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FOR
MEETING OF THE BOARD

May 13-14, 2009
Austin, Texas

Wednesday, May 13, 2009

- A. OATH OF OFFICE CEREMONY FOR NEW REGENTS 10:00 a.m.
[Ashbel Smith Hall (ASH) 9th Floor Board Room]
- B. CONVENE THE BOARD IN OPEN SESSION TO RECESS TO 11:15 a.m.
EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*,
CHAPTER 551 (working lunch) (*ASH 2 Meeting Room*)
1. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or
Value of Real Property – Section 551.072
- U. T. Pan American: Discussion and appropriate action
concerning negotiations to purchase real property improved
with an office building and adjacent related surface parking
located at 4302 South Sugar Road in Edinburg, Hidalgo County,
Texas, from Windrose Edinburg Properties, LLC, a Delaware
limited liability company, for a purchase price not to exceed fair
market value as established by independent appraisals, for use
as office space and future programmed development of campus
expansion, and resolution regarding parity debt** *President Sorber
Ms. Mayne*
2. Negotiated Contracts for Prospective Gifts or Donations –
Section 551.073
- a. **U. T. Austin: Discussion and appropriate action regarding
proposed negotiated gifts with potential naming features** *President Powers
Dr. Safady*
- b. **U. T. Medical Branch – Galveston: Discussion and
appropriate action regarding a proposed negotiated gift
with a potential naming feature** *President Callender
Dr. Safady*
3. Personnel Matters Relating to Appointment, Employment,
Evaluation, Assignment, Duties, Discipline, or Dismissal of
Officers or Employees – Section 551.074
- U. T. System: Discussion and appropriate action regarding
individual personnel matters relating to appointment,
employment, evaluation, compensation, assignment, and duties
of presidents (academic and health institutions), U. T. System
Administration officers (Executive Vice Chancellors and Vice
Chancellors), other officers reporting directly to the Board
(Chancellor, General Counsel to the Board, and Chief Audit
Executive), and U. T. System and institutional employees**

Wednesday, May 13, 2009 (continued)

	Board/ Committee Meetings	Page
4. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071		
a. U. T. System Board of Regents: Discussion with Counsel regarding legal matters	<i>Mr. Burgdorf</i>	
b. U. T. System: Discussion of legal issues related to updating and enhancing research conflicts of interest policies, procedures, and enforcement at U. T. System institutions	<i>Mr. Burgdorf</i>	
C. RECONVENE IN OPEN SESSION TO CONSIDER ACTION ON EXECUTIVE SESSION ITEMS, IF ANY, APPROVAL OF MINUTES, AND CONSIDER AGENDA ITEMS (<i>ASH 2 Meeting Room</i>)	<i>12:00 p.m.</i>	
1. U. T. System Board of Regents: Recommendation to approve Chairman’s appointment of Chairmen of Board Committees and Regental Representatives, including appointments to the Board for Lease, Texas Growth Fund, and the M. D. Anderson Services Corporation; and notification of appointments to Standing Committees and Liaison roles for the record (Regents’ <i>Rules and Regulations</i>, Rule 10402, regarding Committees and Other Appointments)	Action <i>Chairman Huffines</i>	1
2. U. T. System Board of Regents: Approval to amend the resolution regarding the list of individuals authorized to negotiate, execute, and administer classified government contracts (Key Management Personnel)	Action	3
D. RECESS FOR COMMITTEE MEETINGS	<i>12:15 p.m.</i>	
Audit, Compliance, and Management Review Committee (<i>ASH 2 Meeting Room</i>)	<i>12:15 p.m.</i>	
Finance and Planning Committee (<i>ASH 2 Meeting Room</i>)	<i>1:15 p.m.</i>	
Facilities Planning and Construction Committee (<i>ASH 2 Meeting Room</i>)	<i>2:15 p.m.</i>	
Academic Affairs Committee (<i>ASH 2 Meeting Room</i>)	<i>3:15 p.m.</i>	
Health Affairs Committee (<i>ASH 2 Meeting Room</i>)	<i>4:15 p.m.</i>	
Student, Faculty, and Staff Campus Life Committee (<i>ASH 2 Meeting Room</i>)	<i>5:15 p.m.</i>	
E. RECESS	<i>6:00 p.m.</i>	

Thursday, May 14, 2009

- F. RECONVENE THE BOARD IN OPEN SESSION TO RECESS FOR MEETINGS OF THE STANDING COMMITTEES AND COMMITTEE REPORTS TO THE BOARD (*ASH 9 Board Room*) 8:00 a.m.
- Audit, Compliance, and Management Review Committee
- Finance and Planning Committee
- Academic Affairs Committee
- Health Affairs Committee
- Facilities Planning and Construction Committee
- G. RECONVENE AS A COMMITTEE OF THE WHOLE TO RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551 (working lunch) 8:15 a.m.
- Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074
- U. T. Health Science Center – San Antonio: Discussion and appropriate action regarding individual personnel matters related to the presidential search, including individual candidate interviews and possible naming of finalists**
- H. RECONVENE IN OPEN SESSION TO CONSIDER ACTION ON EXECUTIVE SESSION ITEM, IF ANY 3:25 p.m.
- I. ADJOURN 3:30 p.m.

