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Austin, Texas

R. Steven Hicks, *Chairman*
Robert L. Stillwell, *Vice Chairman*
Paul L. Foster
Wallace L. Hall, Jr.
Brenda Pejovich

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1. **U. T. Austin: Authorization to purchase approximately 0.35 of an acre improved with a convenience store and related gas station fueling pumps located at 304 West Martin Luther King, Jr. Boulevard, Austin, Travis County, Texas, from North Dallas Petroleum, L.P., a Texas limited partnership, at a purchase price not to exceed fair market value as established by independent appraisals for future programmed development of campus expansion or other purposes related to the institution's mission**

RECOMMENDATION

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

- a. purchase approximately 0.35 of an acre of real property improved with a convenience store and related gas station fueling pumps located at 304 West Martin Luther King, Jr. Boulevard in Austin, Travis County, Texas, from North Dallas Petroleum, L.P., a Texas limited partnership, at a purchase price not to exceed fair market value as established by independent appraisals, plus all due diligence expenses, closing costs, and other costs and expenses to complete the acquisition as deemed necessary or advisable by the Executive Director of Real Estate, for future programmed development of campus expansion or other purposes related to the institution's mission; and
- b. authorize the Executive Director of Real Estate to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary or advisable to carry out the purpose and intent of the foregoing recommendation.

BACKGROUND INFORMATION

U. T. Austin seeks to purchase the subject property located at 304 West Martin Luther King, Jr. Boulevard (at the corner of Guadalupe Street) for future programmed campus expansion. The subject property is located one-half block from the U. T. Austin campus. The institution's campus already extends along most of the north side of Martin Luther King, Jr. Boulevard between Guadalupe Street and Leona Street.

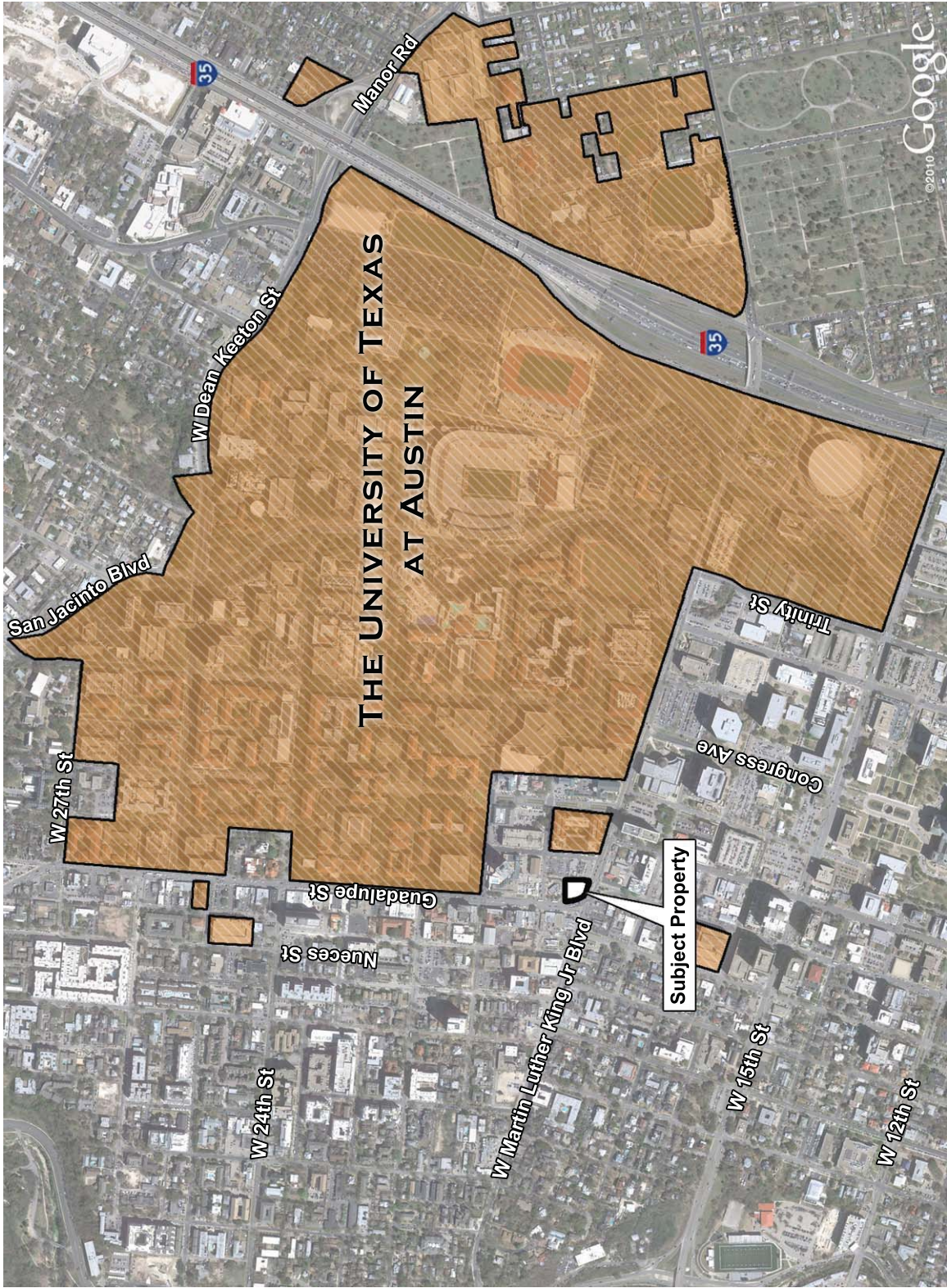
The 0.35 of an acre parcel is improved with a convenience store and fuel station. Both a Phase 1 and a Phase 2 environmental site assessment have been completed on the property. The limited subsurface investigation sampling results report concentrations of hydrocarbons present in the soils and groundwater that are below the Texas

