

MATERIAL SUPPORTING THE AGENDA

VOLUME XXXVa

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

October 9, 1987  
December 3, 1987

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.



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

Meeting No.: 829  
Date: October 9, 1987  
Location: Richardson, Texas

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BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

CALENDAR

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

Host Institution: The University of Texas at Dallas

Friday, October 9, 1987

11:30 a.m. Convene in Open Session for the sole  
purpose of recessing to Executive  
Session

1:00 p.m. Reconvene in Open Session to continue  
until completion of business

See Pages B of R 1 - 33,  
Items A - O

Telephone Numbers

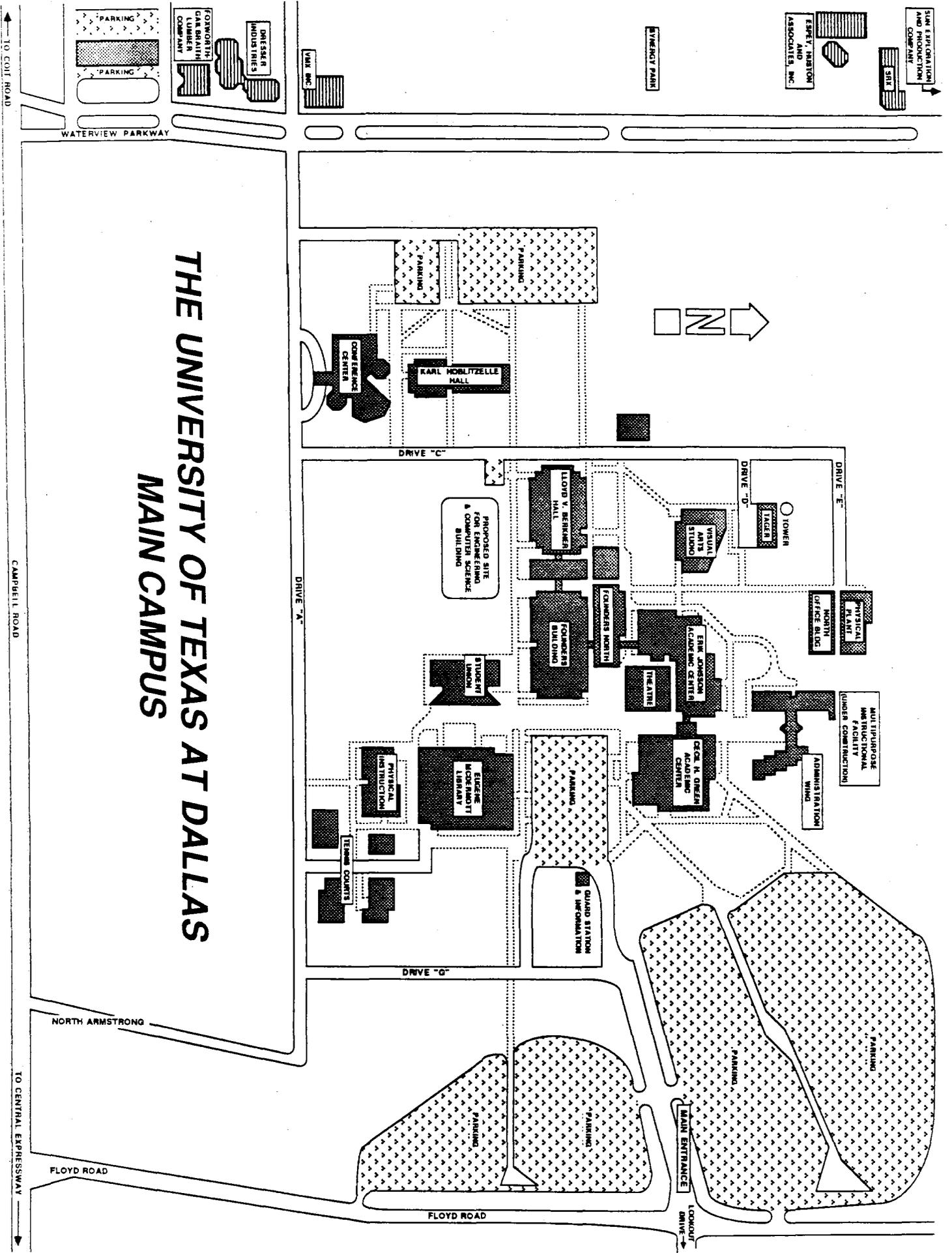
President Rutford (214) 690-2201  
Conference Center (214) 690-2207

Hotels:

Adolphus Hotel (1321 Commerce Street) (214) 742-8200  
The Westin Hotel - Galleria  
(13340 Dallas Parkway) (214) 934-9494



# THE UNIVERSITY OF TEXAS AT DALLAS MAIN CAMPUS



← TO COIT ROAD

CAMPBELL ROAD

TO CENTRAL EXPRESSWAY →

PARKING  
PARKING  
WATERVIEW PARKWAY

ONE SEALE INDUSTRIES  
FORT WORTH CAR WASH LUMBER COMPANY

VAULT BLDG.

EMERGENCY PARK

E. J. HINTON ASSOCIATES, INC.

FILM EXPERIMENTATION AND PRODUCTION AND COMPANY

PARKING  
PARKING

KARL NOBLITZELLE HALL

DRIVE "C"

PROPOSED SITE FOR ENGINEERING & COMPUTER SCIENCE BLDG.

LOYD V. BERKNER HALL

VISUAL ARTS STUDIO

TOWER  
FOUNDER HALL

PHYSICAL PLANT NORTH OFFICE BLDG.

MULTIPURPOSE INSTRUCTIONAL FACILITY (UNDER CONSTRUCTION)

ENK JOHNSON ACADEMIC CENTER  
THEATRE

CECIL H. GREEN ACADEMIC CENTER

FOUNDERS BLDG.

STUDENT UNION BLDG.

