing practices.

7.157 Initiate System [Administration] and institutional audits as deemed necessary to ensure management control within The University of Texas System. (In this regard, the System Director of Audits reports to the Chairman of the Personnel and Audit Committee [~~shall have direct access to the System Director of Audits~~].)

- b. Amend Part One, Chapter II, Subsection 3.3 as set out below:

3.3 Audit.

The Chancellor, as chief executive officer of the System, is responsible for insuring the implementation of appropriate audit procedures for the [U--T--] System [~~and System Administration~~]. Accordingly, the System Director of Audits prepares an executive summary of all internal audit activity by the System internal auditors and the institutional internal auditors for [~~reports directly to~~] the Chancellor.

- 3.31 System Director of Audits.
~~[The System Director of Audits reports to the Chancellor and has direct access to the Chairman of the Personnel and Audit Committee.]~~
 The System Director of Audits is responsible for coordinating the effective auditing of the System as set out in Subdivision 3.312 of this Chapter. The System Director of Audits provides audit assistance to the Chancellor, the Executive Vice Chancellors and the Vice Chancellors in the exercise of their responsibilities.
- 3.311 Appointment and Tenure.
 The System Director of Audits shall be appointed by the Board after nomination by the Chancellor. The System Director of Audits shall hold office without fixed term, subject to the pleasure of the Chancellor. The Chancellor's actions regarding the System Director of Audits are subject to review and approval by the Board.
- 3.312 Duties and Responsibilities.
 The primary responsibilities of the System Director of Audits include:
- 3.3121 Developing a System-wide internal audit plan based on a System-wide risk assessment and coordinating the implementation of this plan with the institutional internal auditors. This System-wide audit plan is submitted to the Personnel and Audit Committee for approval after the Chancellor's review and approval
~~[Conducting internal audits of System Administration and each component institution in accordance with the Texas Internal Auditing Act, the Standards for the Professional Practice of Internal Auditing published by the Institute of Internal Auditors, Inc. and "College and University Business Administration" published by the National Association of College and University Business Officers].~~
- 3.3122 Conducting audits of the System including the revenue produced from the Permanent University Fund lands.
- 3.3123 Formulating policies for the internal audit activity at each component institution.

3.32 The System internal auditors are [~~audit staff-is-comprised-of~~] the internal auditors for the System [~~Administration~~] and augment[s] the audit work of the institutional internal auditor and the State Auditors at the component institutions. [~~An-annual-audit-plan-is-submitted-to-the-Chancellor-for-approval. An-executive-summary-of-all-audit-activity-by-the-System-audit-staff-and-the-institutional-internal-audit-staff-is prepared-for-the-Chancellor-on-a-monthly basis-.~~]

c. Amend Part Two, Chapter II, Section 3 as set out below:

Sec. 3. Auditing.

- 3.1 Internal auditors are responsible for reviewing, evaluating, and reporting on the institution's system of internal administrative and accounting controls and the efficiency and effectiveness of the operations when compared with established standards. The internal auditors are to have no authority or responsibility for the activities they audit. The objective of internal auditing is to assist the chief administrative officer in the effective discharge of his or her responsibilities by furnishing objective analyses, appraisals and recommendations concerning the activities reviewed. To accomplish these objectives, the internal auditor is authorized to have full, free and unrestricted access to all property, personnel and records. The examination of patient medical records must serve a genuine audit need; and individual patients should not be identified in any audit report. The Texas Internal Auditing Act, the Standards for the Professional Practice of Internal Auditing published by the Institute of Internal Auditors, Inc. and "College and University Business Administration" published by the National Association of College and University Business Officers shall serve as guidelines for internal audit activities.
- 3.2 Each institution is expected to maintain an internal audit staff unless otherwise exempt from this requirement by the Chancellor. The institutional internal auditor reports to the institutional chief administrative officer or the institutional audit committee. The institutional internal auditor submits an annual audit plan for approval by the chief administrative officer and forwards a copy to the appropriate Executive Vice Chancellor and the System Director of Audits.
- 3.3 The System Director of Audits shall seek input into the System-wide audit plan from the institutional internal auditors [~~review-the annual-audit-plan-of-the-component-institutions and-make-recommendations-as-appropriate~~]. The implementation of the System-wide internal audit plan will be coordinated with the institutional internal audit plans to insure major risks are addressed yet duplication of effort is minimized.

- 3.4 The State Auditor's Office, as part of the legislative branch of state government, is the external independent auditor of The University of Texas System. The State Auditor's Office conducts financial and performance audits and makes recommendations for improving financial and management controls within The University of Texas System. The State Auditor's Office reviews The University of Texas System's internal control structure and operations to determine the scope of the examination and reliability of the entity's financial and nonfinancial data. The internal audit function is considered a part of the internal control structure of The University of Texas System.

BACKGROUND INFORMATION

These proposed amendments to the Regents' Rules and Regulations would effect restructuring of the U. T. System Audit Office to conform with the Texas Internal Auditing Act (Article 6252-5d, Vernon's Texas Civil Statutes) and the interpretations in the State Auditor's Internal Audit Policy Statement published September 24, 1990, and to promote the independence of the internal audit function.

2. U. T. Board of Regents: Recommendation to Amend the Regents' Rules and Regulations, Part One, Chapter III, Section 1, Subsection 1.4 (Appointments); Section 2 (Classified Personnel Systems); Section 6, Subsection 6.(11) (Tenure, Promotion, and Termination of Employment); Section 10, Subsection 10.3 (Communications, Appeals, and Hearings); and Section 13, Subsection 13.7 (Outside Employment).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor for Business Affairs that the Regents' Rules and Regulations, Part One, Chapter III be amended as set forth below in congressional style:

- a. Amend Section 1, Subsection 1.4 as follows:

Sec. 1. Appointments.

. . .

- 1.4 The chief administrative officers of the component institutions shall not nominate or appoint, nor will the Board approve the appointment of, any person whose qualifications and conduct [ex-views] are not exemplary [†-and-the-Board-may-inquire, ex-authorize-inquiry, -into-family-history, health-and-personal-and-moral-character-of such-person].

. . .

- b. Amend Section 2 by moving the current text of Section 6, Subsection 6.(11) to Section 2, renumbering Subsection 6.(11) as Subsection 2.4, and revising Subsection 2.4 as follows and by adding a new Subsection 2.5 as follows:

Sec. 2. Classified Personnel Systems.

. . .

2.4 Procedures for dismissal, [Dismissal-or] demotion, or suspension without pay of classified [or-nonteaching] personnel are provided for by the "Policies and Procedures for Discipline and Dismissal of Employees" adopted by the U. T. Board of Regents [before-the-expiration-of-the stated-period-of-appointment-will-be-only for-good-cause-shown, as-determined-by appropriate-administrative-officers-to whom-this-responsibility-is-delegated-by the-chief-administrative-officer-of-the component-institution-and-in-case-of-such dismissal-or-demotion-any-appeal-shall-be reviewed-by-the-chief-administrative officer-of-the-component-institution].

2.5 Grievances of classified employees will be considered pursuant to the "Grievance Policy and Procedures" adopted by the U. T. Board of Regents.

- c. Amend Section 6 by renumbering the first paragraph of Subsection 6.(12) as 6.(11).

- d. Amend Section 10 as follows:

Sec. 10. Communications, Appeals, and Hearings.

. . .

[10-3--Appeals-of-classified-(nonteaching)-employees-concerning-conditions-of-employment-must be-made-in-keeping-with-the-rules-governing such-employees.]

- e. Amend Section 13, Subsection 13.7 as follows:

Sec. 13. Outside Employment.

. . .

13.7 Every member of the faculty or staff who gives professional opinions must protect the System and its component institutions against the use of such opinions for advertising purposes. If [That-is, when] the employee does work in a private capacity, the employee must make it clear to those who employ him or her that the work is unofficial and that the name of the System and its component institutions is not in any way to be connected with the employee's name, except when used to identify the employee as [exceptions-being-made-of-the name-of] the author of work related to the employee's academic or research area and produced as [attached-to] books, pamphlets, [and] articles in periodicals, and films, tapes or software.

BACKGROUND INFORMATION

The proposed amendments to the Regents' Rules and Regulations in Chapter III of Part One are essentially housekeeping in nature. The proposed revision to Section 1, Subsection 1.4 details the current operating parameters of general appointment criteria without purporting to authorize impermissible and undesired inquiries into personal beliefs or health status.

The proposed amendment to Section 2 by the addition of new Subsections 2.4 and 2.5 clarifies the appellate rights of classified personnel currently covered in part by text in Section 6 and is consistent with the "Policies and Procedures for Discipline and Dismissal of Employees" initially approved by the U. T. Board of Regents at the April 1989 meeting, amended at the October 1989 meeting, and subject to proposed minor amendment at this meeting (See Item 4 on Page P&A - 9).

The proposed amendment to Section 6 involves only renumbering remaining text.

The proposed repeal of Section 10, Subsection 10.3 deletes a repetitious and incongruous reference to appeals for non-teaching employees from a section that deals exclusively with faculty issues.

The proposed amendment to Section 13, Subsection 13.7 clarifies the current authorization for use of the name of the U. T. System and its component institutions in connection with an employee authored work to include electronic media and software as well as literary works.

3. U. T. Board of Regents: Recommendation to Amend the Regents' Rules and Regulations, Part One, Chapter III, Section 27, Subsection 27.3 (Power to Authorize Expenditures Out of System Funds); Part Two, Chapter IV, Section 4 (Purchase of Supplies and Equipment) and Section 7 (Purchases from Employees); and Part Two, Chapter VII, Section 8, Subsection 8.6 (Disposal of Property of the System).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor for Business Affairs that the Regents' Rules and Regulations be amended as set forth below in congressional style:

- a. Delete Part One, Chapter III, Section 27, Subsection 27.3 as follows:

Sec. 27. Power to Authorize Expenditures Out of System Funds.

. . .

[27.3 ~~There shall be no sale to or purchase from the System or its component institutions by any employee thereof unless same has been duly authorized~~

by-the-Board-and-the-details-relating
thereto-have-been-entered-in-its
minutes.]

. . .

- b. Amend Part Two, Chapter IV, Section 4 as follows:

Sec. 4. Purchases of Supplies and Equipment.

- 4.1 ~~The [Unless-otherwise-provided-in these-Rules-and-Regulations-or-specifically-approved-by-the-Board,-the]~~ State Purchasing and General Services Act, Article 601b, Vernon's Texas Civil Statutes, ~~[of-1979]~~ shall govern the purchasing policies of the System.
- 4.2 ~~The [Under-the-provisions-of-the]~~ State Purchasing and General Services Act ~~does not apply to [of-1979]~~ purchases of supplies, materials, services, or equipment ~~[the-following items-may-be-made-without-approval of-the-State-Purchasing-and-General Services-Commission]:~~
- (a) ~~[Supplies,-materials,-services,-and-equipment]~~ for resale; ~~[]~~
 - (b) ~~[Supplies,-materials,-services,-and-equipment]~~ for Auxiliary Enterprises; ~~[]~~
 - (c) ~~[Supplies,-materials,-services,-and-equipment]~~ for Organized Activities Relating to Instructional ~~[Educational]~~ Departments; ~~or []~~
 - (d) ~~from [Supplies,-materials,-services,-and-equipment-purchased with] gifts or [and] grants [funds], including those in support of research [contract funds].~~

. . .

- c. Retitle Part Two, Chapter IV, Section 7 as "Purchases by or from Employees" and amend as follows:

Sec. 7. Purchases by or from Employees.--Purchases are not permitted from any officer or employee of the System unless the cost is less than that from any other known source and until approved by the component chief administrative officer and[] the appropriate Executive Vice Chancellor [,-the-Chancellor,-and-the-Board]. Sealed bid purchases of equipment or property by employees may be made only after authorization by the chief administrative officer and the appropriate Executive Vice Chancellor. Details of such transactions shall be reported in the Dockets or Minutes of the Board. Approval and reporting are not required for purchases made at public auction.

- d. Amend Part Two, Chapter VII, Section 8, Subsection 8.6 as follows:

Sec. 8. Disposal of Property of the System.

. . .

8.6 Sales to employees are governed by the provisions of Part Two, Chapter IV, Section 7 of these Rules [~~Sealed-bid-sales-of-surplus-equipment-or-abandoned-property-may-be made-to-employees-of-the-System-or of-any-of-its-component-institutions only-after-authorization-by-the chief-administrative-officer-and approval-of-the-Chancellor.--Such sales-shall-be-reported-in-the institutional-docket.--Such-approval and-reporting-are-not-required-for public-auction-sales-of-surplus equipment-or-abandoned-property-to employees-of-the-System~~].

. . .

BACKGROUND INFORMATION

The proposed amendments to Part One, Chapter III and Part Two, Chapters IV and VII consolidate and revise three provisions of the Regents' Rules and Regulations related to purchases by or from employees.

The proposed amendment to Part Two, Chapter IV, Section 4 more clearly states the intended coverage of state law (including exceptions) to all purchases.

4. U. T. System: Recommendation to Amend the Policies and Procedures for Discipline and Dismissal of Employees.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Vice Chancellor for Business Affairs that the U. T. Board of Regents amend Section II, Part 4 of the U. T. System "Policies and Procedures for Discipline and Dismissal of Employees" as set forth below in congressional style:

POLICIES AND PROCEDURES FOR
DISCIPLINE AND DISMISSAL OF EMPLOYEES

. . .

II. SCOPE OF POLICY

These policies and procedures are applicable to conduct or job performance of an employee that results in a decision to impose a disciplinary penalty of demotion,

suspension without pay or dismissal. It does not apply to:

1. Institutional police, faculty or teaching staff who are subject to other approved discipline or dismissal procedures;
2. Suspension with pay pending investigation of allegations relating to an employee;
3. Decisions not to offer reappointment to persons whose appointment for a stated period of one year or less expires at the end of such period without the necessity of notice of nonrenewal as provided in the Rules and Regulations of the Board of Regents or the rules and regulations of the institution; or
4. Dismissal of employees
 - (a) who are appointed to positions without fixed term and under applicable rule or regulation serve at the pleasure of a specific administrative officer,
 - (b) who occupy positions that are dependent upon funding from a specific source and such funding is not received,
 - (c) as a result of a reorganization,
 - (d) because of financial exigency, [e*]
 - (e) during the 180-day probationary period, or
 - (f) who are appointed for a stated period that is less than 180 days.

BACKGROUND INFORMATION

At the April 1989 meeting, the U. T. Board of Regents adopted uniform "Policies and Procedures for Discipline and Dismissal and Grievances of Employees" to comply with current court decisions and to bring uniformity to the procedures at the U. T. System component institutions. In order to clarify the policies and procedures, the U. T. Board of Regents amended the Policies and Procedures to be republished as two separate policies at the October 1989 meeting.

The proposed amendment to the scope of the "Policies and Procedures for Discipline and Dismissal of Employees" clarifies that temporary employees appointed for less than 180 days were not intended to be included in the category of employees covered by the detailed appeal procedures for disciplinary or dismissal actions. Temporary employees may grieve such actions pursuant to the "Grievance Policy and Procedures."

A related amendment to the Regents' Rules and Regulations concerning disciplinary or dismissal actions is proposed for approval at this meeting (See Item 2 on Page P&A - 5).

**Academic
Affairs Comm.**

ACADEMIC AFFAIRS COMMITTEE
Committee Chairman Barshop

Date: April 11, 1991
Time: Following the meeting of the Personnel and Audit
Committee
Place: Caduceus Room, 6th Floor, Administration Building
U. T. Medical Branch - Galveston

	<u>Page</u> <u>AAC</u>
1. U. T. Board of Regents: Proposed Amendments to the Regents' <u>Rules and Regulations</u> , Part One, Chapter VIII, Section 4, Subsection 4.3, Subdivision 4.39 (Institutions and Entities Composing the System)	3
2. U. T. Arlington: Recommendation to Establish Differential Tuition Rates for Graduate Programs in the College of Business Administration, College of Engineering, School of Architecture, and School of Social Work Effective with the Fall Semester 1991 (Catalog Change)	4
3. U. T. Arlington: Recommendation to Approve Changes in Student Parking Permit Fees Effective with the Fall Semester 1991 (Catalog Change)	5
4. U. T. Arlington: Recommendation to Approve University Housing Rates Effective with the Fall Semester 1991 (Catalog Change)	6
5. U. T. Austin: Proposed Appointments to Endowed Academic Positions in the College of Fine Arts Effective September 1, 1991	8
6. U. T. Austin: Proposed Appointment to the Mike Hogg Professorship in Community Affairs in the College of Liberal Arts Effective September 1, 1991	9
7. U. T. Austin: Proposed Appointment to the J. Nalle Gregory Regents Professorship in Geological Sciences in the College of Natural Sciences Effective Immediately	10
8. U. T. Austin: Recommendation to Approve Changes in Parking Permit Fees Effective with the Fall Semester 1991 (Catalog Change)	11
9. U. T. Austin: Recommendation to Approve Increases in the Compulsory Texas Union Fee Effective with the Fall Semester 1991 (Catalog Change)	12

10. U. T. Austin: Recommendation to Establish a Differential Graduate Tuition Rate for the College of Pharmacy and to Approve Changes in Previously Approved Differential Graduate Tuition Rates Effective with the Fall Semester 1991 (Catalog Change) 12
11. U. T. Dallas: Recommendation to Establish Differential Tuition Rates for Graduate Programs in the Erik Jonsson School of Engineering and Computer Science and the School of Management Effective with the Fall Semester 1991 (Catalog Change) 14
12. U. T. El Paso: Recommendation to Approve Participation in a Research Consortium with New Mexico State University, Arizona State University, and the University of Utah and Request for Authorization to Execute Memorandum of Understanding to Effect Consortium 15
13. U. T. Pan American: Request for Authorization to Establish a Generic Bachelor of Science in Nursing Degree Program and to Submit the Proposed Degree Program to the Coordinating Board for Approval (Catalog Change) 20
14. U. T. Pan American (Brownsville): Recommendation to (a) Approve in Concept the Establishment of a Partnership with Texas Southmost College and Authorize Submission to the Coordinating Board for Approval; (b) Authorize Appointments to Partnership Advisory Committee; (c) Authorize Negotiation of Proposed Partnership Agreement; and (d) Endorse Changing the Institutional Name to The University of Texas at Brownsville 22
15. U. T. Permian Basin: Recommendation to Approve Changes in Parking Permit and Enforcement Fees Effective with the Fall Semester 1991 (Catalog Change) 24

1. U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4, Subsection 4.3, Subdivision 4.39 (Institutions and Entities Composing the System).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs that the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4, Subsection 4.3, Subdivision 4.39, regarding institutions and entities composing the U. T. System, be amended as set forth below in congressional style:

...