Commission on Environmental Quality (TCEQ) Petroleum Storage Tank Program Action Levels. Prior to U. T. Austin's acquisition of the property, the seller will remove the fuel pumps and storage tanks and obtain a closure letter from the TCEQ.

U. T. Austin will use accumulated cash balances from general unrestricted funds for the purchase. A transaction summary and map showing the location of the subject property follow.

Transaction Summary

Institution:	U. T. Austin
Type of Transaction:	Purchase
Total Area:	Approximately 0.35 of an acre
Improvements:	An approximately 1,250-square foot convenience store and fuel station
Location:	304 West Martin Luther King, Jr. Boulevard, Austin, Travis County, Texas, see map on the next page
Seller:	North Dallas Petroleum, L.P., a Texas limited partnership
Purchase Price:	Not to exceed fair market value as determined by independent appraisals
Appraised Value:	Confidential pursuant to <i>Texas Education Code</i> § 51.951
Source of Funds:	Accumulated cash balances from general unrestricted funds
Intended Use:	Future programmed development of campus expansion or other purposes related to the institution's mission



2. **U. T. Austin: Authorization to acquire approximately 0.82 of an acre improved with a 10,447 square foot warehouse adjacent to The University of Texas Elementary School, located in a portion of Lots 1 and 2, Outlot 9, Division A, Original City of Austin, Travis County, Texas, from Capital Metropolitan Transportation Authority (Capital Metro), a public body organized under Chapter 451, Texas Transportation Code, in exchange for the conveyance to Capital Metro of approximately 0.194 of an acre located in a portion of Lot 1, Outlot 9 and a portion of Lot 2, Outlot 10, Division A, Original City of Austin, Travis County, Texas, plus cash to effectuate an even exchange, for future planned expansion of The University of Texas Elementary School**

RECOMMENDATION

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

- a. acquire approximately 0.82 of an acre improved with a 10,447 square foot warehouse adjacent to The University of Texas Elementary School, located in a portion of Lots 1 and 2, Outlot 9, Division A, Original City of Austin, Travis County, Texas, from Capital Metropolitan Transportation Authority (Capital Metro), a public body organized under Chapter 451, *Texas Transportation Code*, in exchange for the conveyance to Capital Metro of approximately 0.194 of an acre located in a portion of Lot 1, Outlot 9 and a portion of Lot 2, Outlot 10, Division A, Original City of Austin, Travis County, Texas, plus cash to effectuate an even exchange, for future planned expansion of The University of Texas Elementary School, plus all due diligence expenses, closing costs, and other costs and expenses to complete the acquisition as deemed necessary or advisable by the Executive Director of Real Estate, for future planned expansion of The University of Texas Elementary School; and
- b. authorize the Executive Director of Real Estate to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary or advisable to carry out the purpose and intent of the foregoing recommendation.