1. **U. T. System Board of Regents: Recommendation to approve Chairman's appointment of Chairmen of Board Committees and Regental Representatives, including appointments to the Board for Lease, Texas Growth Fund, and the M. D. Anderson Services Corporation; and notification of appointments to Standing Committees and Liaison roles for the record (Regents' Rules and Regulations, Rule 10402, regarding Committees and Other Appointments)**

RECOMMENDATION

In accordance with the requirements of the Regents' *Rules and Regulations*, Rule 10402, Chairman Huffines requests the concurrence of the U. T. System Board of Regents on recommended appointments of Chairmen to Board Committees and Regental Representatives to the Board for Lease of University Lands, the Board of Trustees of the Texas Growth Fund, and the Board of Directors of the M. D. Anderson Services Corporation as set forth below. All appointments will be effective immediately upon approval by the Board.

Committee membership on all committees is listed below for the record. Unless otherwise noted, these appointments will remain in effect until the succeeding Board Chairman reconstitutes the committees.

Committees

Academic Affairs Committee

Janiece Longoria, Chairman
Paul Foster
Colleen McHugh
Robert Stillwell

Audit, Compliance, and Management Review Committee

R. Steven Hicks, Chairman
Paul Foster
Janiece Longoria
Robert Stillwell

Facilities Planning and Construction Committee

Printice Gary, Chairman
James Dannenbaum
R. Steven Hicks
Wm. Eugene Powell

Finance and Planning Committee

Paul Foster, Chairman
Printice Gary
Wm. Eugene Powell
Robert Stillwell

Health Affairs Committee
Colleen McHugh, Chairman
James Dannenbaum
Janiece Longoria
Wm. Eugene Powell

Student, Faculty, and Staff Campus Life Committee
James Dannenbaum, Chairman
Printice Gary
R. Steven Hicks
Robert Stillwell

The University of Texas at Brownsville/Texas Southmost College (UTB/TSC)
Partnership Advisory Committee (PAC)
Janiece Longoria, Chairman
Paul Foster
Colleen McHugh
Robert Stillwell

Regental Representatives

Athletics Liaison
Colleen McHugh

Board for Lease of University Lands
James Dannenbaum
Robert Stillwell
Printice Gary, Alternate

Liaison to Governor's Office on Technology Transfer and Commercialization Issues
James Dannenbaum

M. D. Anderson Services Corporation Board of Directors
Janiece Longoria

Texas Growth Fund Board of Trustees
Wm. Eugene Powell

The Type 2 Diabetes Risk Assessment Program Advisory Committee
Colleen McHugh

BACKGROUND INFORMATION

Board for Lease of University Lands and Texas Growth Fund

Appointments of members of the Board of Regents to the external entities of the Board for Lease of University Lands and the Board of Trustees of the Texas Growth Fund are consistent with State law and applicable provisions of the Regents' *Rules and Regulations*, Rule 10402.

M. D. Anderson Services Corporation

Appointment of a Regent to the Board of Directors of M. D. Anderson Services Corporation (formerly M. D. Anderson Cancer Center Outreach Corporation) is consistent with corporate bylaws previously approved by the Board of Regents. Establishment of the not-for-profit corporation was approved in April 1989 to enhance revenues of U. T. M. D. Anderson Cancer Center through initiation of joint ventures in selected markets, providing additional referrals to the institution, contracting for delivery of inpatient and outpatient management, utilizing existing reference laboratory services, and fostering additional philanthropy in distant areas. Section 2 of the Services Corporation bylaws relates to the Board of Directors, which currently consists of seven directors. The President of U. T. M. D. Anderson Cancer Center may appoint four directors, provided that such appointments receive the prior approval of the Board of Regents. The Board of Regents may appoint three directors, one of whom shall be a Regent and two of whom shall be administrative officers of the U. T. System.

The other members of the Board of Directors of the M. D. Anderson Services Corporation are as follows:

Mr. Leon J. Leach, Chairman of the Board of Directors
Mr. Dan Fontaine
Mr. Mitch Latinkic
Mr. Patrick Oxford
Kenneth I. Shine, M.D. (Board appointee)
Dr. Scott C. Kelley (Board appointee)

2. U. T. System Board of Regents: Approval to amend the resolution regarding the list of individuals authorized to negotiate, execute, and administer classified government contracts (Key Management Personnel)

RECOMMENDATION

It is recommended the Resolution regarding the list of individuals authorized to negotiate, execute, and administer classified government contracts [Key Management Personnel (KMP)] be amended to update the list of members of the Board of Regents as set forth on the following page to comply with the Department of Defense National Industrial Security Program Operating Manual (NISPOM) requirements. The Resolution was last adopted by the Board on March 26, 2008.

NISPOM defines KMP as "officers, directors, partners, regents or trustees." The manual requires that the senior management official and the Facility Security Officer must always be designated KMPs and be cleared at the level of the Facility Clearance. Other officials or KMPs, as determined by the Defense Security Service, must be granted Personal Security Clearances or be formally excluded by name from access to classified material.

RESOLUTION

BE IT RESOLVED:

That the following named members of the U. T. System Board of Regents shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of The University of Texas System and do not occupy positions that would enable them to affect adversely the policies and practices of The University of Texas System in the performance of classified contracts for the Department of Defense or User Agencies of its Industrial Security Program, and need not be processed for a personnel clearance:

Members of the U. T. System Board of Regents:

James R. Huffines, Chairman
Colleen McHugh, Vice Chairman
Paul Foster, Vice Chairman
James D. Dannenbaum, Regent
Printice L. Gary, Regent
R. Steven Hicks, Regent
Janiece Longoria, Regent
Wm. Eugene Powell, Regent
Robert L. Stillwell, Regent

BACKGROUND INFORMATION

The Student Regent is not listed because he is a nonvoting member. On February 12, 2009, Regents Hicks, Powell, and Stillwell were appointed to the Board and Regent Huffines was reappointed to the Board. These Regents were subsequently confirmed by the Senate.