	<u>Full Title</u>	<u>Short Title</u>
4.3	The University of Texas at Arlington ...	U. T. Arlington
4.39	The University of Texas at Arlington <u>School</u> [Institute] of Urban Studies and <u>Public Affairs</u>	U. T. Arlington <u>School</u> [Institute] of Urban Studies and <u>Public</u> <u>Affairs</u>

...

BACKGROUND INFORMATION

The proposed editorial change to the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4, Subsection 4.3, Subdivision 4.39 is being made to reflect the administratively approved new name for the academic unit administering degrees in urban and public affairs, the former Institute of Urban Studies.

The title of Institute of Urban Studies will be retained to refer to the special unit administered by the school for the purposes of carrying out research and public service activities as authorized by Section 75.01 et seq., Texas Education Code, thereby providing a clear distinction between these two activities.

2. U. T. Arlington: Recommendation to Establish Differential Tuition Rates for Graduate Programs in the College of Business Administration, College of Engineering, School of Architecture, and School of Social Work Effective with the Fall Semester 1991 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nedderman that the U. T. Board of Regents approve the establishment of differential graduate tuition rates for the College of Business Administration, College of Engineering, School of Architecture, and School of Social Work at U. T. Arlington and approve increases in the per semester credit hour tuition charges from \$20 to \$40 for resident students and from \$128 to \$148 for nonresident students effective with the Fall Semester 1991.

Upon Regental approval, the Minute Order will reflect that the next appropriate catalog published at U. T. Arlington will be amended to conform to this action.

BACKGROUND INFORMATION

Section 54.008 of the Texas Education Code provides that governing boards of institutions of higher education may set differential tuition rates for graduate programs in an institution provided that such rates are at least equal to the minimum rates established by statute and not more than double the statutory rate. The U. T. Board of Regents has previously approved differential graduate tuition rates for U. T. Austin students in Architecture, Engineering, Business, and Law. Differential tuition also is proposed elsewhere in this agenda for U. T. Austin Pharmacy students and for students in Engineering and Computer Science and Management at U. T. Dallas, all effective with the Fall Semester 1991.

The regular resident tuition rate for graduate students in Business, Engineering, Architecture, and Social Work set by Section 54.0512 of the Texas Education Code for academic year 1991-92 is \$20 per semester credit hour or \$100 minimum. The proposed rate for those programs for 1991-92 is \$40. For nonresidents, Section 54.051 of the Texas Education Code provides for the Texas Higher Education Coordinating Board to determine the cost of education which constitutes the tuition rate to be charged for nonresident and foreign students. That rate is \$128 per semester credit hour for 1991-92. The proposed nonresident rates are set at \$20 per semester credit hour above the rate determined by the Coordinating Board. The proposed 1991-92 differential tuition rates for resident students and for nonresident and foreign students are all within the legislatively established limits.

Priority uses of the additional funds derived from all differential tuition charges are to provide scholarship assistance to students who could not otherwise meet new tuition costs and for faculty salaries or other academic program needs in the school or college from which the revenues are generated. Specific allocation of differential tuition funds is approved by the U. T. Board of Regents through either the annual operating budget or docketing procedures, as appropriate, in compliance with all applicable statutes and budget policies of the U. T. Board of Regents.

3. U. T. Arlington: Recommendation to Approve Changes in Student Parking Permit Fees Effective with the Fall Semester 1991 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nedderman that the U. T. Board of Regents approve a standard charge of \$36.00 annually for regular student parking permits at U. T. Arlington effective with the Fall Semester 1991 irrespective of type of vehicle or enrollment classification.

Annual parking permit fees are reduced if purchased for the Spring Semester and/or the Summer Session(s) only.

Upon Regental approval, the Minute Order will reflect that the next appropriate catalog published at U. T. Arlington will be amended to conform to this action.

BACKGROUND INFORMATION

The U. T. Arlington Traffic and Parking Policies Committee, which includes students, recommended that parking permit fees for students be made uniform regardless of full-time or part-time status and regardless of type of vehicle registered. The net effect is that part-time students, who use parking facilities throughout the day and evening, will now be charged the same \$36.00 rate that is currently charged for full-time students. In addition, the fee for students registering motorcycles will increase from \$24.00 to \$36.00. No changes are recommended in faculty and staff parking permit fees. Faculty, staff, and students will continue to have the choice of purchasing a decal for remote parking at a reduced rate.

Parking fees are authorized by Sections 54.503(a) and 54.503(b) of the Texas Education Code. Proposed changes in U. T. Arlington's parking and traffic regulations to be effective Fall Semester 1991 have been approved by the Office of General Counsel and the Executive Vice Chancellor for Academic Affairs and will be included in the next institutional docket for ratification by the U. T. Board of Regents.

4. U. T. Arlington: Recommendation to Approve University Housing Rates Effective with the Fall Semester 1991 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nedderman that the U. T. Board of Regents approve rental rates as set forth below for University-owned residence halls and apartments at U. T. Arlington effective with the Fall Semester 1991:

The University of Texas at Arlington
Proposed Rate Schedule for 1991-92

University-Owned Residence Halls (Dormitories)

	<u>1990-91 Rate</u>	<u>1991-92 Proposed Rate</u>
<u>LONG SESSION</u>		
Lipscomb (North)	\$1,260	\$1,300
Lipscomb (South)	1,260	1,300
Trinity	1,260	1,300
Brazos	1,100	1,140
Pachl	1,100	1,140

SUMMER SESSION

Lipscomb (North)	420	440
Lipscomb (South)	420	440
Trinity	420	440
Brazos	420	440
Pachl	420	440
Summer Groups	\$10 per night per person	\$10 per night per person

Apartments

<u>Complex</u>	<u>No. of Units</u>	<u>Monthly Rate</u>	
		<u>1990-91 Rate</u>	<u>1991-92 Proposed Maximum</u>
Border West			
1 bedroom	18	\$316	\$325
2 bedroom	19	418	431
Cooper South			
1 bedroom	14	316	325
2 bedroom	15	418	431
West			
1 bedroom	7	255*	263*
2 bedroom	7	367*	378*
Pisces			
1 bedroom	58	281	289
3 bedroom	1	418	431

*Tenant pays electric bill.

Apartments

<u>Complex</u>	<u>No. of Units</u>	<u>Monthly Rate</u>	
		<u>1990-91 Rate</u>	<u>1991-92 Proposed Maximum</u>
Capricorn			
1 bedroom	48	296	305
1 bedroom	4	306	315
Campus			
1 bedroom	28	255*	263*
3 bedroom	1	357*	368*
San Suz			
1 bedroom	22	230*	237*
2 bedroom	1	352*	363*
Del Mar			
1 bedroom	12	214*	220*
Shelmar North			
1 bedroom	12	214*	220*
Shelmar South			
1 bedroom	7	265	273
2 bedroom	1	296	305
University Village			
1 bedroom (2 people)	80	296*	305*
1 bedroom (2 people)	28	316*	325*
1 bedroom (2 people)	12	311*	320*
1 bedroom (2 people)	4	337*	347*
1 bedroom (3 people)	4	337*	347*
Warwick II			
1 bedroom	6	296	305
1 bedroom	12	306	315
Warwick III			
1 bedroom	14	296	305
Warwick V			
Efficiency	1	214	220
1 bedroom	3	316	325
1 bedroom	8	326	336
Keys			
1 bedroom	70	260	268
1 bedroom	2	265	273
2 bedroom	8	367	378
2 bedroom	4	372	383
Libra			
Efficiency	10	184*	190*

*Tenant pays electric bill.

Upon Regental approval, the Minute Order will reflect that the next appropriate catalog published at U. T. Arlington will be amended to conform to this action.

BACKGROUND INFORMATION

Rates for residence halls were last increased for Fall 1989. The last increases for apartments were for Fall 1990. The proposed rate increases for residence halls and apartments for Fall 1991 are minimal and are necessary to meet the increasing costs for operations and maintenance. The apartments acquired through the U. T. Arlington land acquisition program will continue to be upgraded by adding carpet, central heat, and remodeled plumbing and electrical systems.

As previously approved by the U. T. Board of Regents, the proposed rates are maximum charges for the respective units, with U. T. Arlington authorized to make downward adjustments if the Arlington-area apartment rental rates do not support the full charge.

5. U. T. Austin: Proposed Appointments to Endowed Academic Positions in the College of Fine Arts Effective September 1, 1991.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that the following initial appointments be made to endowed academic positions in U. T. Austin's College of Fine Arts effective September 1, 1991. Professors will vacate any currently held endowed positions on the effective date of the new appointment.

<u>Name of Proposed Appointee</u>	<u>Endowed Academic Position</u>
Dr. John R. Clarke, Professor, Department of Art	Annie Laurie Howard Regents Professorship in Fine Arts; established February 1986
Professor Richard M. Isackes, Lee Hage Jamail Regents Professor in Fine Arts Department of Theatre and Dance	Joanne Sharp Crosby Regents Chair in Design and Tech- nology; established August 1986, redesignated June 1987
Ms. Phyllis Young, Professor, Department of Music	Parker C. Fielder Regents Professorship in Music; established April 1985
Dr. Suzan L. Zeder, Professor, Department of Theatre and Dance	Theatre for Youth Chair; established August 1988

BACKGROUND INFORMATION

Dr. Clarke, a faculty member at U. T. Austin since 1980, is internationally recognized for his expertise in art history and classical archaeology. He is the author or coauthor of more than forty scholarly publications, including two books and four articles currently being published. Dr. Clarke frequently is invited to participate in international lecture series and is an excellent teacher.

Professor Isackes, the Lee Hage Jamail Regents Professor of Fine Arts, joined the U. T. Austin faculty in September 1990 after serving as Professor of Theatre at the University of Illinois at Urbana-Champaign and as the Head of Scene Design at the Krannert Center for the Performing Arts. He is an excellent teacher and a nationally recognized scenic designer both within the university theatre environment and the professional theatre world. Under his leadership, the design program curriculum is being revised and an intensive graduate recruitment plan is underway.

Professor Young, a faculty member at U. T. Austin since 1953, is internationally recognized as one of the world's leading authorities on string pedagogy. She has traveled worldwide as an invited clinician and master teacher presenting workshops in Italy, Scotland, England, Bermuda, China, Australia, Austria, and the United States. She has authored numerous outstanding publications including two books on teaching string instruments which are considered essential teaching resources by those in the field.

Dr. Zeder is a nationally and internationally recognized playwright whose works have been performed in all 50 states, Canada, Great Britain, Japan, Australia, and Germany. Her many accomplishments include being the youngest recipient of the Charlotte Chorpenning Award for Outstanding Playwright of Plays for Young People from the American Theatre Association, the U. S. Representative to the World Theatre Festival in Lyon, France, and induction into the Southwest Theatre Association Hall of Fame for Excellence in Playwriting. Dr. Zeder's appointment as Professor in the Department of Theatre and Dance is effective September 1, 1991.

6. U. T. Austin: Proposed Appointment to the Mike Hogg Professorship in Community Affairs in the College of Liberal Arts Effective September 1, 1991.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that Dr. Rodolfo O. de la Garza, Professor, Department of Government, be appointed as the initial holder of the Mike Hogg Professorship in Community Affairs in the College of Liberal Arts at U. T. Austin effective September 1, 1991.

BACKGROUND INFORMATION

Dr. de la Garza, a faculty member at U. T. Austin since 1980, is nationally recognized for his scholarship in the area of Hispanic political studies. He is the author or coauthor of five books, more than 40 research articles, book chapters and

reports, and is frequently invited to lecture at universities and scholarly meetings across the country. Dr. de la Garza has served as Chairman of the U. T. Austin Center for Mexican American Studies and as Executive Assistant to the U. T. System Chancellor.

The Mike Hogg Professorship in Community Affairs was established by the U. T. Board of Regents at the August 1990 meeting.

7. U. T. Austin: Proposed Appointment to the J. Nalle Gregory Regents Professorship in Geological Sciences in the College of Natural Sciences Effective Immediately.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that Dr. Robert E. Boyer, holder of the Robert E. Boyer Chair in Natural Sciences and Dean, College of Natural Sciences at U. T. Austin, be appointed as the initial holder of the J. Nalle Gregory Regents Professorship in Geological Sciences in the College of Natural Sciences at U. T. Austin effective immediately.

BACKGROUND INFORMATION

Dr. Boyer joined the U. T. Austin faculty in 1957 and served as chairman of the Department of Geological Sciences and chairman of the Geology Foundation from 1971 until 1980. His teaching and publications in structural geology helped to establish the academic program and research reputation of the Department of Geological Sciences at U. T. Austin. Dr. Boyer's subsequent contributions in remote sensing and earth science education, a joint program with the College of Education, have been nationally recognized as well. He is author or coauthor of numerous technical articles, editor of several geology publications, and the recipient of numerous prestigious awards. Dr. Boyer will retain the Robert E. Boyer Chair in Natural Sciences.

The J. Nalle Gregory Regents Professorship in Geological Sciences was established by the U. T. Board of Regents at the June 1990 meeting.

8. U. T. Austin: Recommendation to Approve Changes in Parking Permit Fees Effective with the Fall Semester 1991 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that the U. T. Board of Regents approve changes in parking permit fees at U. T. Austin effective with the Fall Semester 1991 as set out below:

	<u>1990-91 Current Fees</u>	<u>1991-92 Proposed Fees</u>
<u>Faculty/Staff Permits</u>		
Class A (unreserved)	\$ 26.00	\$ 37.00
Class D (disabled)	64.00	92.00
Class F (reserved)	64.00	92.00
Class M (motorcycle)	9.00	9.00
Class O (administrator)	96.00	138.00
<u>Special Use Permits</u>		
Class E (exercise fitness programs)	13.00	13.00
Class R (recreational sports)	13.00	13.00
<u>Student Permits</u>		
Class A (health)	13.00	13.00
Class C (students)	13.00	13.00
Class D (disabled)	13.00	13.00
Class G (graduate students)	22.00	22.00
Class M (motorcycle)	9.00	9.00

Annual parking permit fees are prorated if purchased for the Spring Semester and/or Summer Session(s) only.

BACKGROUND INFORMATION

The Parking and Traffic Policies Committee at U. T. Austin has recommended certain increases in the parking permit fees for 1991-92 and the increases have been included in proposed amendments to the U. T. Austin Parking and Traffic Regulations for 1991-92. Those changes have been reviewed and approved by the Office of General Counsel and the Executive Vice Chancellor for Academic Affairs and will be included in the next institutional docket for ratification by the U. T. Board of Regents. The proposed changes involving increases in existing fees require Regental approval via agenda action.

The proposed increases affect faculty and staff permits only and are necessary to generate income required to amortize revenue bonds for construction of Parking Garage No. 2 which was approved by the U. T. Board of Regents at the December 1990 meeting.

9. U. T. Austin: Recommendation to Approve Increases in the Compulsory Texas Union Fee Effective with the Fall Semester 1991 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that the U. T. Board of Regents approve increases in the compulsory Texas Union Fee at U. T. Austin from \$28.00 per semester or summer session to not more than \$37.44 per long session semester and \$18.97 for each summer session to be effective with the Fall Semester 1991.

Upon Regental approval, the Minute Order will reflect that the next appropriate catalog published at U. T. Austin will be amended to conform to this action.

BACKGROUND INFORMATION

During the past academic year, several student referenda have resulted in approval for increases in the Texas Union Fee for Fall 1991. The increased fee revenue will pay for significant repairs and rehabilitation of the physical plant, for continuation of self-operated dining services, and for improved funding for student activity and educational programming. The actual fee to be charged, within the limits prescribed above, will be determined after bids for the Texas Union repair and maintenance project have been received and reviewed. The proposed fees are within the ceilings authorized by Sections 54.513 and 54.530 of the Texas Education Code.

10. U. T. Austin: Recommendation to Establish a Differential Graduate Tuition Rate for the College of Pharmacy and to Approve Changes in Previously Approved Differential Graduate Tuition Rates Effective with the Fall Semester 1991 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that the U. T. Board of Regents approve the establishment of differential graduate tuition rates for the College of Pharmacy and approve certain changes in the per semester credit hour charges for previously approved differential graduate tuition rates for the Graduate School of Business, the College of Engineering, and the School of Architecture at U. T. Austin to be effective with the Fall Semester 1991 as shown on Page AAC - 13.

	<u>Current Graduate Tuition Rates* 1990-91</u>	<u>Proposed Graduate Tuition Rates* 1991-92</u>
<u>College of Pharmacy</u>		
Resident	\$ 18	\$ 40
Nonresident	122	158
<u>School of Architecture</u>		
Resident	\$ 36	\$ 40
Nonresident	152	158
<u>Graduate School of Business</u>		
Resident	\$ 36	\$ 40
Nonresident	152	158
<u>College of Engineering</u>		
Resident	\$ 36	\$ 40
Nonresident	152	158
<u>School of Law</u>		
Resident	\$ 97	\$ 97
Nonresident	187	187

*Dollars per semester credit hour of registration.

Upon Regental approval, the Minute Order will reflect that the next appropriate catalog published at U. T. Austin will be amended to conform to this action.

BACKGROUND INFORMATION

Section 54.008 of the Texas Education Code provides that governing boards of institutions of higher education may set differential tuition rates for graduate programs in an institution provided that such rates are at least equal to the minimum rates established by statute and not more than double the statutory rate. The U. T. Board of Regents approved differential graduate tuition rates for students in Architecture and Engineering at the April 1990 meeting and in Business at the April 1989 meeting. The differential tuition rates for the School of Law were first approved by the U. T. Board of Regents at the December 1987 meeting and increased at the April 1990 meeting. The School of Law rates will remain unchanged for 1991-92.

The regular resident tuition rate for graduate students in Architecture, Business, Engineering, and Pharmacy set by Section 54.0512 of the Texas Education Code for academic year 1991-92 is \$20 per semester credit hour or \$100 minimum. The proposed rate for those programs for 1991-92 is \$40. For nonresidents, Section 54.051 of the Texas Education Code provides for the Texas Higher Education Coordinating Board to determine the cost of education which constitutes the tuition rate to be charged for nonresident and foreign students. That rate is \$128 per semester credit hour for 1991-92. The proposed nonresident rates are set at \$30 per semester credit hour above the rate determined by the Coordinating Board. The proposed 1991-92 differential tuition rates for resident students and for nonresident and foreign students are all within the legislatively established limits.

Priority uses of the additional funds derived from all differential tuition charges are to provide scholarship assistance to students who could not otherwise meet new tuition costs and for faculty salaries or other academic program needs in the school or college from which the revenues are generated. Specific allocation of differential tuition funds is approved by the U. T. Board of Regents through either the annual operating budget or docketing procedures, as appropriate, in compliance with all applicable statutes and budget policies of the U. T. Board of Regents.