PHYSICAL INSTRUCTION

E. JESSE MCCOMBS LIBRARY

PARKING

GUARD STATION & INFORMATION

DRIVE "G"

TERM COURTS

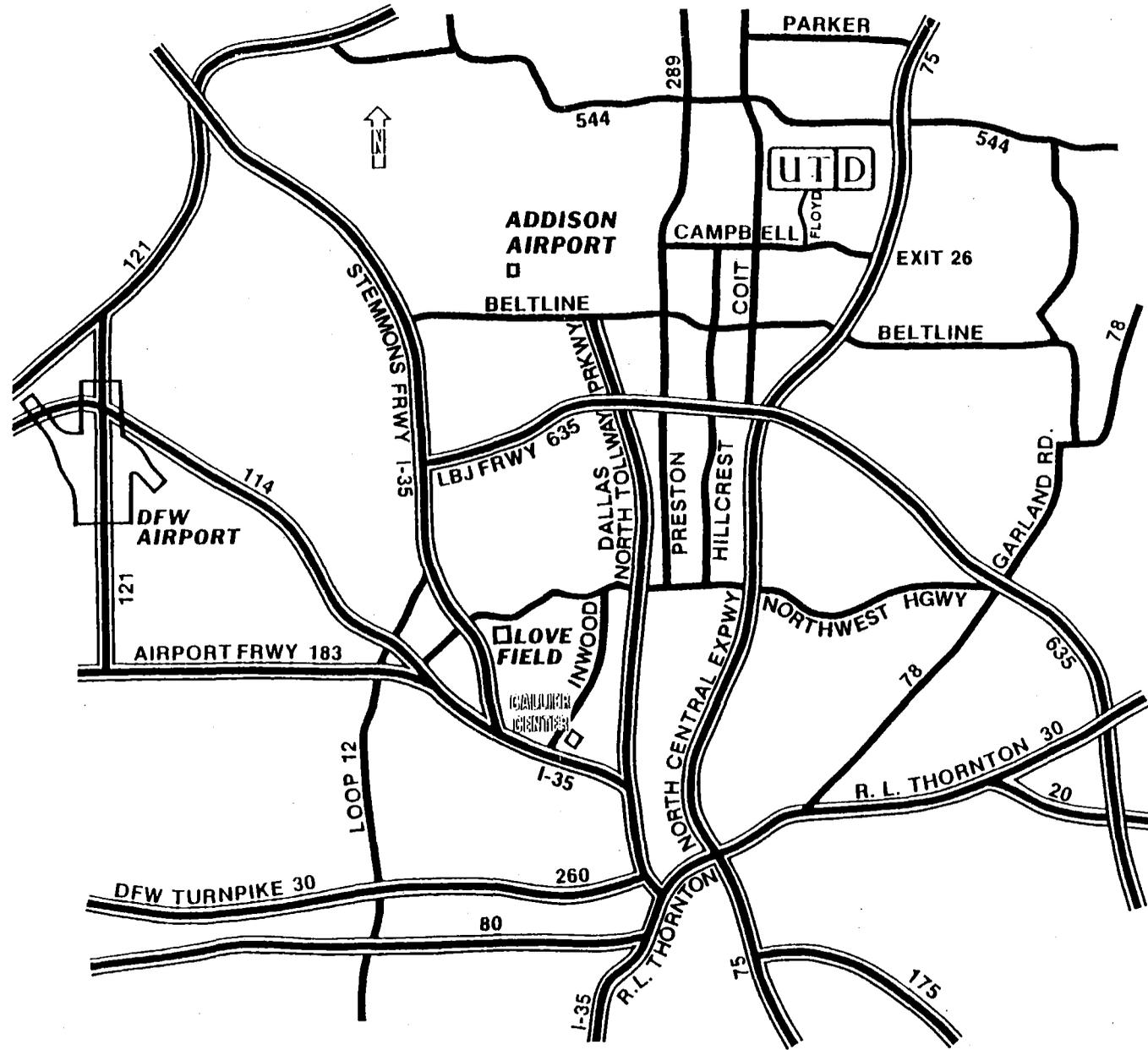
NORTH ARMSTRONG

FLOYD ROAD

FLOYD ROAD

MAIN ENTRANCE  
LOOKOUT DRIVE

PARKING  
PARKING  
PARKING



# Meeting of the Board

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

Date: Friday, October 9, 1987

Time: 11:30 a.m. Convene in Open Session for the sole purpose of recessing to Executive Session

1:00 p.m. Reconvene in Open Session to continue until completion of business

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

A. CALL TO ORDER

B. 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.

C. RECONVENE IN OPEN SESSION

D. WELCOME BY PRESIDENT RUTFORD

E. APPROVAL OF MINUTES OF REGULAR MEETING HELD AUGUST 13, 1987

F. 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 Blanton  
Vice-Chairman Ratliff, Vice-Chairman Roden  
MSA Page Ex.C - 1

Finance and Audit Committee: Chairman Roden  
Regent Barshop, Regent Beecherl  
MSA Page F&A - 1

Academic Affairs Committee: Chairman Baldwin  
Regent Beecherl, Regent Moncrief  
MSA Page AAC - 1

Health Affairs Committee: Chairman Yzaguirre  
Regent Barshop, Regent Blanton, Regent Moncrief  
MSA Page HAC - 1

Buildings and Grounds Committee: Chairman Hay  
Regent Baldwin, Regent Ratliff, Regent Yzaguirre  
MSA Page B&G - 1

Land and Investment Committee: Chairman Ratliff  
Regent Barshop, Regent Hay, Regent Roden  
MSA Page L&I - 1

G. RECONVENE AS COMMITTEE OF THE WHOLE

H. ITEMS FOR THE RECORD

1. U. T. System: Report of Degree Programs and Academic Requests Approved by the U. T. Board of Regents and Submitted to the Coordinating Board from September 1, 1986 to August 31, 1987.--

REPORT

The following is a listing of degree programs and academic requests which have been approved by the U. T. Board of Regents and submitted to the Texas Higher Education Coordinating Board from September 1, 1986 to August 31, 1987:

- a. Degree Programs Approved by the Coordinating Board for Implementation

U. T. Austin

Ph.D. in Child Development and  
Family Relationships  
Master of Arts in Asian Studies

U. T. El Paso

Master of Arts in Art

U. T. Health Science Center - San Antonio

M.S. in Endodontics

- b. Requests Approved by the U. T. Board of Regents and Sent to the Coordinating Board but Deferred at the Request of System Institutions