BACKGROUND INFORMATION

U. T. Austin owns an approximately 0.194 acre unimproved parcel on the east side of The University of Texas Elementary School property that also adjoins the Capital Metro

rail tracks at East 6th Street. Capital Metro owns an approximately 0.82 acre parcel located along the north boundary of the school property and improved with an approximately 10,447 square foot warehouse facility.

U. T. Austin proposes to acquire the approximately 0.82 acre parcel owned by Capital Metro in exchange for conveying the approximately 0.194 acre parcel to Capital Metro, plus \$270,000 to equalize the exchange values, which are supported by appraisals. Cash for the exchange will be provided by gift funds. The exchange would enable U. T. Austin to improve the shape and utility of the Elementary School property and allow for its future expansion. The University of Texas Elementary School currently enrolls approximately 300 students in kindergarten through the 5th grade. The exchange would provide Capital Metro with additional property located immediately adjacent to its rail tracks.

Rude Mechanicals - A Theatre Collective, a Texas nonprofit corporation, leases the warehouse facility located on the Capital Metro property. Although the lease expires in May 2012, the tenant has the right to exercise up to three five-year renewal options at the then market rental rate for a warehouse facility. The rent is currently \$14,400 annually; market rent is currently estimated to range from \$37,000 to \$57,000 annually. The lease is a net lease, with the tenant paying all operating expenses, utility charges, taxes, insurance, repairs, and maintenance. The leased premises may be used for the performing arts and activities related thereto and the tenant may not assign the lease or sublet the space without the landlord's permission.

A transaction summary and map showing the location of the subject property follow.

Transaction Summary

Conveyance to the Board of Regents

Institution:	U. T. Austin
Type of Transaction:	Exchange
Total Area:	Approximately 0.82 of an acre
Improvements:	An approximately 10,447 square foot metal and masonry warehouse building built in 1943
Location:	A portion of Lots 1 and 2, Outlot 9, Division A, Original City of Austin, Travis County, Texas, revised plat of H. & T.C.R.R. addition of record in Book 2, Page 188A, Plat Records, Travis County, Texas; see map on Page 61

Appraised Value: \$500,000 (\$14.00 per square foot of land) (John M. Coleman MAI, SRA, the Aegis Group, August 12, 2011); \$381,000 (\$10.67 per square foot of land) (Larry H. Decovic, MAI, SRA, American Realty Corporation, July 29, 2011)

Grantor: Capital Metropolitan Transportation Authority

Exchange Consideration: Approximately 0.194 acre to be conveyed to Capital Metro, plus \$270,000 in cash to equalize the exchange value

Source of Funds: Gift funds

Intended Use: Future expansion of The University of Texas Elementary School

Conveyance to Capital Metropolitan Transportation Authority

Institution: U. T. Austin

Type of Transaction: Exchange

Total Area: Approximately 0.194 of an acre

Improvements: None

Location: A portion of Lot 1, Outlot 9, Division A, and Lot 2, Outlot 10, Division A, Original City of Austin, Travis County, Texas, revised Plat of H. & T.C.R.R. addition, of record in Book 2, Page 188A, Plat Records, Travis County, Texas; see map on the next page

Appraised Value: \$230,000 (\$27.22 per square foot of land) (John M. Coleman MAI, SRA, the Aegis Group, August 12, 2011); \$135,000 (\$15.97 per square foot of land) (Larry H. Decovic, MAI, SRA, American Realty Corporation, July 29, 2011)

Grantee: Capital Metropolitan Transportation Authority, a public body organized under Chapter 451, *Texas Transportation Code*

Exchange Consideration: Approximately 0.82 of an acre to be conveyed to the Board of Regents



3. **U. T. Tyler: Approval to a) establish a university charter school, b) pursue a charter school application with the Texas Education Agency and the State Board of Education, and c) delegate authority to operate the charter school to the president**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Mabry that the Board of Regents

- a. authorize the establishment of a university charter school at U. T. Tyler (Tyler, Longview, and Palestine campuses);
- b. authorize U. T. Tyler to pursue a charter school application with the Texas Education Agency (TEA) for submission to the State Board of Education (SBOE) for review and appropriate action; and
- c. delegate authority to operate the charter school to the President of U. T. Tyler, consistent with Regents' *Rules and Regulations*, Rule 40901, regarding charter schools.