11. U. T. Dallas: Recommendation to Establish Differential Tuition Rates for Graduate Programs in the Erik Jonsson School of Engineering and Computer Science and the School of Management Effective with the Fall Semester 1991 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Rutford that the U. T. Board of Regents approve the establishment of differential graduate tuition rates for the Erik Jonsson School of Engineering and Computer Science and the School of Management at U. T. Dallas and approve increases in the per semester credit hour tuition charges from \$20 to \$40 for resident students and from \$128 to \$148 for nonresident students effective with the Fall Semester 1991.

Upon Regental approval, the Minute Order will reflect that the next appropriate catalog published at U. T. Dallas will be amended to conform to this action.

BACKGROUND INFORMATION

Section 54.008 of the Texas Education Code provides that governing boards of institutions of higher education may set differential tuition rates for graduate programs in an institution provided that such rates are at least equal to the minimum rates established by statute and not more than double the statutory rate. The U. T. Board of Regents has previously approved differential graduate tuition rates for U. T. Austin students in Architecture, Engineering, Business, and Law. Differential tuition also is proposed elsewhere in this agenda for U. T. Austin Pharmacy students and for students in Architecture, Business, Engineering, and Social Work at U. T. Arlington, all effective Fall Semester 1991.

The regular resident tuition rate for graduate students in Engineering and Computer Science and Management set by Section 54.0512 of the Texas Education Code for academic year 1991-92 is \$20 per semester credit hour or \$100 minimum. The proposed rate for those programs for 1991-92 is \$40 per semester credit hour. For nonresidents, Section 54.051 of the Texas Education Code provides for the Texas Higher Education Coordinating Board to determine the cost of education which constitutes the tuition rate to be charged for nonresident and foreign students. That rate is \$128 per semester credit hour for 1991-92.

The proposed nonresident rates are set at \$20 per semester credit hour above the rate determined by the Coordinating Board. The proposed 1991-92 differential tuition rates for resident students and for nonresident and foreign students are all within the legislatively established limits.

Priority uses of the additional funds derived from differential tuition charges are to provide scholarship assistance to students who could not otherwise meet new tuition costs and for faculty salaries or other academic program needs in the school or college from which the revenues are generated. Specific allocation of differential tuition funds is approved by the U. T. Board of Regents through either the annual operating budget or docketing procedures, as appropriate, in compliance with all applicable statutes and budget policies of the U. T. Board of Regents.

12. U. T. El Paso: Recommendation to Approve Participation in a Research Consortium with New Mexico State University, Arizona State University, and the University of Utah and Request for Authorization to Execute Memorandum of Understanding to Effect Consortium.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Natalicio that approval be given to U. T. El Paso participation in a consortium with New Mexico State University, Arizona State University, and the University of Utah to form the Southwest Environmental Research Center, a public-private consortium for environmental research in the Southwest.

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 a memorandum of understanding as set out on Pages AAC 17 - 19 to effect this consortium, with the understanding that any and all specific agreements arising from the memorandum are to be submitted for prior administrative review and subsequent approval as required by the Regents' Rules and Regulations.

BACKGROUND INFORMATION

The proposed consortium will be known as the Southwest Environmental Research Center. Its goals are to:

- a. Develop a comprehensive plan that includes research and policy recommendations to address the environmental issues of the Southwestern United States including the U. S.-Mexico border region
- b. Avoid unnecessary duplication of effort by consortium members in providing solutions to environmental issues
- c. Identify the opportunities for activities that can be enhanced by cooperative efforts

- d. Prepare plans and proposals for funding cooperative efforts
- e. Agree upon procedures of implementing cooperative efforts
- f. Develop means of encouraging corporate participation in the consortium.

The proposed memorandum of understanding has been reviewed and approved by the Office of General Counsel and is similar to other memoranda of understanding previously approved by the U. T. Board of Regents.

MEMORANDUM OF UNDERSTANDING

SOUTHWEST ENVIRONMENTAL RESEARCH CENTER A Public-Private Consortium for Environmental Research in the Southwest

1. Formation of the Consortium

Acute air, water quality, and hazardous waste problems plague the U.S.-Mexico border region of the southwest. To find solutions to these problems a comprehensive plan is needed, encompassing substantial programs of research in engineering and in the physical, biological, and health sciences. The challenges are so great, however, that the resources of any one research institution are insufficient to mount the effort required.

In consideration of the above, the below-named universities, resident in the states of Texas, New Mexico, Arizona, and Utah, hereby form the Southwest Environmental Research Consortium, a public-private consortium for environmental and policy considerations in the Southwest border region of the United States. The Consortium will facilitate the formulation and implementation of cooperative activities that build upon the resources presently in place. It is recognized, however, that each university also remains free to pursue its own research and educational efforts either as part of the Consortium or independently of the Consortium, depending upon which arrangement is deemed to promise the greater results.

2. Objectives of the Consortium

The objectives of the Consortium are to:

- a) Develop a comprehensive plan that includes research and policy recommendations to address the environmental issues of the Southwestern United States including the U.S.-Mexico border region,
- b) Avoid unnecessary duplication of effort by Consortium members in providing solutions to the issues identified above,
- c) Identify the opportunities for activities that can be enhanced by cooperative efforts,
- d) Prepare plans and proposals for funding cooperative efforts,
- e) Agree upon procedures of implementing cooperative efforts, and
- f) Develop means of encouraging corporate participation in the Consortium.

3. Organization of the Consortium

- a) The governing body of the Consortium shall consist of a Management Committee, composed of equal numbers of members appointed by the Presidents of the four

universities. A Chairman will be elected on a rotating basis for a one-year term. No single institutional representative will serve more than a one-year term as Chairman prior to the completion of one-year terms by representatives of each institution.

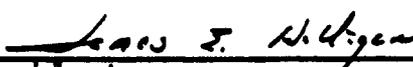
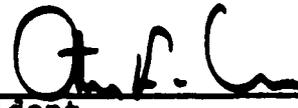
- b) No specific contractual obligations are stipulated by this memorandum of understanding. Any of the four higher education institutions of the Consortium may serve as the fiscal agent for a grant or contract in support of Consortium activities.
- c) The Consortium's Management Committee may invite other persons or organizations, including state and community governments and private firms, to participate in its environmental research and policy development activities.

4. Termination

This agreement may be terminated by each or all of the parties thereto upon written notification to others involved.

5. Ratification

The provisions of the Memorandum of Understanding will be in effect when signed by the Presidents of The University of Texas at El Paso, New Mexico State University, Arizona State University, and the University of Utah.

<u>11-20-90</u> Date	 _____ President The University of Texas at El Paso
<u>12-21-90</u> Date	 _____ President New Mexico State University
<u>1/22/91</u> Date	 _____ President Arizona State University
<u>1/29/91</u> Date	 _____ President University of Utah

FORM APPROVED:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM:



Office of General Counsel
The University of Texas System

By:

James P. Duncan
Executive Vice Chancellor
for Academic Affairs

CERTIFICATE OF APPROVAL

I hereby certify that the foregoing Memorandum of Understanding was approved by the Board of Regents of The University of Texas System on the _____ day of _____, 19____ and that the person whose signature appears above is authorized to execute such agreement on behalf of the Board.

Executive Secretary, Board of Regents
The University of Texas System

13. U. T. Pan American: Request for Authorization to Establish a Generic Bachelor of Science in Nursing Degree Program and to Submit the Proposed Degree Program to the Coordinating Board for Approval (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nevarez that authorization be granted to establish a generic Bachelor of Science in Nursing degree program at U. T. Pan American. Upon approval by the U. T. Board of Regents, the proposed degree program will be submitted to the Texas Higher Education Coordinating Board for review and approval. The proposed program is consistent with the U. T. Pan American Strategic Plan and is in the approved Table of Programs. A description of the proposed degree program is included in the Background Information.

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

BACKGROUND INFORMATION

Description of Proposed Degree Program

U. T. Pan American currently offers a specialized, nontraditional Bachelor of Science in Nursing (BSN) degree program for students who have already received an Associate Degree in Nursing (ADN) or certification as a Registered Nurse (RN). The University also offers a two-year Associate Degree in Nursing program. The proposed generic four-year Bachelor of Science in Nursing (BSN) degree program, which will be administered within the Division of Health Related Professions by the Department of Nursing, is designed to simplify and improve the degree path for students who are focused on receiving a baccalaureate education in a coordinated four-year sequence of study. The proposed new generic BSN degree program will replace the existing nontraditional BSN program but will include an "alternate pathway" for students who have an ADN or RN certification. The two-year Associate Degree in Nursing will also continue to be offered.

The proposed program will include 60 semester credit hours of general education requirements, 17 semester credit hours of a pre-nursing core, and 55 hours of BSN core requirements. The nursing laboratory courses provide for relevant field experience in hospital, clinic, and community settings. Affiliation agreements with local health care facilities have already been established.

The BSN program will prepare students at a high level of competency so they will be qualified for the various roles and responsibilities of a professional nurse in today's complex and changing medical and technological environment. The program will also prepare students for the National Council Licensure Examination for Registered Nurses (NCLEX).

Need for Degree Program

Historically, nurses were trained in hospitals with a focus on bedside nursing care. Today, most are trained in community colleges and in universities. In the Rio Grande Valley, most are educated at the two-year associate degree (ADN) level. A growing and aging population base, a concomitant increase in the severity of illnesses, and an increasingly technical health care system have created a demand for nurses with a broad education and the capability to assume greater autonomy in the delivery of health services.

Nationally, regionally, and locally, the shortage of qualified nurses is critical. From 1985 to 1989, the national average vacancy rates for registered nurses in hospitals more than doubled. The Department of Health and Human Services estimates that the current need exceeds the supply by 34% and that this trend will persist through the year 2000.

The Health System Plan developed by the South Texas Health Systems Agency cited the shortage of registered nurses as a serious problem in current health care delivery systems in the Rio Grande Valley. There are not enough graduates produced by the four LVN, two ADN, and one nontraditional BSN programs available in the geographic region. While the need for nurses is critical at all levels, it is most acute at the BSN level. For students in the Rio Grande Valley, the closest four-year BSN is in San Antonio.

Additionally, national studies indicate that minorities continue to be underrepresented in all levels of nursing. The student population at U. T. Pan American reflects the high percentage of Hispanics in the region's population base. The four-year baccalaureate nursing program would, therefore, increase the number of Hispanic nurses with a bachelor's degree.

Program Quality

The proposed BSN program will meet all standards established by the Texas State Board of Nurse Examiners (BNE) and the National League for Nursing (NLN). Accreditation by the BNE is mandatory for all nursing education programs in Texas, and the proposed BSN at U. T. Pan American has already received initial accreditation. While accreditation by the NLN is not mandatory, it is desirable, and upon graduation of the first generic BSN class, NLN accreditation will be sought.

The proposed program for the generic BSN has been reviewed by the Nursing faculty, the Director of the Division of Health-Related Professions, the University Curriculum Committee, and the Vice President for Academic Affairs. In compliance with the requirements of the University Curriculum Committee, the generic BSN program will be reviewed every five years through an internal self-study conducted by the Department of Nursing. The University Program Review Committee will also review the degree program every five years. The Department of Nursing has also developed a plan for more frequent evaluation of the strengths and weaknesses of the degree program.

New faculty will be required to have a minimum of a master's degree (doctoral degree preferred) with at least 12 hours of graduate work in nursing, demonstrated research strength, and teaching experience at the appropriate level. Graduates of the generic BSN will be provided the opportunity to evaluate their basic preparation six months after graduation.

Cost of Program

Because the current two-year ADN program will be left in place and an "alternate pathway" incorporated into the four-year BSN to replace the current nontraditional BSN, only 25% of expected resource needs can be met by reallocating existing resources. New personnel needed during the first five years of the degree program will include a coordinator, secretary, six faculty, five graduate assistants, and one lab instructor. Support for the additional staff will come from enrollment growth formula-generated funds, grant funds, and a special item appropriation. Current library holdings are sufficient to begin the BSN program.

It is estimated that total cost for the first five years will be slightly over two million dollars. Approximately \$850,000 is expected to come from special item state funding and approximately \$880,000 from formula-generated funding. The rest would be realized from reallocations of existing resources. U. T. Pan American has already received some special item funds for the development of several Nursing Enhancement programs, including the generic BSN (used mainly to upgrade medical holdings in the library).

Because the generic four-year BSN will help meet the need to graduate additional registered nurses, approval of the program will decrease resource demands which would otherwise be made on the ADN and current BSN programs. Therefore, the cost for the new program is not significantly higher than the cost which would have been incurred by enlarging current programs.

Summary

Regional and national shortages of nurses exist at all levels. Today's complex and changing medical environment requires more highly trained nurses. Implementation of the proposed generic four-year Bachelor of Science in Nursing degree program will fulfill U. T. Pan American's long-range academic plan of providing a superior nursing program to meet the region's growing need for quality nurses in all areas of medical care.

14. U. T. Pan American (Brownsville): Recommendation to (a) Approve in Concept the Establishment of a Partnership with Texas Southmost College and Authorize Submission to the Coordinating Board for Approval; (b) Authorize Appointments to Partnership Advisory Committee; (c) Authorize Negotiation of Proposed Partnership Agreement; and (d) Endorse Changing the Institutional Name to The University of Texas at Brownsville.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Pena to:

- a. Approve in concept the establishment of an educational partnership between U. T. Pan American (Brownsville) and Texas Southmost College as authorized by Section 51.661 et seq., Texas Education Code and authorize submission

of the conceptual partnership agreement to the Texas Higher Education Coordinating Board for approval

- b. Authorize the Chairman of the Academic Affairs Committee to select three members of that committee to serve as the Partnership Advisory Committee pursuant to Section 51.662, Texas Education Code, and authorize the Executive Vice Chancellor for Academic Affairs to assist the committee in the discharge of its responsibilities
- c. Authorize representatives of U. T. System Administration under the leadership of the Executive Vice Chancellor for Academic Affairs to work with Texas Southmost College and U. T. Pan American (Brownsville) representatives as a task force to prepare a detailed partnership agreement for subsequent review and approval by the U. T. Board of Regents, the Texas Southmost College Board of Trustees, and the Texas Higher Education Coordinating Board
- d. Endorse changing the name of U. T. Pan American (Brownsville) to The University of Texas at Brownsville.

BACKGROUND INFORMATION

U. T. Pan American (Brownsville) and Texas Southmost College propose to establish a partnership agreement combining most administrative and academic functions of the two institutions in order to provide a seamless four-year undergraduate experience for those students who seek a bachelor's degree. Not only would admissions, financial aid, and registration functions be combined, academic departments would also be combined where academic duties are similar. While it is intended that all existing academic programs for both the community college and the university will be maintained, there would be much greater flexibility in the use of faculty to meet the program requirements.

U. T. Pan American (Brownsville) was established as an educational center for Pan American University by the 65th Legislature in 1977. It is an upper-level and graduate institution located on the campus of Texas Southmost College. As an upper-level institution located on the campus of a community college, it meets the conditions for a partnership agreement authorized by the Texas Education Code at Sections 51.661-51.668. The Texas Education Code permits the establishment of a partnership to combine functions such that a single organizational entity may provide services for both the community college and the upper-level university. The law specifically requires that each governing board appoint three of its members to a joint advisory committee to oversee the operations of the partnership. The law also requires that all of the statutory responsibilities must continue to be met and that the community college's assets including real property must be retained by the trustees.

The specific terms of a proposed agreement will require negotiation at the U. T. System Administration level. Upon approval of the concept, a joint task force will be established to draft the terms of the detailed agreement for review and approval by the U. T. Board of Regents, the Texas Southmost College Board of Trustees, and the Texas Higher Education Coordinating Board. Approval by all three bodies is required prior to implementation. Some of the elements of the partnership could be put in place as early as the Fall Semester 1991; however, most implementation is likely to be scheduled for the Fall Semester 1992.

The effect of the partnership when fully implemented will be to serve the lower Rio Grande Valley region with a coordinated and combined effort containing the best features of a comprehensive university within the U. T. System and the best features of a locally governed community college. On a single campus and from a single operating entity, the community will have access to adult and continuing education, one and two year occupational/technical programs, two year associate degree programs, four year baccalaureate programs, and master's degree programs. This can be accomplished with no increase in either State appropriations or local taxes except as may be necessary to accommodate the normal enrollment growth which is anticipated in this area.

To give appropriate recognition to this new structure and its connection to the Brownsville community, it is also recommended that the name of the institution be changed to The University of Texas at Brownsville. Senate Bill 1050 by Senator Eddie Lucio, Jr. and House Bill 1949 by Representative Rene Oliveira have been filed to achieve this goal. These pending bills specifically endorse the concept of the partnership and would remove any ambiguity about the authority of the university to teach community college level courses on behalf of Texas Southmost College pursuant to the partnership agreement.

15. U. T. Permian Basin: Recommendation to Approve Changes in Parking Permit and Enforcement Fees Effective with the Fall Semester 1991 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Leach that the U. T. Board of Regents approve changes in parking permit and enforcement fees at U. T. Permian Basin effective with the Fall Semester 1991 as set out below:

	<u>1990-91 Current Fees</u>	<u>1991-92 Proposed Fees</u>
<u>Parking Permits and Fees</u>		
Faculty/Staff	\$ 10.00	\$ 15.00
Students	10.00	15.00
Motorcycles, motorscooters, mopeds, and motor- assisted bicycles	5.00	15.00
Temporary (monthly)	1.00	3.00
Replacement or additional vehicle permit	3.00	5.00

	<u>1990-91</u> <u>Current</u> <u>Fees</u>	<u>1991-92</u> <u>Proposed</u> <u>Fees</u>
<u>Enforcement Fees</u>		
Code 1000 Non-moving Violations		
First Offense	1.00	5.00
Second Offense	5.00	10.00
Third or Subsequent Offense	10.00	15.00
Code 2000 Non-moving Violations	N/A	15.00
Code 3000 Moving Violations	N/A	15.00
Late Charge (If not paid within ten calendar days)	2.00	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 conform to this action.

BACKGROUND INFORMATION

The recommended increases in parking permit and enforcement fees are included in amendments to the proposed U. T. Permian Basin Parking and Traffic Regulations for 1991-92. Those amendments have been reviewed and approved by the Office of General Counsel and the Executive Vice Chancellor for Academic Affairs and will be submitted for ratification in the next institutional docket. The proposed changes to the regulations involving increases in fees charged for permits and enforcement require Regental approval via agenda action.

The proposed increases will bring fees at U. T. Permian Basin to a level which is comparable to fees at other U. T. System general academic institutions and will provide needed revenue for the enforcement of parking regulations and maintenance of parking lots at U. T. Permian Basin.