U. T. Tyler

M.S. in Nursing

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

U. T. Arlington

M.S. in Information Systems  
M.S. in Marketing Research  
Master of Education in Teaching

U. T. Permian Basin

Master of Arts in Psychology

U. T. Medical Branch - Galveston

Administrative Reorganization  
of the Nursing School

U. T. Health Science Center - San Antonio

M.S. and Ph.D. in Radiological  
Sciences  
Name Change for the Allied Health  
Programs to Departments

2. U. T. SYSTEM - REPORT OF MEMBERSHIP OR STATUS OF ORGANIZATION FOR ALL COMPONENT DEVELOPMENT BOARDS AND ADVISORY COUNCILS EFFECTIVE SEPTEMBER 1, 1987:

- (1) U. T. Arlington: Development Board, Graduate School of Social Work, School of Architecture and Environmental Design, College of Business Administration, College of Engineering and School of Nursing Advisory Councils;
- (2) U. T. Austin: Development Board, School of Architecture Foundation, College of Business Administration Foundation, College of Communication Foundation, College of Education Foundation, College of Engineering Foundation, College of Fine Arts Foundation, Geology Foundation, Graduate School Foundation, Graduate School of Library and Information Science Foundation, College of Liberal Arts Foundation, College of Natural Sciences Foundation, Pharmaceutical Foundation, School of Social Work Foundation, Marine Science Institute, McDonald Observatory and Department of Astronomy Board of Visitors, School of Nursing and Texas Union Advisory Councils;
- (3) U. T. Dallas: Development Board, School of Management, Callier Center for Communication Disorders, School of General Studies, School of Arts and Humanities and School of Social Sciences Advisory Councils;
- (4) U. T. El Paso: Development Board and College of Engineering Industrial Advisory Council;
- (5) U. T. Permian Basin: Development Board;
- (6) U. T. San Antonio: Development Board and College of Business and Fine Arts and Humanities Advisory Councils;
- (7) U. T. Tyler: Development Board;
- (8) U. T. Institute of Texan Cultures - San Antonio: Development Board;
- (9) U. T. Health Science Center - Dallas: Development Board;
- (10) U. T. Medical Branch - Galveston: Development Board, School of Allied Health Sciences and School of Nursing Advisory Councils;
- (11) U. T. Health Science Center - Houston: Development Board and Speech and Hearing Institute Advisory Council;
- (12) U. T. Health Science Center - San Antonio: Development Board, Medical School and Nursing School Advisory Councils;
- (13) U. T. Cancer Center: University Cancer Foundation Board of Visitors; and
- (14) U. T. Health Center - Tyler: Development Board.--

Unless otherwise indicated, membership was authorized and nominees approved by the U. T. Board of Regents on June 11, 1987, to the following development boards and advisory councils. The Administration has contacted the individuals nominated and now reports that the following have accepted appointments. The full membership of each organization is set out below with the new appointments indicated by an asterisk and reappointments by double asterisks.

1. The University of Texas at Arlington

Development Board.--Authorized Membership 25:

	<u>Term Expires</u>
Mr. E. T. Allen, Arlington	1989
* Mr. Richard D. Ashton, Arlington	1989
Mr. Bill Bowerman, Arlington	1989
** Dr. Malcolm K. Brachman (Ph.D.), Dallas	1990
Mr. James T. Brown, Grand Prairie	1988
* Mr. Chris Carroll, Arlington	1989
** Mr. Gary Cox, Arlington	1990
Mr. Tom Cravens, Arlington	1988
* Ms. Billie N. Farrar, Arlington	1989
** Mr. Jenkins Garrett, Fort Worth	1990
** Mr. Preston M. Geren, Jr., Fort Worth	1990
Mr. Richard E. Greene, Arlington	1989
** Mr. Joe R. Martin, Jr., Arlington	1990

Mr. C. W. Mayfield, Arlington	1989
* Mr. Bill Prince, Arlington	1989
** Mr. Nathan L. Robinett, Arlington	1990
** Mr. Joe Russell, Dallas	1990
** T. L. Shields, M.D., Fort Worth	1990
Mr. Danny R. Smith, Arlington	1989
* Mr. Marvin M. Stetler, Dallas	1989
** Mr. Wesley M. Taylor III, Dallas	1990

Unfilled Term	1988
Unfilled Term	(To be determined as filled)
Unfilled Term	(To be determined as filled)
Unfilled Term	(To be determined as filled)

Graduate School of Social Work Advisory Council.--  
Authorized Membership 26:

	<u>Term Expires</u>
Mr. Kenneth S. Baum, Fort Worth	1988
Mrs. Josephine Beckwith, Fort Worth	1988
Mrs. Geraldine Beer, Dallas	1988
Dr. Malcolm Brachman (Ph.D.), Dallas	1988
* Mr. J. Vernon Campbell, Grand Prairie	1990
Mr. James Chambers III, Dallas	1988
** Mr. Jack D. Downey, Arlington	1990
Mr. Roy E. Dulak, Dallas	1988
* Mr. Larry Eason, Fort Worth	1989
* Ms. Mamie Ewing, Arlington	1989
Mrs. Billie Farrar, Arlington	1988
* Mr. Benton Ford, Grand Prairie	1990
Mrs. Betty Jo Hay, Dallas	1988
* Mr. Pete Hinojosa, Fort Worth	1989
Mrs. Eugene Jericho, Dallas	1988
Rabbi Ralph Mecklenberger, Fort Worth	1988
Mrs. Tommy G. Mercer, Fort Worth	1988
Ms. Alann Ryall, Fort Worth	1988
* Mr. Eddie Sandoval, Hurst	1989
** Mr. Ralph Shannon, Roanoke	1990
Mr. Earle Shields, Fort Worth	1989
* Mr. Lee Smith, Dallas	1989
** Mr. Harry Tanner, Dallas	1988
* Mrs. Dovie Webber, Fort Worth	1988
Mr. John Widner, Fort Worth	1989
Mr. Glenn Wilkins, Fort Worth	1988

School of Architecture and Environmental Design Advisory  
Council.--Authorized Membership 27:

	<u>Term Expires</u>
Mr. Bill Booziotis, FAIA, Dallas	1989
Mr. David Braden, FAIA, Dallas	1989
Mr. David Browning, AIA, Dallas	1988
* Mr. Frank C. Clements, Dallas	1990
Mr. Hugh Cunningham, Dallas	1988
Mr. Stuart Dawson, Watertown, Massachusetts	1989
** Mr. David Dillon, Cambridge, Massachusetts	1990
Mr. Mark Dilworth, AIA, Dallas	1989
Mr. Tony Foy, Dallas	1988
** Mr. Ralph Hawkins, AIA, Dallas	1990
Ms. Carol Hermanovski, Dallas	1989
Mr. Richard Keating, FAIA, Los Angeles, California	1989
Mr. Dirk Lohan, FAIA, Chicago, Illinois	1988
Mr. Lawrence Murphy, West Palm Beach, Florida	1989

Mr. Raymond Nasher, Dallas	1988
Ms. Julia Ousley, Arlington	1989
* Ms. Lorry Parks, Dallas	1988
Ms. Beverly Russell, New York, New York	1988
Mr. Stephen Sachs, AIA, Washington, D.C.	1988
** Mr. Gene Schrickel, Arlington	1990
* Mr. Ed Stout, Fort Worth	1990
Mr. Max Sullivan, Fort Worth	1988
Mr. John Torti, Silver Spring, Maryland	1988
Mr. James Wiley, FAIA, Dallas	1988
Ms. Beverly Willis, FAIA, St. Helena, California	1988
** Mr. Thomas Woodward, FAIA, Dallas	1990
Mr. Emery O. Young, Jr., AIA, Fort Worth	1989

College of Business Administration Advisory Council.--  
Authorized Membership 30:

	<u>Term Expires</u>
** Mr. Robert F. Anderson, Fort Worth	1990
** Dr. William S. Banowsky (Ph.D.), Dallas	1990
** Mr. Richard L. Buerkle, Dallas	1990
Ms. Dianne Bynum, Dallas	1989
Mrs. Virginia E. Cook, Dallas	1989
Mr. Gary D. Cox, Arlington	1988
Mr. Raymond G. Dickerson, Fort Worth	1989
Mr. Steve Dunn, Dallas	1989
Mr. Joseph R. Ewen, Jr., Arlington	1989
Mr. Richard Fogel, Dallas	1989
** Mr. Robert W. Gerrard, Bedford	1990
Mr. Harold H. Ginsburg, Dallas	1989
Mr. Burvin Hines, Arlington	1988
* Mr. Donald Huckaby, Fort Worth	1990
** Mr. James E. Jack, Dallas	1990
Mr. Thomas G. Lynch, Dallas	1989
** Mr. Glenn M. Mason, Dallas	1990
Mr. Frank C. McDowell, Dallas	1989
Mr. James B. Miller, Arlington	1988
** Mr. J. Kent Millington, Colleyville	1990
** Mr. William C. Nelson, Dallas	1990
Mr. David Newell, Fort Worth	1989
Mr. James J. O'Brien, Fort Worth	1989
Mr. Ronald L. Parrish, Fort Worth	1989
Mr. Michael A. Reilly, Arlington	1988
Mr. Don C. Reynolds, Fort Worth	1989
Mr. Stephen P. Tacke, Dallas	1989
Mr. Cary N. Vollintine, Fort Worth	1989
Mr. Mark J. Walsh, Dallas	1988
Unfilled Term	1990

College of Engineering Advisory Council.--  
Authorized Membership 26:

	<u>Term Expires</u>
Mr. Charles A. Anderson, Fort Worth	1989
Mr. Gerson Berman, Dallas	1988
Mr. Bruce Cole, San Angelo	1988
Mr. Jan Collmer, Dallas	1988
Mr. Joe C. Culp, Dallas	1989
Mr. C. R. Farmer, Jr., Dallas	1988
Dr. Felix Fenter (Ph.D.), Dallas	1989
Mr. Marvin Gearhart, Fort Worth	1988

** Mr. Bill J. Harris, Dallas	1990
Mr. William F. Hayes, Dallas	1988
* Mr. Floyd H. Hollister, Dallas	1990
* Mr. Max D. Hopper, Fort Worth	1990
Mr. Charles Lynk, Fort Worth	1989
Mr. Robert R. Lynn, Fort Worth	1989
Mr. William G. Moore, Jr., Dallas	1989
** Mr. James R. Nichols, Fort Worth	1990
Dr. John Patterson (Ph.D.), Fort Worth	1988
Mr. Eric Ross, Richardson	1988
Mr. Luke Smith, Arlington	1989
Mr. Roger Yandell, Fort Worth	1989
Unfilled Term	1990

School of Nursing Advisory Council.--  
Authorized Membership 16:

	<u>Term Expires</u>
Mrs. Gordon Appleman, Fort Worth	1988
Mr. Dave Bloxom, Sr., Fort Worth	1989
Mr. R. E. Cox III, Fort Worth	1988
** Mrs. Frederick R. Daulton, Arlington	1988
Mr. Dan Dipert, Arlington	1989
** Mrs. Vera Harrington, Sulphur Springs	1990
* James F. Herd, M.D., Fort Worth	1990
* Mrs. Hazel Jay, Fort Worth	1990
* Dr. Margaret Jordan (Ph.D.), Dallas	1989
Mr. Rex C. McRae, Arlington	1988
Preston Nash, M.D., Sweetwater	1988
** Mrs. J. Clark Nowlin, Fort Worth	1990
Mrs. Byron Searcy, Fort Worth	1989
Mr. Ron Smith, Fort Worth	1989
* Mrs. Starke Taylor, Jr., Dallas	1990
Unfilled Term	1988

2. The University of Texas at Austin

Development Board.--Authorized Membership 35:

	<u>Term Expires</u>
Mrs. Joan Ragsdale Baskin, Midland	1989
Mrs. Perry R. Bass, Fort Worth	1988
Senator Lloyd M. Bentsen, Jr., Washington, D.C.	1989
Mr. Jack S. Blanton, Sr., Houston	Regent
	Representative
Mr. C. Fred Chambers, Houston	1989
Mr. Marvin K. Collie, Houston	1988
Ms. Barbara Smith Conrad, New York, New York	1989
Mr. B. W. Crain, Longview	1989
** Mr. Jack Rust Crosby, Austin	1990
Mr. Franklin W. Denius, Austin	1988
Mr. Bob R. Dorsey, Austin	1988
Mr. John W. Fainter, Jr., Austin	1989
Dr. Peter T. Flawn (Ph.D.), Austin	1989
* Mrs. Bebe Canales Inkley, San Antonio	1990
* Mrs. Sue Killam, Laredo/San Antonio	1990
* Mr. Bob Marbut, San Antonio	1990
** Mrs. Eugene McDermott, Dallas	1990

* Mrs. Beryl Buckley Milburn, Austin	1990
Mr. James R. Moffett, New Orleans, Louisiana	1989
Mr. James M. Moroney, Jr., Dallas	1989
Mr. Michael A. Myers, Dallas	1988
Mr. Jon P. Newton, Austin	1989
Mr. Wade Nowlin, Fort Worth	1989
** Mr. B. D. Orgain, Beaumont	1990
Mr. Robert L. Parker, Sr., Tulsa, Oklahoma	1988
Mr. James L. Powell, Fort McKavett	1989
Mario Ramirez, M.D., Rio Grande City	1989
** Mrs. John H. Rauscher, Jr., Dallas	1990
** Mr. Benno C. Schmidt, New York, New York	1990
** Mr. William H. Seay, Dallas	1990
Mr. Ralph Spence, Tyler	1988
The Honorable Annette G. Strauss, Dallas	1989
** Mr. Jere W. Thompson, Dallas	1990
Mr. Joe C. Walter, Jr., Houston	1988
Mrs. Betty Winn, McAllen	1989
Unfilled Term	1989

School of Architecture Foundation Advisory Council.--  
Authorized Membership 39:

	<u>Term Expires</u>
Mr. Ray Bedford Bailey, Houston	1988
** Mr. David Brown Barrow, Jr., Austin	1990
** Mr. William N. Bonham, Greenwich, Connecticut	1990
Ms. Carolyn Brooks, Washington, D.C.	1988
Mr. Douglas J. Cardinal, Ottawa, Ontario, Canada	1989
Mr. John Carpenter III, Dallas	1989
Mrs. George Ann Carter, Fort Worth	1989
** Mr. H. C. Carter, Austin	1990
Mr. Jack Rust Crosby, Austin	1988
Mr. Bob J. Crow, Fort Worth	1989
Mr. Trammell S. Crow, Dallas	1988
* Mr. Walter M. Embrey, Jr., San Antonio	1990
* Dr. Bryghte D. Godbold (Ph.D.), Dallas	1989
Mr. David Graeber, Austin	1989
Mr. Stan Haas, Dallas	1989
* Mr. Robert K. Hoffman, Dallas	1988
Ms. Grace Jones, Salado	1988
Mr. Richard Keating, Los Angeles, California	1989
Mrs. Alfred Ashbrook King, Austin	1989
* Mr. Greg Kozmetsky, Austin	1990
** Mr. Richard S. Lillie, Austin	1990
** Mr. J. Scott Mann III, Austin	1990
Mr. Donald B. McCrory, Houston	1988
Mr. J. Clark Nowlin, Fort Worth	1988
Mr. George M. Page, Austin	1988
Mr. Boone Powell, San Antonio	1989
Mr. James A. Reichert, Houston	1988
* Ms. Alice Reynolds, San Antonio	1990
* Mrs. Coke Anne M. Saunders, New York, New York	1990
** Mr. John F. Skelton III, Dallas	1990
* Mrs. Lynn Burnette Smith, Austin	1989
Mr. Pat Y. Spillman, Dallas	1989
Mr. Gifford Touchstone, Dallas	1989
** Ms. Judith H. Urrutia, San Antonio	1990
Mr. Walter Vackar, Austin	1988
Mr. Frank Welch, Dallas	1988
Unfilled Term	1988
Unfilled Term	1990
Unfilled Term	1990

College of Business Administration Foundation Advisory Council.--Authorized Membership 44:

	<u>Term Expires</u>
Mr. Robert Alpert, Dallas	1989
* Mr. Travis Bain, Fort Worth	1990
Mr. Stephen P. Ballantyne, San Antonio	1989
Dr. William Howard Beasley III (Ph.D.), Dallas	1988
Mrs. Lucy Billingsley, Dallas	1989
** Mr. Lewis E. Brazelton III, Houston	1990
Mr. Shelby H. Carter, Jr., Austin	1988
* Mr. Aubrey Cole, Stamford, Connecticut	1990
Mr. Robert C. Drummond, New Canaan, Connecticut	1988
Mr. John W. Fainter, Jr., Austin	1989
Mr. James J. Forese, Purchase, New York	1989
Mr. Edwin M. Gale, Beaumont	1989
Dr. Joseph M. Grant (Ph.D.), Fort Worth	1988
Mr. Robert G. Greer, Houston	1988
Mr. Clifford J. Grum, Diboll	1989
* Ms. Barbara S. Guthery, Paramus, New Jersey	1990
* Mr. Richard "Porky" Haberman, Austin	1989
* Mr. John P. Harbin, Dallas	1989
Mr. John B. Lahourcade, San Antonio	1989
Mr. Robert B. Lane, Austin	1988
* Mr. Frank W. Maresh, Houston	1988
Mr. W. Baker McAdams, Houston	1989
* Mr. Preston Moore, Houston	1990
Mr. Michael A. Myers, Dallas	1989
Mr. Robert F. Parker, Houston	1989
** Mr. Joe N. Prothro, Wichita Falls	1990
** Mr. B. M. (Mack) Rankin, Jr., Dallas	1990
* Mr. Benjamin E. Rodriguez, San Antonio	1989
Mr. Glen E. Roney, McAllen	1989
** Mr. Ed A. Smith, Houston	1990
* Mr. Neal Spelce, Austin	1989
* Mr. Marvin Stetler, Dallas	1988
** Mr. Donald J. Stone, Cincinnati, Ohio	1990
** Mr. John Stuart III, Dallas	1990
** Mr. Charles S. Teeple IV, Austin	1990
** Mr. Ralph Thomas, Houston	1990
Mr. Joe C. Thompson, Jr., Dallas	1989
* Mr. McHenry T. Tichenor, Jr., Harlingen	1990
** Mr. Ralph E. Velasco, Jr., San Antonio	1990
** Mr. George S. Watson, Dallas	1990
* Mr. David A. Wilson, Washington, D.C.	1990
* Dr. Christopher Wrather (Ph.D.), Los Angeles, California	1989
Unfilled Term	1988
Unfilled Term	1990