BACKGROUND INFORMATION

U. T. Tyler requests authorization to establish, apply for, and manage a TEA-approved university charter school designated to meet the needs of home school and private school students for specialized science and mathematics instruction. The school would be named the U. T. Tyler Innovation Academy and would operate on the main U. T. Tyler campus in Smith County and at the satellite campuses in Longview (Gregg County) and Palestine (Anderson County). The school would initially serve students in Grade 3 through Grade 6, adding a higher grade level in each subsequent year of operation until Grade 12 is reached.

Authorization is requested to meet the timeline for SBOE approval at its November 16-18, 2011 meeting, and for the subsequent application for start-up funds from a TEA Charter School Start-up Grant for classes beginning in Fall 2012.

Unique Focus. U. T. Tyler's proposed charter school would be unique as a result of its

- a. focus on students already outside the public schools, including home school students;
- b. partnership with private schools to collaboratively provide Science, Technology, Engineering, and Mathematics (STEM) courses;

- c. heavy use of online and hybrid course delivery models;
- d. use of the T-STEM Academy model focusing on college and career readiness standards; and
- e. use of Project-Based Learning (PBL) best practices central in both the UTeach and T-STEM programs.

Charter school students would complete their core curriculum online. In addition to that curriculum, students would attend part-time at one of the U. T. Tyler locations, meeting with teachers in face-to-face, laboratory-like settings to complete science and mathematics projects as part of a PBL approach outlined in the T-STEM Academy Blue Print, an approach that is also one of the hallmarks of UTeach. PBL is minimally utilized in most public and private school settings in the region, and U. T. Tyler wishes to promote its use through a charter school demonstration process.

Special Expertise. U. T. Tyler has the expertise and experience to manage a charter school. It is heavily engaged in public education and educator preparation at all levels across East Texas. The Campus' charter school would leverage knowledge gained from two current National Science Foundation (NSF) projects designed to increase the number of STEM graduates. In addition, U. T. Tyler is a UTeach replication site, a major Texas Regional Collaborative for Science and Mathematics, and a funded site for Teacher Quality Projects in Mathematics and Science.

The University is also deeply engaged in K-12 schools. U. T. Tyler currently partners with the Tyler Independent School District for a lab-school in conjunction with the institution's T-STEM initiative. U. T. Tyler also manages after school programs at one elementary school, four middle schools, and one high school. Further, TEA awarded U. T. Tyler a multiyear, \$8.7 million grant for providing aggressive assistance to several low-performing middle schools, in more than one school district, in an effort to raise the performance of those schools.

Available Facilities. The University has excellent facilities and advanced technology that would facilitate a hybrid approach to teaching at the campuses in Tyler, Palestine, and Longview. The facilities are on campus at each site and, for different reasons in each instance, charter school classes would fully utilize the space in these facilities, thus increasing efficient use of buildings. Charter school classes could be scheduled in midday so they do not interfere with traditional undergraduate and graduate programs, which are delivered primarily in late afternoon and at night at the satellite campuses, and in a specialized conference center on the main campus that is heavily used, primarily at night.

Need and Demand. Since 2008, parent groups have encouraged U. T. Tyler to consider opening a charter school. In early October 2011, public meetings were held in Tyler, Longview, and Palestine, and feedback indicated the need for a charter school alternative to demonstrate PBL, to assist home school students with science and math

instruction, and to promote STEM graduates in private schools. Nonpublic school students comprise more than 10% of all school children in Smith County (approximately 3,000), and Gregg and Anderson Counties have similar patterns (approximately 2,500).

Program Cost. The charter school would be funded entirely through the State's Average Daily Attendance reimbursement process, although additional grants and private support will be sought to build further excellence.

Further, the hybrid approach to curriculum deployment will enable the school to operate with fewer personnel than the traditional model. These savings will allow the school to make additional investments in higher quality instruction during the face-to-face time.

In addition to the attendance funding, the charter school would be eligible for start-up funds from a TEA Charter School Start-up Grant. This grant allows for the acquisition of supplies, material, and equipment necessary to begin operations. It would also provide funding for the training of staff, development of curricula, and the recruitment and initial processing of students.