**Health Affairs
Committee**

HEALTH AFFAIRS COMMITTEE
Committee Chairman Ramirez

Date: April 11, 1991
Time: Following the meeting of the Academic Affairs
Committee
Place: Caduceus Room, 6th Floor, Administration Building
U. T. Medical Branch - Galveston

	<u>Page</u> <u>HAC</u>
1. U. T. Health Science Center - Houston (U. T. Nursing School - Houston): Recommendation to Establish Differen- tial Graduate Tuition Rates Effective with the Fall Semester 1991 (Catalog Change)	2
2. U. T. M.D. Anderson Cancer Center: Proposed Appointment to the Nylene Eckles Professorship in Breast Cancer Research Effective May 1, 1991	3
3. U. T. System: Proposal to Increase Institutional Premium Rates for the Professional Medical Liability Self- Insurance Plan	4

1. U. T. Health Science Center - Houston (U. T. Nursing School - Houston): Recommendation to Establish Differential Graduate Tuition Rates Effective with the Fall Semester 1991 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Low that the U. T. Board of Regents approve the establishment of differential graduate tuition rates for the U. T. Nursing School - Houston at the U. T. Health Science Center - Houston effective with the Fall Semester 1991 as shown below:

<u>School of Nursing</u>	<u>Statutory Graduate Tuition Rates* 1991-92</u>	<u>Proposed Graduate Tuition Rates* 1991-92</u>
Resident	\$ 20	\$ 22
Nonresident	128	141

*Dollars per semester credit hour of registration

Upon Regental approval, the Minute Order will reflect that the next appropriate catalog published at the U. T. Health Science Center - Houston will be amended to conform to this action.

BACKGROUND INFORMATION

Section 54.008 of the Texas Education Code provides that governing boards of institutions of higher education may set differential tuition rates for graduate programs in an institution provided that such rates are at least equal to the minimum rates established by statute and not more than double the statutory rate. The U. T. Health Science Center - Houston is requesting an increase of 10% over the rates established by statute.

Differential tuition rates for the U. T. Austin School of Law were first approved by the U. T. Board of Regents at its December 1987 meeting. Differential graduate tuition rates have since been approved for the U. T. Austin Graduate School of Business, School of Architecture, and the College of Engineering.

Priority uses of the additional funds derived from all differential graduate tuition charges are to provide scholarship assistance to students who could not otherwise meet new tuition costs and for faculty salaries or other academic program needs in the school or college from which the revenues are generated. Specific allocation of differential graduate tuition funds is approved in compliance with all applicable statutes and budget policies of the U. T. Board of Regents.

The Dean of the U. T. Nursing School - Houston has consulted with student leaders in the school and has found general, although not unanimous, support for the increases and the intended uses of the revenues that will be generated.

The U. T. Health Science Center - Houston anticipates requesting authorization to increase resident differential graduate tuition rates for succeeding biennia through 1995-96 to gradually achieve a ratio of twice the rate established by statute for regular resident tuition. Similarly, the rate for non-resident and foreign students will continue to rise in a manner that is consistent with the base rate to be determined for future biennia by the Coordinating Board.

2. U. T. M.D. Anderson Cancer Center: Proposed Appointment to the Nylene Eckles Professorship in Breast Cancer Research Effective May 1, 1991.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President LeMaistre that Gabriel Hortobagyi, M.D., be appointed as initial holder of the Nylene Eckles Professorship in Breast Cancer Research at the U. T. M.D. Anderson Cancer Center effective May 1, 1991.

BACKGROUND INFORMATION

Dr. Hortobagyi was appointed to the faculty at the U. T. M.D. Anderson Cancer Center in 1976 and now serves as Chief of the Section of Breast Medical Oncology. He has developed a strong medical program which includes providing outstanding care for patients with breast cancer and a research program strongly oriented toward the clinical development of breast cancer treatment. These treatments have systematically and effectively demonstrated the utility of adjuvant chemotherapy and intensive therapy for recurrent and metastatic breast cancer. Dr. Hortobagyi has an international reputation and represents the U. T. M.D. Anderson Cancer Center on international panels and symposia.

The Nylene Eckles Professorship in Breast Cancer Research was established by the U. T. Board of Regents at the February 1991 meeting.

3. U. T. System: Proposal to Increase Institutional Premium Rates for the Professional Medical Liability Self-Insurance Plan.--

RECOMMENDATION

The Chancellor concurs with the recommendation of the Executive Vice Chancellor for Health Affairs and the Office of General Counsel that the U. T. System Professional Medical Liability Self-Insurance Plan's premium rates be increased by 5% effective September 1, 1991, as follows:

<u>Risk Class</u>	<u>Current Rates</u>		<u>Recommended Rates</u>	
	<u>Staff</u>	<u>Resident</u>	<u>Staff</u>	<u>Resident</u>
1	\$ 2,508	\$ 1,680	\$ 2,628	\$ 1,764
2	4,200	2,784	4,404	2,916
3	7,152	4,764	7,512	5,004
4	11,628	7,740	12,204	8,124
5	19,320	12,840	20,292	13,488

BACKGROUND INFORMATION

The U. T. Board of Regents authorized the creation of the U. T. System Professional Medical Liability Self-Insurance Plan at the April 1977 meeting.

The total number of University of Texas System physicians covered by the Self-Insurance Plan currently is 5,321 staff and resident physicians, with basic liability limits of \$400,000 per claim for staff physicians and \$100,000 for interns, residents, and fellows.

Actuaries from Tillinghast, Inc., the nation's largest medical liability self-insurance plan actuarial firm, have reviewed the Plan's fourteen-year experience and rate the Plan's experience as among the best in the country. Based on the actuaries report and a recommendation from the Plan's medical advisory committee, a 5% increase was selected as the appropriate increase to be effective September 1, 1991.

The recommended rate increase will result in the Plan's premium rates remaining well below those of commercial insurers and other self-insurance plans as illustrated on Page HAC - 5.

RATE COMPARISON

	APIE (mature claims-made) \$500,000/ <u>1,000,000</u>	Medical Protective (occurrence) \$500,000/ <u>1,000,000</u>	Current U. T. Staff (occurrence) \$400,000/ <u>1,200,000</u>	Recommended U. T. Staff (occurrence) \$400,000/ <u>1,200,000</u>
General Practice, no surgery	\$ 5,082	\$ 4,661	\$ 2,508	\$ 2,628
General Practice, minor surgery	9,956	8,158	4,200	4,404
Cardiology	11,548	10,605	7,152	7,512
General Surgery	26,354	21,694	11,628	12,204
Anesthe- siology	26,354	21,694	11,628	12,204
Orthopedic Surgery	43,571	33,745	19,320	20,292
OB/GYN	41,980	38,565	19,320	20,292

**Finance and
Facilities Com.**

FINANCE AND FACILITIES COMMITTEE
Committee Chairman Moncrief

Date: April 11, 1991
Time: Following the meeting of the Health Affairs Committee
Place: Caduceus Room, 6th Floor, Administration Building
U. T. Medical Branch - Galveston

	<u>Page</u> <u>F&F</u>
I. <u>FINANCE MATTERS</u>	
1. U. T. System: Recommendation to Approve <u>Chancellor's Docket No. 57</u>	3
2. U. T. Board of Regents: Proposed Amend- ments to the Regents' <u>Rules and Regula-</u> <u>tions, Part Two, Chapter XI (Contracts</u> <u>and Grants for Research, Training, and</u> <u>Educational Services, Including Institu-</u> <u>tional Support Grants)</u>	3
II. <u>FACILITIES MATTERS</u>	
1. U. T. Austin - Expansion of the Animal Resources Center (Project No. 102-707): Request to Increase Estimated Total Project Cost and Additional Appropria- tion Therefor; Presentation of Prelim- inary Plans; and Authorization to Prepare Final Plans	6
2. U. T. Austin - Central Chilling Station No. 5 - Phase III Building Construction and Equipment Installation (Project No. 102-551): Proposed Acceptance of Findings and Recommendations of Hearing Officer	7
3. U. T. Austin - Student Health Center: Request for Authorization of Project; Appointment of Project Architect to Prepare Preliminary Plans; and Appro- priation Therefor	8
4. U. T. Tyler: Request for Authorization to Expand the Scope of the Phased Space Completion and Renovation Project (Project No. 802-607)	10
5. U. T. Medical Branch - Galveston: Pro- posed Acceptance of Gift and Authorization to Establish the Gleaves James Centennial Rose Garden (Regents' <u>Rules and Regula-</u> <u>tions, Part One, Chapter VIII, Section 1,</u> <u>Subsection 1.2, Naming of Facilities Other</u> <u>Than Buildings)</u>	11

6. U. T. Medical Branch - Galveston - Keiller Building Renovation and Reroofing - Phase II - Renovation (Project No. 601-664): Request for Approval of Final Plans and Authorization to Advertise for Bids and for the Executive Committee to Award Contracts 11

7. U. T. Medical Branch - Galveston - Completion of Shell Floors Five, Six and Seven and Addition of Four Additional Shell Floors - Medical Research Building: Request for Authorization of Project; Appointment of Project Architect to Prepare Final Plans; Submission to Coordinating Board; Authorization to Advertise for Bids and for Executive Committee to Award Contracts; Appropriation Therefor; and Request for Approval to Issue Revenue Financing System Parity Debt in an Amount Not to Exceed \$33,000,000, Receipt of Certificate, and Finding of Fact with Regard to Financial Capacity 12

8. U. T. Medical Branch - Galveston - Expansion of Thermal Energy Plant - Cogeneration Project: Request for Project Authorization; Appointment of Project Engineer for Completion of Final Plans; Submission to Coordinating Board; Authorization to Advertise for Bids and for Executive Committee to Award Contracts; Request for Authorization to Negotiate Operating Agreement with Lone Star Energy Co., Dallas, Texas; and Approval of Funding 16

I. FINANCE MATTERS

1. U. T. System: Recommendation to Approve Chancellor's Docket No. 57.--

RECOMMENDATION

It is recommended that Chancellor's Docket No. 57 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: Proposed Amendments to the Regents' Rules and Regulations, Part Two, Chapter XI (Contracts and Grants for Research, Training, and Educational Services, Including Institutional Support Grants).--

RECOMMENDATION

The Chancellor concurs with the recommendation of the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Health Affairs that the Regents' Rules and Regulations, Part Two, Chapter XI (Contracts and Grants for Research, Training, and Educational Services, Including Institutional Support Grants) be amended as set out below in congressional style:

CHAPTER XI

CONTRACTS AND GRANTS [~~FOR-RESEARCH, TRAINING, AND EDUCATIONAL-SERVICES, INCLUDING INSTITUTIONAL-SUPPORT-GRANTS~~]

- Sec. 1. Initial contracts, grants, and agreements from or with outside agencies [~~for-research, training, and educational-services,~~] including institutional support grants (except as provided in Subsections 1.1 and 1.2 below) shall be approved by the chief administrative officer and ratified by the Board via the institutional dockets. Subsequent institutional dockets should include only the changes in these initial contracts, grants, and agreements that involve changes in funds over \$10,000. It is not necessary to report contract extensions, amendments, modifications, changes in investigators or other changes in the institutional dockets unless they increase or decrease the total original

contract by more than \$10,000. ~~[Although these items will not be reported in the institutional docket, copies of such changes shall be provided to the U.-T.-System Comptroller.]~~

1.1 Contracts or agreements with foreign governments or[7] agencies thereof[7] and with institutions, enterprises or individuals subject to the jurisdiction of foreign governments, shall be submitted through the appropriate Executive Vice Chancellor for prior review sufficiently in advance of the proposed effective date to allow for prior approval of the Board, if ~~[such prior approval is]~~ required ~~[deemed appropriate by the Vice Chancellor and General Counsel, the appropriate Executive Vice Chancellor and the Chancellor].~~ Grants from such foreign entities will be submitted for approval via institutional docketing procedures.

1.2 The Vice Chancellor for Business Affairs will issue special instructions for those contracts and grants requiring special approvals other than as provided in this Section.

1.3 Funds shall not be encumbered or expended under any contract or grant prior to the approval of the contract or grant as indicated above.

1.4 Institutional support grants include NSF Institutional Grants for Science, NIH General Research Support Grants, Health Professions Education Improvement and/or Capitation Grant Programs, and other such grants awarded on a formula basis rather than a budgeted project basis.

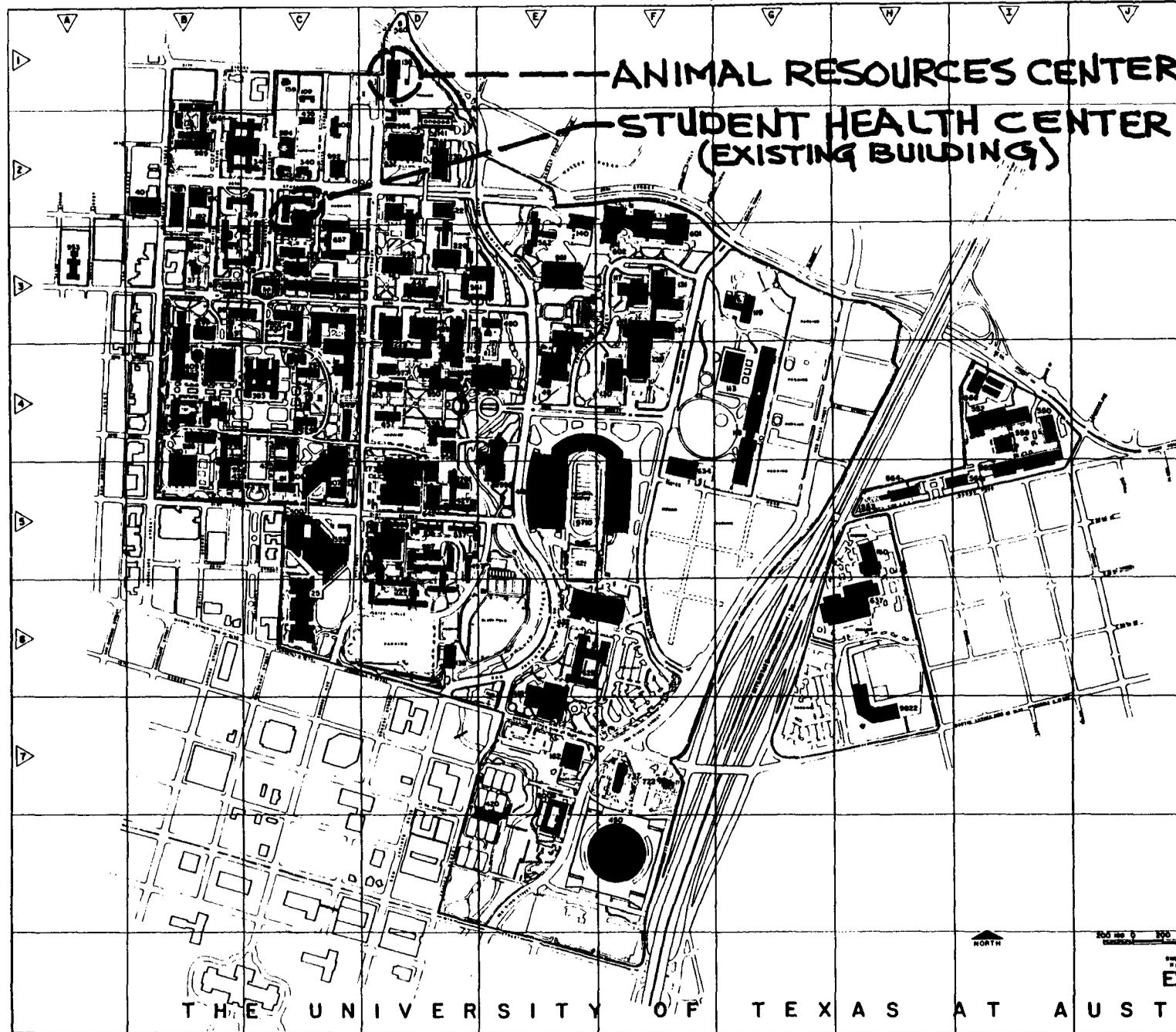
Sec. 2. Proposals for such contracts, grants and agreements, whether with government agencies, industry, foundations, or other private granting agencies, shall be initiated by the faculty member (or other appropriate official who will direct the work) and shall be approved by designated administrative officials, including the chief administrative officer. ~~[These proposals will receive such review and approval as directed by the Chancellor.]~~ The chief business officer at each component institution is responsible for the business aspects of the proposals.

Sec. 3. Copies of contracts, grants, and agreements specified in Section 1 of this Chapter, or sufficient information to document the fiscal aspects of the contract, grant, or agreement, shall be filed with the Executive Secretary to the Board as part of the Docket support process ~~[together with a copy of the proposal or application, if any, that resulted in the contract, grant, or agreement].~~

- Sec. 4. Detailed budgets are generally included in the proposals that result in a contract or grant for a specific research, training, or educational project, and expenditures should conform to such budgets, unless amended by authorized procedures. ~~[For these institutional or "formula" type grants identified in Subsection 1.3 of Section 1 of this Chapter, a proposed budget must be submitted to the appropriate Executive Vice Chancellor and the Chancellor for review, approval, and submission to the Board.]~~
- Sec. 5. Proposals as to overhead rates and specialized rates for fringe benefits, computers, and other facilities chargeable to cost-reimbursement contracts and other government contracts and grants shall be worked out in preliminary form by the chief business officer concerned and shall be reviewed and approved by the Director of the Office of Budget and Fiscal Policy ~~[System Comptroller]~~ before being submitted. Subject to approval of the Vice Chancellor for Business Affairs, the Director of the Office of Budget and Fiscal Policy ~~[System Comptroller]~~ shall coordinate efforts between component institutions and cognizant agencies to negotiate [all] such rates ~~[for the component institutions of the System]~~.
- Sec. 6. Information as to overhead and specialized rates applicable to the type of contract, grant or agreement to be entered into shall be secured from the Director of the Office of Budget and Fiscal Policy ~~[System Comptroller]~~ via the business officers and/or the appropriate research administration officer.
- Sec. 7. To the extent that indirect cost recoveries from the application of overhead rates are derived from use charges for buildings, other improvements, or equipment, the funds so derived shall be designated for renewals and replacements of plant fund assets or for other purposes specified and approved in the budgetary processes as related to the indirect cost recoveries.

BACKGROUND INFORMATION

The proposed amendments to Part Two, Chapter XI of the Regents' Rules and Regulations acknowledge the name change for the Office of Budget and Fiscal Policy approved by the U. T. Board of Regents at the February 1991 meeting and propose minor streamlining for the processing procedures for contracts and grants.