College of Communication Foundation Advisory Council.--Authorized Membership 35:

	<u>Term Expires</u>
** Sr. Horacio Aguirre, Miami, Florida	1990
* Mr. Bill Baker, Miami, Florida	1989
* Mr. John W. Barnhill, Jr., Brenham	1990
Mr. Frank A. Bennack, Jr., New York, New York	1989
** Mr. George E. Christian, Austin	1990
Mr. Jack Rust Crosby, Austin	1988
Mr. H. J. (Jerry) Dalton, Jr., Dallas	1989
* Mr. C. Ronald Dorchester, Austin	1990
Mr. Jerry Friedheim, Washington, D.C.	1988
* Ms. Garland Goode, New York, New York	1989

Mr. Wendell Harris, Dallas	1988
Mr. William J. Hindman, Dallas	1989
Mrs. Karen Elliott House, New York, New York	1988
Mr. Ronald Johnson, Houston	1989
* Mr. Roger S. Kintzel, Austin	1988
Mr. Gerald M. Levin, New York, New York	1988
Mr. Julian R. Levine, Redondo Beach, California	1988
Mr. Michael R. Levy, Austin	1988
** Mr. Bob Marbut, San Antonio	1990
* Dr. Charles A. Martin (Ph.D.), Berkeley, California	1989
* Mr. Bill Moyers, New York, New York	1990
Mr. Jack E. Nettles, Pittsburgh, Pennsylvania	1988
* Ms. Judith Asel Newby, Austin	1990
** Sr. Emilio Nicolas, San Antonio	1990
Mr. Burl Osborne, Dallas	1989
Ms. Laurey Peat, Dallas	1988
* Mr. Sidney Pike, Atlanta, Georgia	1990
* Mr. Adam C. Powell III, Mill Valley, California	1990
Mr. Arthur Denny Scott, New York, New York	1989
Mr. Neal Spelce, Austin	1988
Mr. George Watson, Washington, D.C.	1989
Ms. Elizabeth L. Young, Washington, D.C.	1988
Mr. Michael A. Zinberg, Beverly Hills, California	1989
Unfilled Term	1989
Unfilled Term	1990

College of Education Foundation Advisory Council.--  
Authorized Membership 31:

	<u>Term Expires</u>
Mrs. Ada C. Anderson, Austin	1989
** Mr. Ralph A. Anderson, Jr., Houston	1989
Mrs. Dorothy C. Ashby, Houston	1988
Mr. Jay Barnes, Austin	1988
Mr. Raul A. Besteiro, Brownsville	1989
Mr. William H. Bingham, Austin	1988
Dr. C. C. Colvert (Ph.D.), Austin	1988
Dr. Eli Douglas (Ph.D.), Garland	1989
Mrs. Anita L. Flynn, Houston	1988
Mrs. Louise G. Spence Griffeth, Dallas	1989
Mr. M. K. Hage, Jr., Austin	1989
Mrs. John L. Hill, Austin	1989
** Mr. Ruben E. Hinojosa, Mercedes	1990
Mrs. Patricia E. Bell Hunter, Austin	1989
** Ms. Carol Ikard, El Paso	1990
Mr. Raymond A. Lee, Austin	1988
** Mrs. Mollie B. Maresh, Houston	1990
Mrs. Anne Rogers Mauzy, Austin	1989
Mrs. Ann C. Meier, Hurst	1989
Mrs. Hazel Jane Clements Monday, Huntsville	1988
** Mrs. Catherine Parker, Tulsa, Oklahoma	1990
Mrs. Melinda Perrin, Houston	1988
Mrs. William H. Seay, Dallas	1988
Mrs. Sybil Seidel, Dallas	1989
Mr. Peter Suarez, Austin	1988
** Dr. Gordon K. Teal (Ph.D.), Dallas	1989
** Mrs. Jo Alice Tomforde, Houston	1990
Mrs. Robert Wilkes, Austin	1989
** Mrs. Carolyn Josey Young, Houston	1990
Unfilled Term	1988
Unfilled Term	1989

College of Engineering Foundation Advisory Council.--  
Authorized Membership 50:

	<u>Term Expires</u>
Mr. James R. Adams, Dallas	1988
* Mr. Robert J. Allison, Jr., Houston	1990
Mr. Charles A. Anderson, Fort Worth	1989
Mr. James E. Barnes, Tulsa, Oklahoma	1989
Mr. V. G. Beghini, Houston	1988
* Mr. Thomas J. Billings, Corpus Christi	1990
** Mr. H. O. Boswell, Chicago, Illinois	1990
Mr. W. Jack Bowen, Houston	1988
Mr. Earl N. Brasfield, St. Louis, Missouri	1989
Dr. E. Oran Brigham, Jr. (Ph.D.), Santa Clara, California	1989
Mr. Ralph F. Cox, Fort Worth	1988
Mr. Raymond V. Cruce, Houston	1989
* Mr. Floyd Leroy Culler, Jr., Palo Alto, California	1990
Dr. Malcolm R. Currie (Ph.D.), Los Angeles, California	1989
* Mr. Grant Dove, Austin	1990
Dr. Maxime A. Faget (Ph.D.), Webster	1989
Mr. Jerry S. Farrington, Dallas	1989
Mr. John H. Garner, Corpus Christi	1988
Mr. William R. Goff, Dallas	1988
Mr. E. J. Grivetti, Houston	1989
Mr. Henry Groppe, Jr., Houston	1989
Mr. Arthur H. Hausman, Redwood City, California	1989
Mr. Dennis R. Hendrix, Houston	1989
Mr. David A. Hentschel, Tulsa, Oklahoma	1988
Mr. Jack H. Herring, Austin	1989
** Mr. Edwin J. Hess, Florham Park, New Jersey	1990
* Mr. William G. Howard, Jr., Schaumburg, Illinois	1990
Dr. Richard J. Howe (Ph.D.), Houston	1988
Admiral B. R. Inman, USN Ret., Austin	1989
Mr. John L. Jackson, Jr., Dallas	1988
* Mr. John Keehan, New York, New York	1990
Mr. James R. Lightner, Richardson	1988
* Mr. Allan V. Martini, San Francisco, California	1990
Mr. Robert L. Marwill, Irving	1989
** Mr. Robert R. McCall, Houston	1990
* Mr. John Guy McMillian, Jr., Coconut Grove, Florida	1990
Mr. James A. Middleton, Dallas	1989
Mr. Robert N. Miller, Los Angeles, California	1988
Mr. William G. Moore, Jr., Dallas	1988
** Mr. C. Wayne Nance, Houston	1990
Mr. Peter O'Donnell, Jr., Dallas	1988
** Mr. Bob G. Perry, Danbury, Connecticut	1990
Mr. Liston M. Rice, Jr., Dallas	1989
* Mr. Donald G. Russell, Houston	1990
Mr. George Scalise, Sunnyvale, California	1988
* Mr. Roy Ray Shourd, Sugarland	1990
Mr. Bill M. Thompson, Bartlesville, Oklahoma	1989
Unfilled Term	1989
Unfilled Term	1990
Unfilled Term	1990

College of Fine Arts Foundation Advisory Council.--  
Authorized Membership 35:

	<u>Term Expires</u>
* Mrs. Buddy Anguish, Jr., Midland	1990
Mrs. A. L. Ballard, Jr., Houston	1988
* Mrs. J. W. Bartholow, Dallas	1990
Mrs. Joan Ragsdale Baskin, Midland	1989
Mrs. Al Biedenharn, San Antonio	1989
Mrs. James R. Blake, Fort Worth	1989
Mrs. Phil Bolin, Wichita Falls	1989
Mr. W. Jack Bowen, Houston	1988
Mrs. James Brennand, El Paso	1989
** Mrs. Marietta Moody Brooks, Austin	1990
** Mrs. Roy Butler, Austin	1990
* Mrs. Frank K. Cahoon, Midland	1990
Ms. Barbara Smith Conrad, New York, New York	1989
Mrs. Jack Rust Crosby, Austin	1989
* Mrs. Franklin W. Denius, Austin	1990
Mrs. Walter L. Foxworth II, Dallas	1988
Mrs. Harvey Herd, Midland	1988
** Mrs. Benjamin Dean Holt, Corpus Christi	1990
Mr. Alfred A. King, Austin	1988
** Dr. Amy Freeman Lee (Ph.D.), San Antonio	1990
** Mrs. Michael R. Levy, Austin	1990
* Mrs. Wales H. Madden, Jr., Amarillo	1990
Mrs. Maline Gilbert McCalla, Austin	1989
* Mrs. Gino Narboni, San Antonio	1990
Mr. Kerry O'Quinn, New York, New York	1989
Mrs. Tom B. Rhodes, Dallas	1988
Mrs. D. J. Sibley, Jr., Austin	1989
** Mrs. Lon Slaughter, San Angelo	1990
* Mr. Jack G. Taylor, Austin	1990
* Mrs. Charles S. Teeple IV, Austin	1990
** Mrs. Jan Wendell, Rockport	1990
Mr. Dan C. Williams, Dallas	1988
Mrs. C. Dickie Williamson, Fort Worth	1989
Mrs. Mitchell Wommack, Corpus Christi	1988
Unfilled Term	1990

Geology Foundation Advisory Council.--  
Authorized Membership 38:

	<u>Term Expires</u>
Mr. Charles W. Alcorn, Jr., Victoria	1988
Mr. Eugene L. Ames, Jr., San Antonio	1989
Dr. David S. Birsa (Ph.D.) La Habra, California	1989
Dr. Richard R. Bloomer (Ph.D.), Abilene	1988
** Mr. Thomas M. Burke, Houston	1990
Mr. Weyman W. Crawford, Houston	1988
Mr. L. Decker Dawson, Midland	1989
Dr. Rodger E. Denison (Ph.D.), Dallas	1988
Mr. George A. Donnelly, Jr., Midland	1988
* Dr. Peter T. Flawn (Ph.D.), Austin	1990
** Mr. James H. Frasher, Houston	1990
** Mr. William E. Gipson, Houston	1990
** Dr. Joseph N. Gittelman (Ph.D.), Houston	1990
Mr. George M. Harwell, Jr., Houston	1988
** Mr. Larry R. Hensarling, Lafayette, Louisiana	1990
Mr. David S. Holland, Houston	1989
Mr. Charles J. Hooper, Houston	1989
Mr. John A. Jackson, Dallas	1989
Mr. J. Donald Langston, Kailua-Kona, Hawaii	1988
Mr. Howard R. Lowe, Coupeville, Washington	1989
Mr. Ken G. Martin, Mandeville, Louisiana	1989

Mr. Harry A. Miller, Jr., Midland	1988
** Mr. Michael B. Morris, Houston	1990
Mr. Judd H. Oualline, Houston	1989
** Mr. Scott Petty, Jr., San Antonio	1990
Mr. W. F. Reynolds, Wichita Falls	1988
Mr. George W. Schneider, Jr., Austin	1988
Mr. D. B. Sheffield, Houston	1989
** Mr. Robert K. Steer, Houston	1990
** Mr. William T. Stokes, Dallas	1990
Mr. Phillip E. Wyche, Austin	1988
Unfilled Term	1989
Unfilled Term	1990
Unfilled Term	1990
Unfilled Term	1990

Graduate School Foundation Advisory Council.--

This advisory council was approved by the Board of Regents on March 26, 1976, and nominees to membership have not yet been submitted for Regental approval.