4. **U. T. System: Discussion and appropriate action regarding proposed revisions to Mission Statements for U. T. Arlington, U. T. Dallas, U. T. El Paso, U. T. Pan American, U. T. San Antonio, and U. T. Tyler**

RECOMMENDATION

The Chancellor concurs with the recommendation of the Executive Vice Chancellor for Academic Affairs and President Spaniolo, President Daniel, President Natalicio, President Nelsen, President Romo, and President Mabry that proposed changes to the Mission Statements for U. T. Arlington, U. T. Dallas, U. T. El Paso, U. T. Pan American, U. T. San Antonio, and U. T. Tyler as set forth on Pages 66 - 71 be approved by the U. T. System Board of Regents and forwarded to the Texas Higher Education Coordinating Board for approval.

BACKGROUND INFORMATION

Section 61.051(e) of the *Texas Education Code* requires the Texas Higher Education Coordinating Board (THECB) to periodically review the role and mission statements of public institutions of higher education. The Mission Statements were last approved by the Board of Regents on the following dates and by the THECB on April 24, 2008, after making nonsubstantive revisions to each statement. The attached mission statements reflect the revised statements approved by the THECB.

U. T. Arlington - August 7, 2003
U. T. Dallas - August 10, 2006
U. T. El Paso - November 9, 2007
U. T. Pan American - April 1, 2005
U. T. San Antonio - July 11, 2007
U. T. Tyler - November 9, 2007

U. T. Austin (last approved on May 14, 1998) and U. T. Permian Basin (last approved on November 9, 2007) have no changes.

The recommended changes have been discussed and agreed upon by students, faculty, staff, and administrators at the respective institutions.

Pursuant to a directive by the Board of Regents on March 6, 2008, the revised Mission Statements include a statement regarding the commercialization of university discoveries.

MISSION STATEMENT

The University of Texas at Arlington

The University of Texas at Arlington is a comprehensive research, teaching, and public service institution whose mission is the advancement of knowledge and the pursuit of excellence. The University is committed to the promotion of lifelong learning through its academic and continuing education programs and to the formation of good citizenship through its community service learning programs. The diverse student body shares a wide range of cultural values and the University community fosters unity of purpose and cultivates mutual respect.

As a University, we affirm our commitment to the following objectives:

- The University is committed to comprehensive programs of academic research. This research effort requires attracting and retaining scholars who promote a culture of intellectual curiosity, rigorous inquiry, and high academic standards among their fellow faculty and the students they teach.
- The University values intellectual discovery not only as a manifestation of advancing human knowledge for its own sake but also as a vital prerequisite for fostering innovation, developing and transferring new technologies, and supporting the commercialization of products and services that enhance the standard of living and quality of life of the region, the state, the nation and the world.
- The University prepares students for full, productive lives and informed and active citizenship. To that end, we have developed undergraduate and graduate curricula and classroom practices that engage students actively in the learning process. Outside the classroom a wide range of student organizations and activities contribute to the learning environment. Our service learning program offers students the opportunity to supplement their academic study with internships in a variety of community settings, testing their skills and aptitudes and challenging their values. State-of-the-art teaching technologies, distance education, and off-site instruction afford access to off-campus as well as traditional students. Non-degree certificate and continuing education programs offer practical, aesthetic, and intellectually stimulating opportunities for community learners, for individual courses or a sustained program of study.
- ~~The mission of a university~~ University's mission can be achieved only when its students, faculty, staff, and administrators value and promote free expression in an atmosphere of tolerance, responsibility, and trust. The University regards these attributes as prerequisites for any community of learners and vigilantly strives to maintain them.
- Mindful of its role as a resource to the community, locally, nationally, and internationally, the University continually seeks partnerships with public and private concerns in order to advance the economic, social, and cultural welfare of its constituencies. We serve the needs of the North Texas community by sponsoring public lectures and academic symposia, as well as artistic, musical, and dramatic productions.

MISSION STATEMENT
The University of Texas at Dallas

Current Mission Statement

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

Proposed Revised Mission Statement

The University of Texas at Dallas provides the State of Texas and the nation with excellent, innovative education and research. The University is committed to graduating well-rounded citizens whose education has prepared them for rewarding lives and productive careers in a constantly changing world; to continually improving educational and research programs in the arts and sciences, engineering, and management; and to assisting the commercialization of intellectual capital generated by students, staff, and faculty.