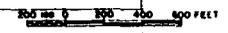


--- ANIMAL RESOURCES CENTER
 ——— STUDENT HEALTH CENTER
 (EXISTING BUILDING)

BUILDING INDEX

- 09 ANDREWS DORMITORY
- 17 GOLDSMITH HALL
- 25 COLLEGE OF EDUCATION
- 40 WALTER NEUB HALL
- 49 ART BUILDING AND MUSEUM
- 65 BATTLE HALL
- 73 BATTIS HALL
- 81 BENEDICT HALL
- 89 BIOLOGICAL LABORATORIES
- 87 BIOLOGY GREENHOUSE
- 90 BLANTON DORMITORY
- 99 BURDINE HALL
- 100 BOTANY GREENHOUSES
- 105 BRACKENRIDGE HALL DORMITORY
- 106 GRADUATE SCHOOL OF BUSINESS BLDG.
- 107 COLLEGE OF BUSINESS
- 108 ADMINISTRATION BUILDING
- 100 2615 WICHITA - PERSONNEL BUILDING
- 109 WICHITA OFFICE BUILDING
- 112 2603 UNIVERSITY AVENUE
- 113 LYNDON BAINES JOHNSON LIBRARY
- 116 ROBERT LEE MOORE HALL
- 117 MUSIC BUILDING EAST
- 118 510 RICHMOND HALL
- 119 JOE C. THOMPSON CONFERENCE CENTER
- 129 CANTONERS DORMITORY
- 130 FINE ARTS LIBRARY AND ADMINISTRATION BUILDING
- 131 MUSIC BUILDING AND RECITAL HALL
- 132 PERFORMING ARTS CENTER (CONCERT HALL)
- 133 DRAMA WORKSHOPS
- 134 OPERA LAB THEATRE
- 135 ANIMAL RESOURCES CENTER
- 138 CENTRAL COOLING STATION NO. 3
- 140 CENTRAL COOLING STATION NO. 4
- 141 CENTRAL COOLING STATION NO. 5
- 153 E. P. SCHUCH LABORATORY
- 158 107 W. 27TH - AMNEZ
- 159 107 W. 27TH - HUMAN RESOURCES CENTER
- 160 CENTRAL RECEIVING BUILDING
- 161 ROBERT A. WELCH HALL
- 162 COLLECTIONS DEPOSIT LIBRARY
- 178 COMPUTATION CENTER
- 180 JESSE H. JONES COMMUNICATION CENTER - BUILDING A
- 181 COMMUNICATIONS BUILDING B
- 182 TEXAS STUDENT PUBLICATIONS
- 201 F. LOREN WILSHIP DRAMA BUILDING
- 225 T. W. TAYLOR HALL
- 226 ENGINEERING SCIENCE BUILDING
- 227 ERNEST COCKRELL, JR. HALL
- 230 ENGINEERING TEACHING CENTER II
- 231 CHEMICAL & PETROLEUM ENG. BLDG.
- 233 PARLIN HALL
- 241 EXPERIMENTAL SCIENCE BUILDING
- 249 GARRISON HALL
- 257 WILL C. HOGG BUILDING
- 273 GREGORY GYMNASIUM
- 281 HILL HALL DORMITORY
- 297 HOGG MEMORIAL AUDITORIUM
- 305 MARY F. GEARING HALL
- 310 HARRY RAMSON CENTER
- 340 INTERNATIONAL CENTER
- 346 KINSOLVING DORMITORY
- 349 LITTLEFIELD DORMITORY
- 377 LITTLEFIELD HOME
- 393 MAIN BUILDING
- 418 L. THEO BELLMONT HALL
- 419 TEXAS SWIMMING CENTER
- 420 PENICK-ALLISON TENNIS CENTER
- 421 V. F. DOC. McEMPAUS-DARRELL K. ROYAL ATHLETIC CENTER
- 422 RECREATIONAL SPORTS CENTER

- 425 NEES HALL
- 427 MOORE HALL DORMITORY
- 433 MUSIC BUILDING
- 435 BRIDGEWAY - 2616 WICHITA
- 442 W. R. MOORRICH LABORATORIES
- 450 EMWID SPECIAL EVENTS CENTER
- 457 ECONOMICS BUILDING
- 465 PHARMACY BUILDING
- 473 T. S. PAINTER HALL
- 489 HAL C. HEAVER POWER PLANT
- 490 HAL C. HEAVER POWER PLANT AMNEZ
- 497 PRATHER HALL DORMITORY
- 500 UNIVERSITY TEACHING CENTER
- 521 LITTLEFIELD CARRIAGE HOUSE
- 537 ROBERTS HALL DORMITORY
- 538 RUSSELL A. STEINMAN HALL
- 550 PHYSICAL PLANT (BUILDING A)
- 551 PARKING FACILITY
- 552 PHYSICAL PLANT (BUILDING E)
- 553 PHYSICAL PLANT (BUILDING DP)
- 558 PHYSICAL PLANT (BUILDING F)
- 559 PERRY-CASTANEDA LIBRARY
- 560 PHYSICAL PLANT (BUILDING C)
- 561 SERVICES BUILDING
- 562 SIKKINS HALL DORMITORY
- 564 PHYSICAL PLANT (BUILDING D1)
- 565 PHYSICAL PLANT (BUILDING B)
- 566 PHYSICAL PLANT (BUILDING G)
- 569 DOROTHY BEAMER STUDENT SERVICES BUILDING
- 577 STUDENT HEALTH CENTER
- 585 SUTTON HALL
- 593 TEXAS MEMORIAL MUSEUM
- 597 LONGHORN DINING FACILITY
- 598 DEANFORD H. JESTER CENTER
- 599 JESTER DORMITORY
- 601 TOWNES HALL
- 602 JESSE H. JONES HALL
- 605 PETER T. FLANN ACADEMIC CENTER
- 609 UNION BUILDING
- 625 EDUCATION AMNEZ
- 634 2201 EAST CAMPUS DRIVE
- 637 PRINTING AND PRESS BUILDING
- 642 VARSITY CAFETERIA
- 645 GEOGRAPHY BUILDING
- 649 MAGGEMER HALL
- 652 WEST MALL OFFICE BUILDING
- 657 ANNA WISS GYMNASIUM
- 665 LABORATORY THEATER BUILDING
- 666 WOMEN'S CO-OP BUILDINGS
- 722 ANNO DORMITORY BUILDING
- 737 JOHN W. HARRIS HALL (LITTLE CAMPUS BUILDING)
- 950 GEOLOGY BUILDING
- 952 J. T. PATTERSON LABORATORIES
- 953 MOORORIDGE HALL
- 954 CALHOUN HALL
- 956 R.O.T.C. RIFLE RANGE BUILDING
- 977 CENTRAL COOLING STATION NO. 2
- 984 SOCIAL WORK BUILDING
- 986 200 EAST 26-1/2 STREET
- 988 2617 SPEEDWAY
- 989 2608 WHITIS
- 990 LILA B. ETTER ALUMNI HOUSE
- 992 100 EAST 26TH - (ACADEMIC) (CHILDRENS RESEARCH LAB)
- 999B SCHOOL OF NURSING BUILDING
- 9710 MEMORIAL STADIUM
- 9922 DISCH-FALK FIELD



EXISTING SITE PLAN

THE UNIVERSITY OF TEXAS AT AUSTIN

OCTOBER 1990
 U.T. AUSTIN

II. FACILITIES MATTERS

1. U. T. Austin - Expansion of the Animal Resources Center (Project No. 102-707): Request to Increase Estimated Total Project Cost and Additional Appropriation Therefor; Presentation of Preliminary Plans; and Authorization to Prepare Final Plans.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that the U. T. Board of Regents:

- a. Approve an increase in the estimated total project cost for Expansion of the Animal Resources Center at U. T. Austin from \$2,900,000 to \$3,300,000 with an additional \$400,000 in funding from U. T. Austin General Fee Balances
- b. Approve the preliminary plans and specifications for Expansion of the Animal Resources Center at U. T. Austin at an estimated total project cost of \$3,300,000
- c. Authorize the Project Architect to prepare final plans and specifications to be presented to the U. T. Board of Regents for consideration at a future meeting.

BACKGROUND INFORMATION

In October 1989, the U. T. Board of Regents authorized the Expansion of the Animal Resources Center at U. T. Austin with the addition of approximately 20,000 gross square feet to the existing building within an estimated total project cost of \$2,900,000.

The Project Architect has developed the program requirements with U. T. Austin and initial cost estimates indicate an additional \$400,000 is needed to address the needs of the biological sciences area and to meet federal standards and accreditation requirements.

This project is included in the U. T. System Capital Improvement Program approved in June 1989, and the FY 1991 Capital Budget in the amount of \$2,900,000. The increase in the estimated total project cost from \$2,900,000 to \$3,300,000 will adjust the Capital Improvement Program and the FY 1991 Capital Budget accordingly.

Total funding for this project in the amount of \$3,300,000 will be with \$1,900,000 from Permanent University Fund Bond Proceeds and \$1,400,000 from U. T. Austin General Fee Balances.

2. U. T. Austin - Central Chilling Station No. 5 - Phase III Building Construction and Equipment Installation (Project No. 102-551): Proposed Acceptance of Findings and Recommendations of Hearing Officer.--

RECOMMENDATION

Chancellor Mark and Vice Chancellor and General Counsel Farabee recommend that the U. T. Board of Regents accept the findings and recommendations of the Hearing Officer with regard to claims by Kunz Construction Company, Inc., San Antonio, Texas (the "Contractor"), for additional compensation associated with Phase III Building Construction and Equipment Installation of Central Chilling Station No. 5 at U. T. Austin.

The Hearing Officer was Judge James R. Meyers (Ret.). In summary, he recommended that Chancellor Mark's decision against additional payment by the U. T. System which was being appealed should be upheld in its entirety and, in addition, that the liquidated damages charged against the Contractor may be increased by \$5,500 because eleven days of time extension were granted to which the Contractor was not entitled.

BACKGROUND INFORMATION

In accordance with accepted procedures regarding the disputes process for construction contracts, first Mr. R. S. Kristoferson, Director of the Office of Facilities Planning and Construction, made a written decision. Then Chancellor Mark, to whom an appeal was taken, decided the appeal on the written record. Chancellor Mark agreed with Mr. Kristoferson that the Contractor's claim for additional compensation should be denied.

The Contractor then appealed to the U. T. Board of Regents. A hearing was held before the Hearing Officer, Judge Meyers. The testimony began on November 12, 1990, and ended December 12, 1990. A court reporter was provided by the Contractor. The testimony was extensive and the exhibits voluminous. The Contractor, who originally had sought approximately \$600,000, now sought approximately \$1.3 million. Judge Meyers' report concludes:

"To reiterate, my recommendation is that the decision of Chancellor Mark be upheld in its entirety... There is always the temptation of a judge or hearing officer to attempt to moderate the views and positions of each side and reach a compromise result. Had the evidence justified a compromise result or had the evidence of Kunz Construction Company carried the burden of persuasion I could have easily recommended another result. However, I am convinced that the University has extended Kunz Construction Company every consideration to which it was entitled. Indeed, with respect to change order #29, The University of Texas extended Mr. Kunz eleven additional days of time to which, in my view, he was not entitled and which the Board of Regents may withdraw if it wishes."

Withdrawal of the eleven days to which the Contractor was not entitled would increase the liquidated damages charged against the Contractor by \$5,500. This claim was expensive to defend with the Board having to pay expert fees and witness expenses of \$24,108; and Judge Meyers' bill for fees and expenses has not yet been received. Accordingly, Chancellor Mark and Vice Chancellor Farabee recommend that the Board exercise its discretion to withdraw the eleven days and recover the \$5,500 in question.

A copy of Judge Meyers' report dated February 1, 1991, is on file in the Office of the Board of Regents.

3. U. T. Austin - Student Health Center: Request for Authorization of Project; Appointment of Project Architect to Prepare Preliminary Plans; and Appropriation Therefor.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that the U. T. Board of Regents:

- a. Authorize a project for the construction of a new Student Health Center at U. T. Austin at an estimated total project cost of \$11,616,000
- b. Appoint a Project Architect from the list set forth on Page F&F - 9 to prepare preliminary plans and a detailed cost estimate to be presented to the U. T. Board of Regents for consideration at a future meeting
- c. Appropriate \$275,000 from Auxiliary Enterprise Balance for fees and administrative expenses through the completion of preliminary plans to be refunded when revenue bonds are sold.

This item requires the concurrence of the Academic Affairs Committee.

BACKGROUND INFORMATION

Over the past year, U. T. Austin has secured legislative and Regental approval to collect an \$8.00 Student Health Services fee to provide financing for the renovation, improvement, or replacement of the Student Health Center Building.

With the assistance of an architectural consultant, input from a committee of students, staff and faculty, and in consultation with the Office of Facilities Planning and Construction, a programmatic assessment and evaluation of

the options has been prepared. The conclusion is that construction of a new facility rather than renovation of the existing building will better serve the present and future needs of the students. The significant advantages associated with this option include:

1. A new facility can be designed to more effectively provide the future health care needs of the students
2. Service in the existing building can continue without disruption while the new facility is under construction
3. The new facility can be constructed within the funds available from the revenue bonds financed by the Student Health Services fee and other local sources
4. The existing building, when vacated, will provide space for consolidation of other student services in a single central campus location.

Based on the results of the programmatic assessment, it is recommended that a combined Student Health Center and Counseling and Mental Health Services facility be constructed on a site to be selected north of 26th Street between University Avenue and Wichita Street.

The funding source for this \$11,616,000 project is a combination of \$7,000,000 from revenue bonds financed by the Student Health Services fee, \$1,215,000 from the Health Center's Maintenance and Equipment Reserve Fund, and \$3,401,000 from General Fee Balances. Since legislative authorization for the fee was not received prior to preparation of the current Capital Improvement Plan and the FY 1991 Capital Budget, this approval will amend both documents.

List of Firms for Consideration

<u>Firm</u>	<u>Representative Projects</u>
Cox/Croslin and Associates Austin, Texas	- Dallas Surgery Center - Juvenile Justice Center, Travis County - Colorado/Fayette Medical Center, Weimar, Texas - Memorial Hospital, Jacksonville, Texas - Veterans Affairs Medical Center, Amarillo, Texas
John R. Thompson & Partners, Inc. Dallas, Texas	- Medical City Dallas Professional Building - Health Center Addition - Texas A&M - Terrell State Hospital, M.H.M.R.

4. U. T. Tyler: Request for Authorization to Expand the Scope of the Phased Space Completion and Renovation Project (Project No. 802-607).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Hamm that the Space Completion and Renovation project at U. T. Tyler authorized in December 1985 by the U. T. Board of Regents be expanded to include relocation of art and music laboratories from the Hudnall, Pirtle and Roosth Building to a separate facility, renovation of the vacated laboratories, renovation of the Business Administration Building, and replacement of academic equipment at no increase in already authorized funding.

BACKGROUND INFORMATION

As originally authorized in December 1985, this \$3,800,000 phased project included work on four campus buildings: University Center, Administration Building, the Library, and the Physical Plant Complex. Cost savings from the first phases leave sufficient funds in the project account to relocate art and music practice laboratories from the Hudnall, Pirtle and Roosth Building to a new small building to be located near the ceramics and sculpture laboratory in the Physical Plant Complex and to renovate the existing laboratories as classrooms, thereby removing a source of noise and chemical pollution from the Hudnall, Pirtle, and Roosth Building, a general purpose classroom building. The estimated cost of relocating art and music laboratories and renovating the vacated space is \$550,000.

Approximately \$50,000 of remaining project funds are to be used to repair the air-conditioning system in the Business Administration Building and remaining funds, currently estimated at \$116,800, will be used to replace academic equipment, primarily equipment in the chemistry and biology laboratories originally acquired in the late 1970s. Renovation work remaining to be done in the original four buildings will, of course, receive priority over these repairs and acquisitions. Remaining work and the estimated costs are as follows:

Physical Plant Space Completion and Storage Tank Retrofit	\$119,100
University Center Renovation	209,100
Administration Building Renovation	<u>16,000</u>
Subtotal	\$344,200

Total funds remaining in the project are \$1,061,000. The existing contract with project architect Charles Potter, Jr., Architect, Tyler, Texas, would be extended as required to complete this work. Although expansion of project scope is involved, no increase in funds is required.

- 1 ASHBEL SMITH (OLD RED)
- 2 KEILLER BUILDING
- 3 GAIL BORDEN BUILDING
- 4 GRAVES BUILDING
- 5 SURGICAL RESEARCH
- 6 CHILD HEALTH CENTER
- 7 CLINICAL SCIENCES BUILDING
- 8 OLD CHILDRENS HOSPITAL
- 9 JOHN SEALY HOSPITAL
- 10 RONALD McDONALD HOUSE
- 11 JOHN W. McCULLOUGH BUILDING
- 12 ADMINISTRATION BUILDING
- 13 ADMINISTRATION ANNEX I
- 16 TEXAS DEPT. OF CORRECTIONS HOSPITAL
- 18 MICROBIOLOGY BUILDING
- 19 MARY HODDY NORTHERN PAVILION
- 20 ANIMAL CARE CENTER
- 21 PHYSICAL PLANT BUILDING (PHASE I)
- 24 HODDY MEMORIAL LIBRARY
- 25 CARPENTER SHOP
- 26 LAUNDRY DISTRIBUTION CENTER
- 27 SURGICAL RESEARCH ANNEX - HYPERBARIC
- 28 MATERIALS MANAGEMENT WAREHOUSE
- 30 DRACKENRIDGE HALL
- 31 CLAY HALL
- 32 BETHEL HALL
- 33 HOLAN HALL
- 34 VINSANT HALL
- 35 MORGAN HALL
- 36 LEAGUE HALL
- 37 UNIT "D"
- 38 DORM MACHINE ROOM
- 39 1700 STRAND (REMOTE SITE)
- 40 THERMAL ENERGY PLANT (CHILL WTR. TRANS.)
- 41 PAINT SHOP
- 43 SHRINERS BURN INSTITUTE
- 44 JENNIE SEALY HOSPITAL
- 45 MED. ENGINEERING MACH. SHOP
- 46 SEALY & SMITH PROFESSIONAL BLDG.
- 47 MAVERLEY SMITH PAVILION
- 48 ADMINISTRATION ANNEX II
- 52 SERVICES BUILDING
- 53 LABOR BUILDING
- 54 BASIC SCIENCES BUILDING
- 55 WILLIAM C. LEVIN HALL
- 56 AMBULATORY CARE CENTER
- 57 SCHOOLS OF ALLIED HEALTH SCIENCES & NURSING
- 58 LIFE FLIGHT MAINTENANCE BLDG.
- 60 HELIPORT
- 62 MECHANIC & GAS DISPENSING
- 68 LAUNDRY FACILITY
- 69 PARKING GARAGE
- 70 PHARMACOLOGY BUILDING
- 71 MAURICE EWING HALL
- 72 U.T.M.B. MARINE BIOMEDICAL INSTITUTE
- 73 N.S.I. DOCKSIDE FACILITY (U.T. AUSTIN BLDG. NO. 5001)

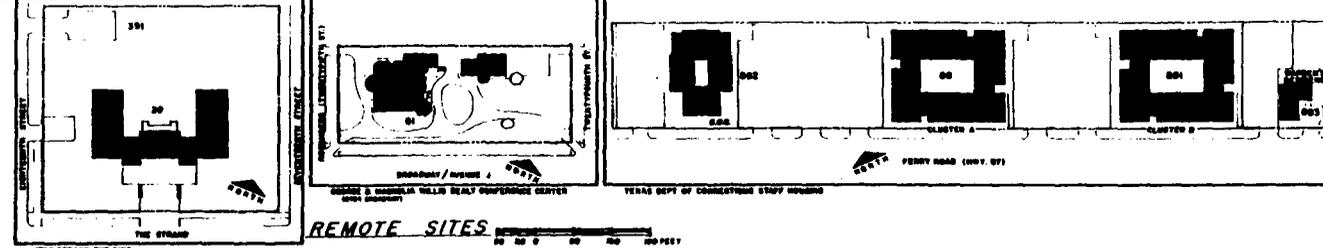
BUILDING INDEX

- 74 RECREATION FACILITIES
- 75 ALUMNI FIELD HOUSE & SWIMMING POOL
- 76 PHI DELTA EPSILON
- 77 NU SIGMA NU
- 78 PHI BHO SIGMA
- 79 ALPHA KAPPA KAPPA
- 80 1202 MARKET (RESIDENCE)
- 81 SEALY CONFERENCE CENTER (REMOTE SITE)
- 82 1216 MARKET (RESIDENCE)
- 83 1220/1222 MARKET (DUPLEX)
- 84 1224 MARKET (RESIDENCE)
- 85 1228 MARKET (O.F.P.C. OFFICES)
- 86 VISITOR INFORMATION CENTER
- 88 TEX. DEPT. OF CORRECTIONS STAFF HOUSING (REMOTE SITE) BUILDING A
- 90 JOHN SEALY SOUTH (TOWER) ADDITION
- 91 JOHN SEALY NORTH ADDITION
- 93 EMPLOYEE PARKING GARAGE
- 94 STRAND PARKING GARAGE
- 95 CONSTRUCTION WAREHOUSE A
- 96 EMPLOYEE PARKING GARAGE
- 99 PHYSICAL PLANT STOREROOM

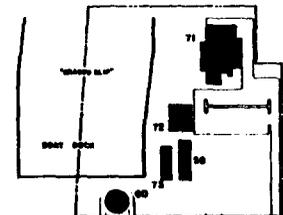
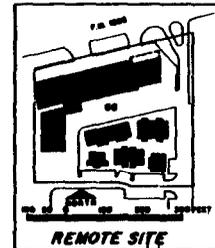
- "V" RANGE HOUSE (PRESIDENT'S HOUSE)
- "X" MEDICAL RESEARCH BUILDING
- "Y" EMERGENCY DEPT. & TRAUMA CENTER FACILITY

- 391 1700 STRAND BLDG. - GARAGE
- 621 SERVICE GARAGE
- 681 LAUNDRY FACILITY OFFICE BLDG.

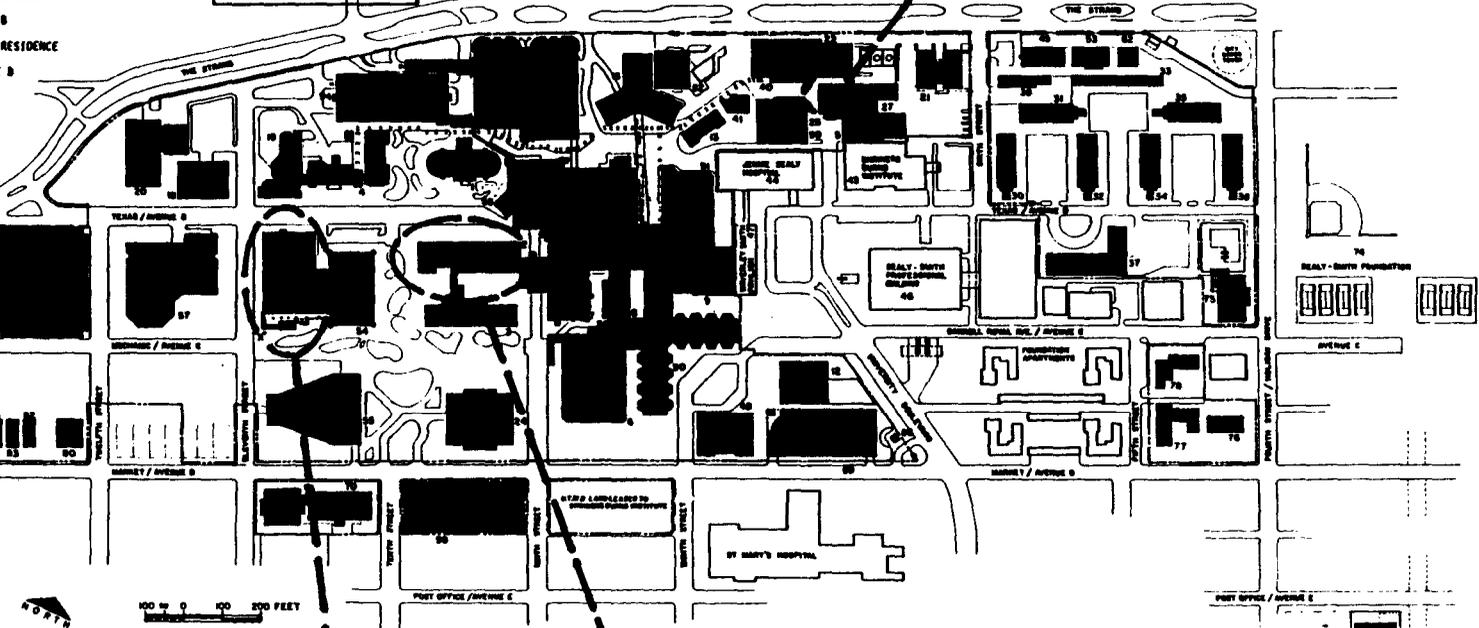
- 881 TDC HOUSING - BUILDING B
- 882 TDC HOUSING - 800
- 883 TDC HOUSING - WARDEN'S RESIDENCE
- 951 CONSTRUCTION WAREHOUSE B



REMOTE SITES



EXPANSION OF THERMAL ENERGY PLANT



THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON
KEILLER BUILDING
MEDICAL RESEARCH BUILDING

THIS DRAWING IS THE COMPUTER MASTER PLAN
 OF THE EXISTING SITE PLAN
EXISTING SITE PLAN
 OCTOBER 1980
 U.T.M.B. GALVESTON

5. U. T. Medical Branch - Galveston: Proposed Acceptance of Gift and Authorization to Establish the Gleaves James Centennial Rose Garden (Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, Naming of Facilities Other Than Buildings).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that a gift from Mr. and Mrs. Ralph Spence, Tyler, Texas, to establish a rose garden to be located between William C. Levin Hall and the Moody Medical Library on the U. T. Medical Branch - Galveston campus be accepted and that at the donors' request, the garden be designated as the Gleaves James Centennial Rose Garden with an appropriate plaque recognizing the gift.

This recommendation is in accordance with the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, relating to the naming of facilities other than buildings.

BACKGROUND INFORMATION

As a part of the U. T. Medical Branch - Galveston Centennial celebration, Mr. and Mrs. Ralph Spence have expressed a desire to fund a professionally landscaped rose garden in honor of Gleaves James, wife of President Thomas N. James. Final approval of the plans for the garden and the commemorative plaque will be the responsibility of the U. T. Medical Branch - Galveston Administration.

6. U. T. Medical Branch - Galveston - Keiller Building Renovation and Reroofing - Phase II - Renovation (Project No. 601-664): Request for Approval of Final Plans and Authorization to Advertise for Bids and for the Executive Committee to Award Contracts.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that the U. T. Board of Regents:

- a. Approve the final plans for Phase II Renovation of the Keiller Building at the U. T. Medical Branch - Galveston at an estimated Phase II project cost of \$13,718,000 (Phase I - Reroofing has been completed at a cost of \$626,700.)
- 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.

BACKGROUND INFORMATION

In accordance with the authorization of the U. T. Board of Regents in June 1990, final plans for Phase II Renovation of the Keiller Building at the U. T. Medical Branch - Galveston have been prepared by the Project Architect, Oliver & Beerman, Galveston, Texas.

Phase I for the reroofing of this building has been completed. Phase II will include the complete renovation of approximately 100,000 gross square feet within the five-level building originally constructed in 1925. This project will allow the building to meet current life safety and building codes and provide highly sophisticated laboratory-based research facilities for the Department of Pathology.

Total funding for this project in the amount of \$14,344,700 includes the Phase I - Reroofing which has been completed at a cost of \$626,700. Funding is from the U. T. Medical Branch - Galveston Educational and General Funds - Unappropriated Balance.

This project was approved by the Coordinating Board in October 1990 and is included in both the Capital Improvement Program and the FY 1991 Capital Budget.

7. U. T. Medical Branch - Galveston - Completion of Shell Floors Five, Six and Seven and Addition of Four Additional Shell Floors - Medical Research Building; Request for Authorization of Project; Appointment of Project Architect to Prepare Final Plans; Submission to Coordinating Board; Authorization to Advertise for Bids and for Executive Committee to Award Contracts; Appropriation Therefor; and Request for Approval to Issue Revenue Financing System Parity Debt in an Amount Not to Exceed \$33,000,000, 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 James that the U. T. Board of Regents:

- a. Authorize a project for the Completion of Shell Floors Five, Six and Seven and Addition of Four Additional Shell Floors - Medical Research Building at the U. T. Medical Branch - Galveston at an estimated total project cost of \$14,125,000
- b. Appoint the firm of 3D/International, Houston, Texas, Project Architect to prepare final plans and specifications

- c. Authorize submission of the project to the Texas Higher Education Coordinating Board
- d. Subject to approval by the Coordinating Board, authorize the Office of Facilities Planning and Construction to advertise for bids upon completion of final review and the Executive Committee to award all contracts related to this project within the authorized total project cost
- e. Appropriate \$4,125,000 from Permanent University Fund Bond Proceeds and \$10,000,000 from Revenue Financing System Bond Proceeds for total project funding.

The Chancellor also concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Asset Management, the Vice Chancellor for Business Affairs, and President James 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 and amended and restated in February 1991, and the delivery of the Certificate of an Authorized Representative as set out on Page F&F - 15, the U. T. Board of Regents resolves that:

- a. Parity Debt shall be issued to pay \$10,000,000 of the project cost
- 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. Medical Branch - Galveston, 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 Parity Debt in an amount not to exceed \$33,000,000. The proceeds will be used to fund, in part, the completion of shell floors five, six and seven in the seven-story Medical Research Building, the addition of four shell floors and the purchase of hospital replacement equipment, Emergency Room and Trauma Center equipment, start-up costs in equipment for Dr. Sam Wilson and other equipment.

BACKGROUND INFORMATION

In February 1989, the U. T. Board of Regents awarded a construction contract for the seven-story Medical Research Building at U. T. Medical Branch - Galveston with floors five through seven constructed as shell space. Construction of the project is estimated to be completed in April 1991.

U. T. Medical Branch - Galveston has identified through its strategic planning process a shortage in research space exceeding the amount of space to be added through the new Medical Research Building. Completion of shell floors 5, 6 and 7 and addition of four more shell floors will assist in overcoming this shortage and will support the needs of the basic and clinical sciences departments.

When it became apparent that there would be a need to add four more floors to the building to support research activities, the staff of the Office of Facilities Planning and Construction became concerned over the difficulties involved in keeping research laboratories in operation while construction activities take place on top of the building. It is a distinct hazard to construction workers to be bathed in exhaust fumes while adding additional floors. It is also undesirable to close down fume hoods in the building while the frame of the building is being extended. It is much easier to extend fume hood exhaust ducts today through the construction of new floors than it will be in the future when the building is in full operation.

The firm 3D/International, Houston, Texas, was Project Architect for the Medical Research Building and it is recommended that this firm be appointed as the Project Architect for completion of shell floors 5, 6 and 7 and the addition of four shell floors based upon the firm's familiarity with the project.

This project is included in the U. T. System Capital Improvement Program approved in June 1989 for a total project cost of \$8,250,000. The increase in the estimated total project cost from \$8,250,000 to \$14,125,000 will adjust the Capital Improvement Program and amend the FY 1991 Capital Budget accordingly. Total funding for this project in the amount of \$14,125,000 will be \$4,125,000 from Permanent University Fund Bond Proceeds and \$10,000,000 from Revenue Financing. Revenue Financing System Parity Debt proceeds in the amount of \$33,000,000 will be issued to fund \$10,000,000 of the total \$14,125,000 for the completion of shell floors 5, 6 and 7 and addition of four shell floors in the Medical Research Building and to fund the purchase of \$23,000,000 of equipment. The Parity Debt will be retired with funds from a grant awarded for this purpose by The Sealy & Smith Foundation for the John Sealy Hospital. Under the terms of the grant, \$6.6 million will be paid annually over a five year period beginning in 1992. The U. T. Medical Branch - Galveston will pay interest and issuance costs associated with the Parity Debt issued for this purpose. Interest payments and other costs will be budgeted and paid from hospital income.

PARITY DEBT CERTIFICATE OF U.T. SYSTEM REPRESENTATIVE

I, the undersigned Executive Vice Chancellor for Asset Management 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 and amended and restated on February 14, 1991 (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 costs of completing shell floors five, six, and seven of the seven-story Research Building, the addition of four shell floor, and for the purchase of equipment at the U.T. Medical Branch - Galveston, and do hereby certify that to the best of my knowledge the Board of Regents is in compliance with all covenants contained in the Master Resolution and in the First Supplemental Resolution Establishing an Interim Financing Program and is not in default of any of the terms, provisions and conditions in said Master Resolution or First Supplemental Resolution.

EXECUTED this

Executive Vice Chancellor for
Asset Management

8. U. T. Medical Branch - Galveston - Expansion of Thermal Energy Plant - Cogeneration Project: Request for Project Authorization; Appointment of Project Engineer for Completion of Final Plans; Submission to Coordinating Board; Authorization to Advertise for Bids and for Executive Committee to Award Contracts; Request for Authorization to Negotiate Operating Agreement with Lone Star Energy Co., Dallas, Texas; and Approval of Funding.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that the U. T. Board of Regents:

- a. Authorize a Cogeneration Project as part of the Expansion of the Thermal Energy Plant at the U. T. Medical Branch - Galveston at an estimated total project cost of \$6,150,000
- b. Appoint Lockwood, Andrews and Newnam, Inc., Houston, Texas, as Project Engineer to complete final plans and specifications
- c. Authorize submission of the project to the Texas Higher Education Coordinating Board
- d. Subject to approval of the Coordinating Board, authorize the Office of Facilities Planning and Construction to advertise for bids upon completion of final review
- e. Authorize the Executive Committee to award all contracts associated with this project within the authorized total project cost
- f. Authorize the Vice Chancellor for Business Affairs, in conjunction with the Office of Facilities Planning and Construction and the Office of General Counsel, to negotiate an operating agreement with Lone Star Energy Co., Dallas, Texas, to be presented to the U. T. Board of Regents at a future meeting
- g. Approve \$6,150,000 for total project funding (\$2,000,000 from Permanent University Fund Bond Proceeds previously appropriated for Expansion of Thermal Energy Plant, a \$4,000,000 loan from the Governor's Energy Management Center, and a grant of \$150,000 from the U. S. Department of Energy).

BACKGROUND INFORMATION

In accordance with the authorization of the U. T. Board of Regents in June 1987, final plans and specifications for the expansion of the Thermal Energy Plant serving the U. T. Medical Branch - Galveston were prepared by the Project Engineer, Lockwood, Andrews and Newnam, Inc., Houston, Texas. The expansion program is now complete with the exception of the cogeneration system.

At the June 1987 meeting, the U. T. Board of Regents authorized \$2,000,000 of Permanent University Fund Bond Proceeds to be used for the installation and related construction of the cogeneration system provided additional funds were available from the distribution of oil overcharge funds. The Legislature established a revolving loan program funded from those funds and management of the program is by the Governor's Energy Management Center. The loans can only be used for projects that demonstrate they conserve energy and thus reduce utility cost.

As part of the Expansion of the Thermal Energy Plant project, Lockwood, Andrews and Newnam, Inc. made an in-depth study of the thermal and electrical loads on the plant. Their study found that a cogeneration system used to generate power for an electrically driven chiller in conjunction with generated steam from the waste heat would have a simple payback period of 5.32 years.

The U. T. Medical Branch - Galveston made an application to the Energy Management Center for a loan in the amount of \$4,000,000 for the installation of the cogeneration system. The loan has now been approved. The method of repayment is through utility appropriations by the Legislature using savings from the cogeneration system.

The Thermal Energy Plant serving the U. T. Medical Branch - Galveston is owned and operated by Lone Star Energy Co., Dallas, Texas. The existing agreement between the U. T. Board of Regents and Lone Star Energy Co. will be amended to cover the cogeneration system.

In accordance with existing legislation, this project was submitted to the Governor's Cogeneration Council for approval in March 1991. The Coordinating Board has established administrative procedures to approve loans issued by the Governor's Energy Management Center. Approval of this project will amend the Capital Improvement Program and the FY 1991 Capital Budget.