MISSION STATEMENT
The University of Texas at El Paso

The University of Texas at El Paso is dedicated to the advancement of the El Paso region through education, creative and artistic production, and the generation, interpretation, application, and commercialization of key discoveries, and the dissemination of knowledge. UTEP embraces its role as an intellectual, cultural and socioeconomic asset to the region, offering programs to meet human resource needs and contribute to the quality of life.

As a public university, UTEP is committed to providing access and opportunity to the people of the El Paso region and the State of Texas. UTEP's mission of ensuring access is coupled with a commitment to excellence, reflected in rigorous programs, which prepare students to make significant contributions to their professions, their communities and the world.

As a research/doctoral institution, UTEP fosters a climate of scholarly inquiry, with a special focus on applying innovative interdisciplinary approaches to explore and address major issues that confront the multicultural, the United States and U.S.-Mexico border region.

MISSION STATEMENT
The University of Texas-Pan American

Current Mission Statement

The University of Texas - Pan American (UTPA) serves the higher education needs of a rapidly growing, international, multicultural population in the South Texas Region. The University preserves, transmits and creates knowledge to serve the cultural, civic, and economic advancement of the region and the state. The University provides students advanced instruction in academic programs offered through innovative delivery systems that lead to professional certification, and baccalaureate, master's and doctoral degrees.

Proposed Revised Mission Statement

The University of Texas-Pan American serves the social, economic, research and, most importantly, the educational needs of the rapidly growing transnational, culturally diverse population of South Texas. The University creates, preserves, and transmits knowledge that advances the region, state, and nation and that builds prosperity through entrepreneurship and commercialization. In a supportive environment dedicated to student learning, the University provides quality instruction in rigorous academic programs that leads to bachelor's, master's and doctoral degrees as well as professional certificates. Through teaching, research, creative activity, and public service, the University prepares students to be socially conscious citizens and transformative leaders.

MISSION STATEMENT
The University of Texas at San Antonio

The University of Texas at San Antonio is dedicated to the advancement of knowledge through research and discovery, teaching and learning, community engagement and public service. As an institution of access and excellence, UTSA embraces multicultural traditions, and serves ~~servi~~ng as a center for intellectual and creative resources as well as a catalyst for socioeconomic development and the commercialization of intellectual property – for Texas, the nation and the world.

MISSION STATEMENT
The University of Texas at Tyler

The University of Texas at Tyler is a comprehensive institution of higher education offering undergraduate and graduate degree programs as an institution of the renowned University of Texas System. The University of Texas at Tyler's vision is to be nationally recognized for its high quality education in the professions and in the humanities, arts and sciences, and for its distinctive core curriculum. Guided by an outstanding and supportive faculty, its graduates will understand and appreciate human diversity and the global nature of the new millennium. They will think critically, act with honesty and integrity, and demonstrate proficiency in leadership, communication skills, and the use of technology.

The University is committed to providing a setting for free inquiry and expects excellence in the teaching, research, artistic performances and professional public service provided by its faculty, staff, and students. As a community of scholars, the University develops the individual's critical thinking skills, appreciation of the arts, humanities and sciences, international understanding for participation in the global society, professional knowledge and skills to enhance economic productivity, and commitment to lifelong learning.

Within an environment of academic freedom, students learn from faculty scholars who have nationally recognized expertise in the arts and sciences, and in such professions as engineering, public administration, education, business, health sciences, and technology. The faculty engages in research and creative activity, both to develop and maintain their own scholarly expertise and to extend human knowledge. The results of that research and other creative efforts are made available to students in the classroom and to the general public through publication, ~~technology transfer~~ commercialization, and public service activities. The institution also seeks to serve individuals who desire to enhance their professional development, broaden their perspectives, or enrich their lives.

5. **U. T. System: Academic leadership discussion about research activities, including work at the U. T. Austin J. J. Pickle Research Campus**

DISCUSSION

Executive Vice Chancellor Prior and President Powers will lead a presidential discussion and engagement with the Board of Regents on research activities, including work at the U. T. Austin J. J. Pickle Research Campus.