**Land and
Investment Comm.**

LAND AND INVESTMENT COMMITTEE
Committee Chairman Cruikshank

Date: April 11, 1991
Time: Following the meeting of the Finance and
Facilities Committee
Place: Caduceus Room, 6th Floor, Administration Building
U. T. Medical Branch - Galveston

Page
L&I

I. Permanent University Fund

Investment Matter

Report on Clearance of Monies to the
Permanent University Fund for January
and February 1991 and Report on Oil
and Gas Development as of Febru-
ary 28, 1991

4

II. Trust and Special Funds

Gifts, Bequests and Estates

U. T. SYSTEM

1. Recommendation to Accept Gifts to Estab-
lish The Catherine Terrell McCartney
Fund

5

U. T. ARLINGTON

2. Recommendation to Accept Gifts and Trans-
fer of Funds to Establish The Arthur R.
Poor Graduate Scholarship in Civil Engi-
neering

5

U. T. AUSTIN

3. Florence Ralston Brooke Austin High
School Athletic Cup and Scholarship
Fund - Recommendation to Modify Admin-
istrative Guidelines
4. Recommendation to Accept Transfer of
Funds to Establish the Thomas M. Burke
Student Job Program Endowment in the
College of Natural Sciences
5. Recommendation to Accept Remainder Inter-
est in the L. L. and Ethel E. Dean Testa-
mentary Trust to Establish the L. L. and
Ethel E. Dean Honors Program Endowment

6

7

7

U. T. AUSTIN

6. Recommendation to Accept Gift and Transfer of Funds to Establish the Hispanic Chamber of Commerce of Travis County Endowed Scholarship in Education in the College of Education 8
7. Recommendation to Accept Gifts to Establish the Barbara Jordan Scholars Program in the Lyndon B. Johnson School of Public Affairs 9
8. Gustavus Pfeiffer Centennial Fellowship in Pharmacology and Louise Pfeiffer Centennial Fellowship in Pharmacy in the College of Pharmacy - Recommendation to Dissolve the Gustavus Pfeiffer Centennial Fellowship in Pharmacology and the Louise Pfeiffer Centennial Fellowship in Pharmacy and Establish the Gustavus and Louise Pfeiffer Professorship in Toxicology and to Accept Gift, Pledge, and Transfer of Funds 9
9. Recommendation to Accept Gifts to Establish The Betsy Rawls Scholarship in the Department of Intercollegiate Athletics for Women 10
10. Recommendation to Accept Gift to Establish the Sheila Rice "Challenge to Excellence" Lecture Series Endowment in the Department of Intercollegiate Athletics for Women 11
11. Recommendation to Accept Gifts and Transfer of Funds to Establish the Phyllis Richards Professional Development Fund in the College of Natural Sciences 11
12. Recommendation to Accept Bequest and Transfer of Funds to Establish the Thomas A. Rouse Memorial Fund in the College of Communication 12
13. Teeple Properties, Inc. Lectureship in Business Administration in the College of Business Administration and the Graduate School of Business - Recommendation to Redesignate as the Congress International, Inc. Lectureship in Business Administration 13
14. Recommendation to Accept Gift to Establish the Texas Cowboys Endowment for UT Students 13
15. Recommendation to Accept Gift to Establish the James W. Winkel Memorial Scholarship 14

U. T. DALLAS

16. Recommendation to Accept Pledge to Establish the Cecil and Ida Green Center for the Study of Science and Society Endowment 14

U. T. EL PASO

17. Recommendation to Accept Partial Remainder Interest in the Peter and Margaret B. de Wetter Charitable Remainder Unitrust 15
18. Recommendation to Accept Gift to Establish the Vernon G. and Joy Hunt Endowed Scholarship Fund in Geology 16
19. Recommendation to Accept Gift to Establish the A. Bruce and Dorothy B. Keckley Endowed Library Fund 16
20. Recommendation to Accept Gift to Establish the Rho Sigma Tau-Robert L. Schumaker Endowed Professorship in Physics 17
21. Recommendation to Accept Gifts to Establish the Texas Commerce Bank Professorship in Business Administration 17
22. Recommendation to Accept Gift to Establish the Dr. E. A. Thormodsgaard Vocal Music Fund 18
23. Recommendation to Accept Gifts to Establish the UTEP Alumni Association-Student Association Endowed Scholarship Fund 18

U. T. TYLER

24. Recommendation to Accept Gift and Corporate Matching Funds to Establish The Brady H. White Endowed Presidential Scholarship 19

U. T. MEDICAL BRANCH - GALVESTON

25. Recommendation to Accept Gift to Establish the William J. and Mary K. McGanity Awards 19
26. Recommendation to Accept Transfer of Funds to Establish the School of Allied Health Sciences Annual Scholarship Awards 20

U. T. M.D. ANDERSON CANCER CENTER

27. Recommendation to Accept Pledge for Challenge Grant and Establish the John S. Dunn, Sr. Endowment for the International Bone Marrow Transplantation Center 20
28. Recommendation to Accept Gift 21

I. PERMANENT UNIVERSITY FUND

INVESTMENT MATTER

Report on Clearance of Monies to the Permanent University Fund for January and February 1991 and Report on Oil and Gas Development as of February 28, 1991.--The following reports with respect to (a) certain monies cleared to the Permanent University Fund for January and February 1991 and (b) Oil and Gas Development as of February 28, 1991, are submitted by the Vice Chancellor for Business Affairs:

	<u>January 1991</u>	<u>February 1991</u>	<u>Cumulative Through February of this Fiscal Year (1990-1991)</u>	<u>Cumulative Through February of Preceding Fiscal Year (1989-1990)</u>	<u>Per Cent Change</u>
Permanent University Fund					
Royalty					
Oil	\$ 5,359,716.05	\$ 6,553,197.07	\$38,650,992.11	\$25,767,281.45	50.00%
Gas	2,123,161.40	1,999,163.03	11,107,116.29	9,550,044.35	16.30%
Sulphur	0.00	0.00	0.00	193,919.75	--
Water	93,145.60	48,037.63	351,380.69	438,567.28	-19.88%
Brine	6,020.62	5,735.93	34,962.42	30,675.32	13.98%
Trace Minerals	0.00	0.00	0.00	0.00	--
Rental					
Oil and Gas Leases	105,813.10	11,149.06	417,035.88	657,799.48	-36.60%
Other	2,077.18	(844.53)	2,732.65	35,962.65	-92.40%
Sale of Sand, Gravel, Etc.	0.00	15,325.00	23,802.75	1,151.10	--
Total University Lands Receipts Before Bonuses	<u>7,689,933.95</u>	<u>8,631,763.19</u>	<u>50,588,022.79</u>	<u>36,675,401.38</u>	<u>37.93%</u>
Bonuses					
Oil and Gas Lease Sales	0.00	0.00	0.00	2,160,415.16	--
Amendments and Extensions to Mineral Leases	<u>3,686.07</u>	<u>3,423.13</u>	<u>90,931.84</u>	<u>160.00</u>	<u>--</u>
Total University Lands Receipts	7,693,620.02	8,635,186.32	50,678,954.63	38,835,976.54	30.49%
Gain or (Loss) on Sale of Securities	<u>980,032.73</u>	<u>3,192,311.82</u>	<u>(47,402,111.04)</u>	<u>27,981,977.95</u>	<u>-269.40%</u>
TOTAL CLEARANCES	<u>\$ 8,673,652.75</u>	<u>\$11,827,498.14</u>	<u>\$ 3,276,843.59</u>	<u>\$66,817,954.49</u>	<u>-95.10%</u>

Oil and Gas Development - February 28, 1991

Acreage Under Lease - 654,067

Number of Producing Acres - 539,625

Number of Producing Leases - 2,147

II. TRUST AND SPECIAL FUNDS

Gifts, Bequests and Estates

1. U. T. System: Recommendation to Accept Gifts to Establish The Catherine Terrell McCartney Fund.--

RECOMMENDATION

The Chancellor recommends that a \$22,000 gift from Mr. James W. McCartney, Houston, Texas, and gifts of \$1,000 each from Ms. Catherine McCartney Miller, Austin, Texas, Ms. Susan McCartney Finnegan, Houston, Texas, and Mr. James W. McCartney, Houston, Texas, for a total of \$25,000 be accepted to establish an endowment to be named The Catherine Terrell McCartney Fund at the U. T. System.

Ninety percent of the income earned from the endowment will be for the unrestricted use of the Chancellor. The remaining ten percent of income earned will be reinvested in the endowment corpus.

BACKGROUND INFORMATION

This endowment is being funded in honor of Mrs. Catherine Terrell McCartney, Fort Worth, Texas, by her son and grandchildren. Mrs. McCartney received her B.A. in English from U. T. Austin in 1925. Her father, Mr. John L. Terrell, received his LL.B. in 1896 and her son, Mr. James W. McCartney, received his B.B.A. in 1950 and his LL.B. in 1952 from U. T. Austin. All three of her grandchildren received degrees from U. T. Austin. Ms. Catherine McCartney Miller received her J.D. in 1981, Ms. Susan McCartney Finnegan received her B.S. in Advertising in 1981, and Mr. James W. McCartney received his B.A. in Economics in 1985. Mrs. McCartney's great uncle, Mr. A. W. Terrell, an early supporter of the U. T. System, authored a number of bills on its behalf in the Texas Legislature. Mrs. McCartney is a longtime member of The Ex-Students' Association and a past president of the Fort Worth Ex-Students' Association.

2. U. T. Arlington: Recommendation to Accept Gifts and Transfer of Funds to Establish The Arthur R. Poor Graduate Scholarship in Civil Engineering.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nedderman that \$7,500 in gifts from the family and friends of Dr. Arthur R. Poor and a \$2,500 transfer of current restricted funds from the Construction Research Center at U. T. Arlington for a total of \$10,000 be accepted to establish The Arthur R. Poor Graduate Scholarship in Civil Engineering at U. T. Arlington.

Income earned from the endowment will be used to award scholarships to qualified graduate students in the Department of Civil Engineering, with preference given to applicants with an active interest in construction with the intent to pursue a career in the construction industry.

BACKGROUND INFORMATION

This endowment is being funded in memory of Dr. Arthur R. Poor who was Associate Director of the Construction Research Center and Professor of Civil Engineering at U. T. Arlington.

3. U. T. Austin: Florence Ralston Brooke Austin High School Athletic Cup and Scholarship Fund - Recommendation to Modify Administrative Guidelines.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that the administrative guidelines of the Florence Ralston Brooke Austin High School Athletic Cup and Scholarship Fund at U. T. Austin be modified, in line with the donor's original intention, to allow the reinvestment of all current and future endowment earnings into the corpus of the endowment until such time as the endowment earnings are sufficient to provide a full tuition and fees award.

It is further recommended that the U. T. Board of Regents assign to U. T. Austin the authority to monitor the endowment's performance and at the appropriate time request payout of earnings to facilitate awarding the scholarship and to assign to U. T. Austin the authority to administer the scholarship award process in coordination with the principal of Stephen F. Austin High School, Austin, Texas.

BACKGROUND INFORMATION

The Florence Ralston Brooke Austin High School Athletic Cup and Scholarship Fund was established at the May 1944 meeting of the U. T. Board of Regents with a \$1,700 bequest under the Will of Miss Florence Ralston Brooke to provide a \$100 annual award to outstanding student-athletes matriculating to U. T. Austin from Stephen F. Austin High School, Austin, Texas. This proposed modification of administrative guidelines relating to the financial management of the scholarship is being requested in order to increase the amount of the scholarship award from its original amount to an amount that more closely meets the present day costs of tuition and fees at U. T. Austin.

The proposed modification related to selection of the recipients follows current selection procedures at U. T. Austin and is a more practical approach to the award administration. The University of Texas System Office of General Counsel has rendered an opinion that the recommended changes are permissible under Section 65.36(f) of the Texas Education Code.

4. U. T. Austin: Recommendation to Accept Transfer of Funds to Establish the Thomas M. Burke Student Job Program Endowment in the College of Natural Sciences.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that a \$10,278.59 transfer of previously reported gifts from current restricted funds be accepted to establish the Thomas M. Burke Student Job Program Endowment in the Department of Geological Sciences, College of Natural Sciences, at U. T. Austin.

Income earned from the endowment will be used to provide jobs for undergraduate and graduate students in the Department of Geological Sciences that will involve these students in geologic work related to faculty research.

BACKGROUND INFORMATION

Since May 1987, various donors have made contributions for use in a student job program in the Department of Geological Sciences. Primary among the donors have been Mr. Thomas M. Burke, Houston, Texas, Mr. Ray A. Burke, South Laguna, California, and Mr. James R. Moffett, New Orleans, Louisiana. Upon the recommendation of Dr. William L. Fisher, Director of the Geology Foundation, and Dr. Robert E. Boyer, Dean of the College of Natural Sciences, this endowment is being funded in honor of Mr. Thomas M. Burke, Houston, Texas, a member of the Geology Foundation Advisory Council who received his B.S. in Geology from U. T. Austin in 1949. Mr. Burke is a petroleum consultant and retired Vice President of Exploration for Transco Exploration Company, Houston, Texas.

5. U. T. Austin: Recommendation to Accept Remainder Interest in the L. L. and Ethel E. Dean Testamentary Trust to Establish the L. L. and Ethel E. Dean Honors Program Endowment.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that a \$1,061,133 remainder interest in the L. L. and Ethel E. Dean Testamentary Trust be accepted to establish the L. L. and Ethel E. Dean Honors Program Endowment at U. T. Austin.

Income earned from the endowment will be used to support a program for U. T. Austin honor students. The program will offer faculty lectures, seminars, films, and related activities designed to enrich the academic experience of these students and will be managed from a central honors office to be located in one of the U. T. Austin residence halls. The lecture/seminar series will bear the Dean name in recognition of this gift. Additionally, an appropriate area of the residence hall chosen to house the program office shall be named for the Deans.

BACKGROUND INFORMATION

At the April 1962 meeting, the U. T. Board of Regents approved the report of a bequest under the joint Will of L. L. and Ethel E. Dean. Mr. Dean's community property was placed in trust, with the income to be paid to Mrs. Dean for life. Upon Mrs. Dean's death in 1988, the trust remainder and all property of Mrs. Dean passed to the U. T. Board of Regents. The bequest was to be used to build a dormitory for science students, or to augment other funds available for a similar purpose, to bear the Dean name. Current costs of construction are such that the distributions from the Dean Trust are insufficient to meet the primary objective of the Will. The U. T. System Office of General Counsel has advised that the proposed alternate use of the Trust funds is permissible under Section 65.36(f) of the Texas Education Code.

6. U. T. Austin: Recommendation to Accept Gift and Transfer of Funds to Establish the Hispanic Chamber of Commerce of Travis County Endowed Scholarship in Education in the College of Education.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that a \$23,000 gift from the Hispanic Chamber of Commerce of Travis County, Austin, Texas, and a \$2,000 transfer of previously reported gifts from designated funds for a total of \$25,000 be accepted to establish the Hispanic Chamber of Commerce of Travis County Endowed Scholarship in Education in the College of Education at U. T. Austin.

Income earned from the endowment will be used to support scholarships for students from Travis County, Texas, who are pursuing a degree in Education or teacher certification, and who demonstrate a high degree of commitment to a career in education, with preference given to incoming freshmen.

BACKGROUND INFORMATION

The Hispanic Chamber of Commerce of Travis County, Austin, Texas, was incorporated in July 1973 as the Mexican-American Chamber of Commerce of Travis County by a group of Austin Mexican-American businessmen and women. Its primary goals include the enhancement of the economic and educational environment and the promotion of awareness and preservation of the Hispanic heritage. The Hispanic Chamber of Commerce of Travis County is funding this endowment as a means of attracting and retaining outstanding students to U. T. Austin who are committed to serving children and youth through teaching, guidance, and educational leadership.

7. U. T. Austin: Recommendation to Accept Gifts to Establish the Barbara Jordan Scholars Program in the Lyndon B. Johnson School of Public Affairs.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that gifts of \$10,000 each from The Prudential Foundation, Newark, New Jersey, J. C. Penney Company, Inc., Dallas, Texas, and Rockwell Fund, Inc., Houston, Texas, for a total of \$30,000 be accepted to establish an endowment to be named the Barbara Jordan Scholars Program in the Lyndon B. Johnson School of Public Affairs at U. T. Austin.

Income earned from the endowment will be used to support outstanding students of the Lyndon B. Johnson School of Public Affairs through two academic years and a required summer internship.

BACKGROUND INFORMATION

The Lyndon B. Johnson School of Public Affairs has undertaken a fund raising effort to obtain \$1,500,000 through private gifts and matching funds to fund the Barbara Jordan Scholars Program. Ms. Jordan, former Texas Senator and U. S. Congresswoman, has been on the U. T. Austin faculty since 1979. She has held the Lyndon B. Johnson Centennial Chair in National Policy since 1982.

8. U. T. Austin: Gustavus Pfeiffer Centennial Fellowship in Pharmacology and Louise Pfeiffer Centennial Fellowship in Pharmacy in the College of Pharmacy - Recommendation to Dissolve the Gustavus Pfeiffer Centennial Fellowship in Pharmacology and the Louise Pfeiffer Centennial Fellowship in Pharmacy and Establish the Gustavus and Louise Pfeiffer Professorship in Toxicology and to Accept Gift, Pledge, and Transfer of Funds.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that the Gustavus Pfeiffer Centennial Fellowship in Pharmacology and the Louise Pfeiffer Centennial Fellowship in Pharmacy be dissolved and the funding of \$50,023 for each Fellowship be combined for a total of \$100,046 to establish the Gustavus and Louise Pfeiffer Professorship in Toxicology in the College of Pharmacy at U. T. Austin effective September 1, 1991.

It is further recommended that a \$15,000 gift and a \$15,000 pledge, payable by February 29, 1992, from the Gustavus and Louise Pfeiffer Research Foundation, Redlands, California, and a \$20,000 transfer of previously reported gifts from current restricted funds for a total of \$50,000 be accepted for addition to this endowment for a total of \$150,046.

Income earned from the endowment will be used to support the Professorship.

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. 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. The donor has requested that the two Fellowships be combined to form one endowed professorship for the College of Pharmacy.

The Gustavus and Louise Pfeiffer Research Foundation was established in 1942 in New York by Mr. and Mrs. Pfeiffer and received a large portion of Mr. Pfeiffer's estate upon his death in 1953.

9. U. T. Austin: Recommendation to Accept Gifts to Establish The Betsy Rawls Scholarship in the Department of Intercollegiate Athletics for Women.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that a \$6,120.72 gift from the Women's Golf Association of Barton Creek Country Club, Austin, Texas, a \$3,448.53 gift from Mrs. Joan Whitworth, Austin, Texas, and \$430.75 from various donors for a total of \$10,000 be accepted to establish The Betsy Rawls Scholarship for the benefit of Intercollegiate Athletics for Women at U. T. Austin.

Income earned from the endowment will be used to provide scholarship support to a member of the women's golf team at U. T. Austin who has completed eligibility but requires financial assistance to remain at U. T. Austin to complete an undergraduate degree.

BACKGROUND INFORMATION

This endowment is being funded to honor Ms. Betsy Rawls, West Chester, Pennsylvania, who participated in the women's golf program during her student years. As a professional golfer, Ms. Rawls has brought distinction to the golf program at U. T. Austin and has been an inspiration to young women athletes. She received her B.S. in Physics from U. T. Austin in 1950. Ms. Rawls currently serves as the Executive Director of the Ronald McDonald Championships, Rockland, Delaware.

Mrs. Joan Whitworth pursued graduate studies at U. T. Austin. She is the founding President of the Women's Golf Association of Barton Creek Country Club, Austin, Texas.

10. U. T. Austin: Recommendation to Accept Gift to Establish the Sheila Rice "Challenge to Excellence" Lecture Series Endowment in the Department of Intercollegiate Athletics for Women.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that a \$25,000 gift from Dr. and Mrs. Cecil H. Hale, Austin, Texas, be accepted to establish the Sheila Rice "Challenge to Excellence" Lecture Series Endowment in the Department of Intercollegiate Athletics for Women at U. T. Austin.

Income earned from the endowment will be used annually to sponsor lectures for student athletes on the topics of academic, career, or personal excellence.

BACKGROUND INFORMATION

Dr. Sheila D. Rice is Assistant Director for Eligibility and Academic Affairs in the Department of Intercollegiate Athletics for Women and was the first academic advisor for women athletes at U. T. Austin. She has made major contributions to the enhancement of the academic performance of student athletes. Dr. and Mrs. Cecil H. Hale, Austin, Texas, are former owners of SACHEM (formerly Southwest Analytical Chemicals, Inc.). Dr. Hale attended U. T. Austin in 1946 and his wife, Margie, received her B.A. in Chemistry in 1942 from U. T. Austin. Dr. and Mrs. Hale are longtime supporters of U. T. Austin and are both members of The Chancellor's Council, The President's Associates, and the Littlefield Society.

11. U. T. Austin: Recommendation to Accept Gifts and Transfer of Funds to Establish the Phyllis Richards Professional Development Fund in the College of Natural Sciences.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that a \$7,000 gift from Dr. Phyllis Richards, Austin, Texas, gifts totalling \$1,708 from various donors, and a \$2,000 transfer of previously reported gifts from current restricted funds for a total of \$10,708 be accepted to establish the Phyllis Richards Professional Development Fund in the Department of Human Ecology, College of Natural Sciences, at U. T. Austin.

Income earned from the endowment is to be used to support students and faculty of the Department of Human Ecology. Uses may include assistance related to both teaching and research activities.

BACKGROUND INFORMATION

This endowment is being funded to honor Dr. Phyllis Richards, who was designated Professor Emeritus of the College of Natural Sciences in 1983 after serving on the faculty at U. T. Austin for 35 years. She is a member of The Chancellor's Council and the Littlefield Society.

A specific bequest of \$2,000 was accepted for addition to the Phyllis Richards Professional Development Fund restricted account from the Estate of Mary Ellen Durrett, Austin, Texas, at the December 1989 meeting of the U. T. Board of Regents.

12. U. T. Austin: Recommendation to Accept Bequest and Transfer of Funds to Establish the Thomas A. Rouse Memorial Fund in the College of Communication.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that a one-seventh share of the residue of the Estate of Mary Shackelford Rouse, Austin, Texas, totalling \$19,150.47 and a transfer of previously reported gifts from current restricted funds, comprised of cash and notes receivable, be accepted to establish the Thomas A. Rouse Memorial Fund in the Department of Speech, College of Communication, at U. T. Austin.

Income earned from the endowment will be used to award scholarships in the Department of Speech.

BACKGROUND INFORMATION

Mr. Thomas A. Rouse was Chairman of the Department of Speech at U. T. Austin from 1945 until his death in 1961. At the time of his death, his wife, Mrs. Mary Shackelford Rouse, and other donors made memorial contributions toward a goal of establishing an endowed scholarship in the Department of Speech. Contributions were insufficient for an endowment, however, and were used as a student loan fund, held in a current restricted account. The U. T. System Office of General Counsel has rendered its opinion that the original intention of the donors should now be fulfilled by combining the bequest from Mrs. Rouse with the loan account funds to establish this endowment. No further loans will be made and all subsequent loan payments received for the loan account will be transferred into the endowment until all outstanding loan funds are so transferred.

13. U. T. Austin: Teeple Properties, Inc. Lectureship in Business Administration in the College of Business Administration and the Graduate School of Business - Recommendation to Redesignate as the Congress International, Inc. Lectureship in Business Administration.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that the Teeple Properties, Inc. Lectureship in Business Administration in the College of Business Administration and the Graduate School of Business at U. T. Austin be redesignated as the Congress International, Inc. Lectureship in Business Administration.

This recommendation is being made in accordance with the donor's request.

BACKGROUND INFORMATION

At the August 1984 meeting, the U. T. Board of Regents accepted a \$5,000 gift from Teeple Properties, Inc., Austin, Texas, and a gift and pledge totalling \$15,000 from Mr. Charles S. Teeple, Austin, Texas, to establish the Teeple Properties, Inc. Lectureship in Business Administration.

Mr. Teeple received his B.B.A. in 1966 and his M.B.A. in 1970 from U. T. Austin. He is a member of The Chancellor's Council, The President's Associates, and a Life Member of The Ex-Students' Association.

14. U. T. Austin: Recommendation to Accept Gift to Establish the Texas Cowboys Endowment for UT Students.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that a \$10,000 gift from the Texas Cowboys, a student organization at U. T. Austin, be accepted to establish the Texas Cowboys Endowment for UT Students at U. T. Austin.

Income earned from the Endowment will be used to award scholarships to students who have made a significant personal contribution through service to the Austin community or the campus community. Recipients should be a sophomore, junior, or senior, have a minimum grade point average of 2.50, and may be of any academic major.

BACKGROUND INFORMATION

Founded in 1922, the Texas Cowboys is an honorary spirit organization for students in their second or third year at U. T. Austin.

15. U. T. Austin: Recommendation to Accept Gift to Establish the James W. Winkel Memorial Scholarship.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Cunningham that a \$100,000 gift from The Ex-Students' Association, Austin, Texas, be accepted to establish the James W. Winkel Memorial Scholarship at U. T. Austin.

Income earned from the endowment will be used to provide scholarship support for students under the provisions of The Ex-Students' Association program of Texas Excellence Awards for Scholarship and Leadership.

BACKGROUND INFORMATION

The Ex-Students' Association, Austin, Texas, is funding this endowment in memory of Mr. James W. Winkel. Mr. Winkel received his B.B.A. from U. T. Austin in 1971 and served as Chief Executive Officer of the Clayton W. Williams, Jr. Companies, Midland, Texas.

16. U. T. Dallas: Recommendation to Accept Pledge to Establish the Cecil and Ida Green Center for the Study of Science and Society Endowment.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Rutford that a \$2,200,000 pledge from Mr. Cecil H. Green, Dallas, Texas, be accepted to establish the Cecil and Ida Green Center for the Study of Science and Society Endowment at U. T. Dallas, toward an endowment goal of \$6,500,000 to support operation of the Center. The pledge will be paid in three equal consecutive annual installments, with the first installment to be paid within sixty (60) days following the commencement of construction of the facility to house the Center.

Income earned from the endowment will be used to support the Center.

BACKGROUND INFORMATION

Mr. Cecil H. Green has been a longtime supporter of U. T. Dallas. This pledge was originally made by Mr. Green in May 1988 and was renewed in January 1991 after the plans for the building to house the Cecil and Ida Green Center for the Study of Science and Society received approval by the U. T. Board of Regents. The Cecil H. Green pledge payments and other gifts will be added to the endowment fund as received.

A bequest from the Estate of Ida M. Green, Dallas, Texas, was accepted at the April 1987 meeting of the U. T. Board of Regents. The Greens have been most generous benefactors of various components of the U. T. System.

17. U. T. El Paso: Recommendation to Accept Partial Remainder Interest in the Peter and Margaret B. de Wetter Charitable Remainder Unitrust.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Natalicio that a remainder interest equal to the greater of \$500,000 or fifty percent of the distributable funds in the Peter and Margaret B. de Wetter Charitable Remainder Unitrust, funded by Mr. and Mrs. Peter de Wetter, El Paso, Texas (to be held in trust by the U. S. Trust Company of California, N.A., Los Angeles, California), be accepted to establish an endowment at U. T. El Paso upon termination of the Trust. A request to establish the endowment will be made upon termination.

BACKGROUND INFORMATION

The Peter and Margaret B. de Wetter Charitable Remainder Unitrust was established for the lifetime benefit of Mr. and Mrs. Peter de Wetter. The trust agreement provides for the payment of six percent of the annual net fair market value of the Trust assets to be paid quarterly to Mr. and Mrs. de Wetter during their lifetimes. Upon termination of the Trust, the distributed funds will be used to fund the Peter and Mardee de Wetter Endowed Chair in Creative Writing at U. T. El Paso.

Mr. Peter de Wetter formerly served as Mayor of El Paso, Texas, and has been a longtime supporter of U. T. El Paso. Mrs. Margaret "Mardee" Belding de Wetter received her B.A. in History in 1943 and her M.A. in History in 1946 from U. T. El Paso. Mrs. de Wetter, an author and poet, has established an international following and has donated the proceeds from the sale of 300 copies of her second volume of poetry to be used for the benefit of the U. T. El Paso Library.

18. U. T. El Paso: Recommendation to Accept Gift to Establish the Vernon G. and Joy Hunt Endowed Scholarship Fund in Geology.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Natalicio that a \$20,000 gift from Mr. and Mrs. Vernon G. Hunt, Tyler, Texas, be accepted to establish the Vernon G. and Joy Hunt Endowed Scholarship Fund in Geology at U. T. El Paso.

Income earned from the Fund will be used for an annual scholarship for a graduate student in Geological Sciences who meets the basic scholarship requirements established at U. T. El Paso, subject to approval by the Chairman of the Geology Department.

BACKGROUND INFORMATION

Mr. Vernon G. Hunt, a consulting geologist in Tyler, Texas, received his B.S. in Geology in 1950 from U. T. El Paso. He has been a member of the Matrix Society donor club for 18 years and both he and his wife have expressed their interest in establishing this Fund.

19. U. T. El Paso: Recommendation to Accept Gift to Establish the A. Bruce and Dorothy B. Keckley Endowed Library Fund.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Natalicio that a \$10,000 gift from Mr. and Mrs. Jeffrey B. Keckley, El Paso, Texas, be accepted to establish the A. Bruce and Dorothy B. Keckley Endowed Library Fund at U. T. El Paso.

Income earned from the endowment will be used to supplement the needs of the Reference Department of the U. T. El Paso Library.

BACKGROUND INFORMATION

Mr. and Mrs. Jeffrey B. Keckley, El Paso, Texas, are funding this endowment in memory of Mr. Keckley's parents. Mrs. Mary W. Keckley has been an Associate Librarian in the U. T. El Paso Library for a number of years.

20. U. T. El Paso: Recommendation to Accept Gift to Establish the Rho Sigma Tau-Robert L. Schumaker Endowed Professorship in Physics.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Natalicio that a \$100,000 gift from the Rho Sigma Tau Association, El Paso, Texas, be accepted to establish the Rho Sigma Tau-Robert L. Schumaker Endowed Professorship in Physics at U. T. El Paso.

Income earned from the endowment will be used to recognize and reward a faculty member from the Department of Physics who will be chosen solely for his or her excellence in teaching, with all other considerations of professional achievement being secondary to a record of meritorious and effective teaching.

BACKGROUND INFORMATION

The Rho Sigma Tau Association, which works to further higher education, was formed by past members of Rho Sigma Tau, a social and service fraternity, that was formed on the campus of U. T. El Paso (then The Texas College of Mines and Metallurgy) prior to World War II. Rho Sigma Tau later merged with another organization, Lambda Chi Alpha, which is still an active fraternity at U. T. El Paso. Rho Sigma Tau associates, faculty, alumni, and friends in the El Paso community provided the funds for this endowment in honor of Professor Robert L. Schumaker, past President of Rho Sigma Tau fraternity, who served on the faculty of U. T. El Paso for 43 years prior to his retirement in 1989. In addition to serving as a physics professor, he was involved in the development of the Schellenger Research Laboratories at U. T. El Paso, served as Director of the first U. T. El Paso Computer Center, Director of Admissions, and as a student advisor and friend.

21. U. T. El Paso: Recommendation to Accept Gifts to Establish the Texas Commerce Bank Professorship in Business Administration.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Natalicio that gifts totalling \$101,021.99 from Texas Commerce Bank-El Paso, El Paso, Texas, be accepted to establish the Texas Commerce Bank Professorship in Business Administration at U. T. El Paso.

Income earned from the endowment will be used to support the Professorship.

BACKGROUND INFORMATION

In 1986, Texas Commerce Bank-El Paso made its initial contribution to begin funding of this endowment and has made annual contributions since that time. Texas Commerce Bank-El Paso is funding this Professorship to help U. T. El Paso attract the highest quality faculty to the College of Business Administration.

22. U. T. El Paso: Recommendation to Accept Gift to Establish the Dr. E. A. Thormodsgaard Vocal Music Fund.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Natalicio that a \$10,000 gift from Mrs. Beulah Herbold, El Paso, Texas, and various other family members be accepted to establish an endowment to be named the Dr. E. A. Thormodsgaard Vocal Music Fund in the Department of Music at U. T. El Paso.

Income earned from the endowment will be used to provide resources for the UTEP Vocal Music Program, at the discretion of the Chairman of the Department of Music and the Director of Vocal Music at U. T. El Paso.

BACKGROUND INFORMATION

Dr. E. A. Thormodsgaard was a member of the U. T. El Paso Music faculty for 35 years. His niece, Mrs. Beulah Herbold, and other family members are funding this endowment in his memory.

23. U. T. El Paso: Recommendation to Accept Gifts to Establish the UTEP Alumni Association-Student Association Endowed Scholarship Fund.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Natalicio that \$10,000 in gifts from the UTEP Alumni Association and the UTEP Student Association be accepted to establish the UTEP Alumni Association-Student Association Endowed Scholarship Fund at U. T. El Paso.

Income earned from the endowment will be used for an annual scholarship for a junior or senior student who has demonstrated service to U. T. El Paso and the City of El Paso through involvement in student and community activities and who meets the basic scholarship requirements at U. T. El Paso.

BACKGROUND INFORMATION

The UTEP Alumni Association and the UTEP Student Association are the groups which represent the former and current students at U. T. El Paso. They are funding this endowment to support students who serve through active participation in the activities of U. T. El Paso and the El Paso community.

24. U. T. Tyler: Recommendation to Accept Gift and Corporate Matching Funds to Establish The Brady H. White Endowed Presidential Scholarship.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Hamm that a \$12,500 gift from Mr. and Mrs. John E. (Jack) White, Jr., Tyler, Texas, and \$12,500 in corporate matching funds from the ARCO Foundation, Los Angeles, California, for a total of \$25,000 be accepted to establish The Brady H. White Endowed Presidential Scholarship at U. T. Tyler.

Income earned from the endowment will be used to award scholarships according to the criteria of the Presidential Scholarship Program at U. T. Tyler.

BACKGROUND INFORMATION

Mr. and Mrs. John E. (Jack) White, Jr., longtime supporters of U. T. Tyler, are funding this endowment in memory of Mr. White's brother, Mr. Brady H. White. Mr. Brady H. White received a B.B.A. in General Business from U. T. Austin in 1948 between years of service in World War II and the Korean War. He was an independent oil broker in Houston, Texas, prior to his death in 1987.

25. U. T. Medical Branch - Galveston: Recommendation to Accept Gift to Establish the William J. and Mary K. McGanity Awards.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that a \$10,100 gift from Dr. and Mrs. William J. McGanity, Galveston, Texas, be accepted to establish an endowment at the U. T. Medical Branch - Galveston to be named the William J. and Mary K. McGanity Awards.

Income earned from the endowment will be used to support an annual presentation of student awards in the Physician's Assistant Studies Program and the Medical Technology Program.

BACKGROUND INFORMATION

Dr. William J. McGanity is an Ashbel Smith Professor and former Chairman of the Department of Obstetrics and Gynecology at the U. T. Medical Branch - Galveston. Mrs. Mary Kathryn Hambrock McGanity has worked as a medical technologist since 1970 and served at the U. T. Hospitals - Galveston clinical laboratories endocrinology section until 1988. Dr. and Mrs. McGanity established Hambrock-McGanity Scholarships for medical students at the U. T. Medical Branch - Galveston and the U. T. Health Science Center - San Antonio in the 1970s and are now in the process of making similar gifts to benefit students in the allied health sciences and nursing at the U. T. Medical Branch - Galveston.

26. U. T. Medical Branch - Galveston: Recommendation to Accept Transfer of Funds to Establish the School of Allied Health Sciences Annual Scholarship Awards.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that a \$32,000 transfer of previously reported gifts from designated funds be accepted to establish a quasi-endowment to be named the School of Allied Health Sciences Annual Scholarship Awards at the U. T. Medical Branch - Galveston.

Income earned from the endowment will be used to support scholarships in the U. T. Allied Health Sciences School - Galveston.

BACKGROUND INFORMATION

Funds for this endowment were generated from an annual giving program conducted by the U. T. Allied Health Sciences School - Galveston centering around a phone-a-thon soliciting alumni for contributions to the scholarship fund.

27. U. T. M.D. Anderson Cancer Center: Recommendation to Accept Pledge for Challenge Grant and Establish the John S. Dunn, Sr. Endowment for the International Bone Marrow Transplantation Center.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President LeMaistre that a \$500,000 pledge, payable by March 1, 1993, from the John S. Dunn Research Foundation, Houston, Texas, be accepted as a challenge grant on behalf of the U. T. M.D. Anderson Cancer Center. In accordance with the terms of the challenge grant, it is the intent of the U. T. M.D. Anderson Cancer Center to raise private funds of \$509,351 for a total of \$1,009,351.

It is further recommended that the funds be used to establish an endowment to be known as the John S. Dunn, Sr. Endowment for the International Bone Marrow Transplantation Center at the U. T. M.D. Anderson Cancer Center.

Income earned from the endowment will be used to support an International Bone Marrow Transplantation Center.

BACKGROUND INFORMATION

In recognition of the Golden Anniversary year of the U. T. M.D. Anderson Cancer Center, the John S. Dunn Research Foundation, Houston, Texas, has made this commitment to major research at the U. T. M.D. Anderson Cancer Center.

28. U. T. M.D. Anderson Cancer Center: Recommendation to Accept Gift.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President LeMaistre that a \$1,000,000 gift from Mr. W. A. "Tex" Moncrief, Jr., Fort Worth, Texas, be accepted for the benefit of the U. T. M.D. Anderson Cancer Center. A designation for the use of funds will be made at a later date. The funds are to be held in a separate account at the U. T. M.D. Anderson Cancer Center.

BACKGROUND INFORMATION

Mr. and Mrs. W. A. "Tex" Moncrief, Jr., Fort Worth, Texas, have previously contributed \$1,500,000 to the U. T. M.D. Anderson Cancer Center which was used to fund three chairs.

Mr. Moncrief received his B.S. in Petroleum Engineering from U. T. Austin in 1942. A well-known oil and gas producer, he currently serves as a member of the U. T. Board of Regents.

**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: April 11, 1991

Time: Following the meeting of the Land and
Investment Committee

Place: Suite 621A, Administration Building
U. T. Medical Branch - Galveston

1. Pending and/or Contemplated Litigation - Section 2(e)
U. T. Southwestern Medical Center - Dallas:
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
U. T. San Antonio: Consideration of Recom-
mendation of Hearing Tribunal Regarding
Nonreappointment of Nontenured Faculty
Member