Graduate School of Library and Information Science Foundation Advisory Council.--

Authorized Membership 12:

	<u>Term Expires</u>
Mrs. Betty Anderson, Lubbock	1989
* Mr. Lynn Ashby, Houston	1990
Dr. Mary R. Boyvey (Ph.D.), Austin	1989
Governor Bill Daniel, Liberty	1988
** Ms. Jacqueline Harmon, Austin	1990
Mrs. Judith Helburn, Austin	1988
Ms. Connie Moore, Austin	1989
Mrs. Carolina Jolliff Pace, Dallas	1988
Dr. Scott C. Reeve (Ph.D.), New Orleans, Louisiana	1988
** John P. Schneider, M.D., Austin	1990
** Mrs. Ellen Temple, Austin	1990
Unfilled Term	1990

College of Liberal Arts Foundation Advisory Council.--  
Authorized Membership 36:

	<u>Term Expires</u>
Mr. R. Gordon Appleman, Fort Worth	1989
Mr. Rex G. Baker III, Houston	1988
Mrs. Peggy Pattillo Beckham, Abilene	1989
Mrs. M. Robert Blakeney, Dallas	1989
* Mrs. Jack S. Blanton, Jr., Houston	1990
** Mrs. Robert B. Brinkerhoff, Houston	1990
Ms. Michelle Kay Brock, Midland	1989
** Mrs. Ira Jon Brumley, Fort Worth	1990
Mr. T. Drew Cauthorn, San Antonio	1988
Mrs. William P. Clements, Jr., Dallas	1989
Mr. Creekmore Fath, Austin	1989
Mrs. Joanne M. Glass, Tyler	1989
** Mrs. Nancy Strauss Halbreich, Dallas	1990
** Mr. Hall S. Hammond, San Antonio	1990
Mr. R. Brian Haymon, New York, New York	1989
Mr. Harvey Tevis Herd, Midland	1989
** Mrs. Linda C. Hunsaker, Houston	1990
Mr. Lenoir Moody Josey, Houston	1988

Mr. Barron Ulmer Kidd, Dallas	1988
Mr. Lowell H. Lebermann, Austin	1988
Mr. Michael R. Levy, Austin	1988
Mr. John Mark Metts, Houston	1989
* Mrs. Lewis J. Moorman III, San Antonio	1990
** Mr. Richard L. Nelson, Jr., Houston	1990
* Mrs. Bill Patman, Austin	1990
Mrs. John Pope, Abilene	1988
Mr. Luther Daniel Prescott, Fort Worth	1989
** Mrs. Harry H. Ransom, Austin	1990
Mrs. Macey Hodges Reasoner, Houston	1988
David George Shulman, M.D., San Antonio	1989
* Mr. David Smith, Dallas	1990
Mrs. William H. Snyder III, Dallas	1988
** Mr. Walter J. Taylor, Lubbock	1988
* Ms. Patti Birge Tyson, Washington, D.C.	1990
Mr. Joe Bill Watkins, Austin	1988
Darrell Willerson, Jr., M.D., San Antonio	1988

College of Natural Sciences Foundation Advisory Council.--Authorized Membership 35:

	<u>Term Expires</u>
** Mr. Robert L. Brueck, Round Rock	1990
Mr. R. Dan Burck, Austin	1989
** Dr. Donald M. Carlton (Ph.D.), Austin	1990
Mr. James D. Dannenbaum, Houston	1989
** Mr. R. Gary Dillard, Houston	1990
** Mr. Walter B. Dossett, Jr., Waco	1990
Mr. Tom E. Fairey, Austin	1989
F. Parker Gregg, M.D., Houston	1988
* Mr. Billy (Bill) Roy Gulledege, San Antonio	1990
Dr. Norman Hackerman (Ph.D.), Austin	1989
** Mr. Ralph T. Hull, Houston	1990
Mr. George H. Jewell, Jr., Houston	1988
* Mr. Lawrence (Larry) E. Jenkins, Austin	1990
Mrs. Jean W. Kaspar, Shiner	1988
Mrs. Amy Johnson McLaughlin, San Angelo	1989
** Dr. H. David Medley (Ph.D.), Dallas	1990
* Mrs. John K. Overbey, Austin	1989
* Warren Dennis Parker, M.D., Houston	1990
Mr. Rom Rhome, Houston	1989
** Dr. James A. Rickard (Ph.D.), Houston	1990
David T. Roark, M.D., Houston	1988
* Glenn A. Rogers, D.D.S., Midland	1990
* F. Brantley Scott, Jr., M.D., Houston	1990
Dr. Edward J. Skiko (Ph.D.), Fairfield, Connecticut	1988
Dr. Jean Andrews Smith (Ph.D.), Austin	1988
** Mrs. Jere W. Thompson, Dallas	1990
Mr. James M. Vaughn, Jr., Houston	1989
** Mr. J. Virgil Waggoner, Houston	1990
Dr. Edward N. Wheeler (Ph.D.), Dallas	1988
Mrs. Sam A. Wilson, Austin	1989
* Mrs. William Wilson, Dallas	1990
Edward H. Withers, M.D., Houston	1988
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1990

Pharmaceutical Foundation Advisory Council.--  
Authorized Membership 29:

	<u>Term Expires</u>
* Mr. Roger W. Anderson, Houston	1990
** Romeo T. Bachand, Jr., M.D. (Ph.D.), San Marcos	1988
Mr. John R. Carson, San Antonio	1988
Mr. Robert Coopman, San Antonio	1989
** Mr. Jose Adrian Del Castillo, Brownsville	1990
** Mr. William I. Dismukes, Austin	1990
Mr. Neal R. Ellis, Levelland	1988
Mr. Donald K. Fletcher, Philadelphia, Pennsylvania	1988
Dr. Thomas Gerding (Ph.D.), New Brunswick, New Jersey	1988
Mr. Alan W. Hamm, Fort Worth	1988
Mr. J. Keith Hanchey, Dallas	1989
* Miss Noemi Herrera, Houston	1989
Mr. Lonnie F. Hollingsworth, Lubbock	1989
** Mr. Jan Michael Klinck, McAllen	1990
** Mr. Mark Knowles, Washington, D.C.	1990
** Dr. Howard B. Lassman (Ph.D.), Somerville, New Jersey	1990
* Mr. Douglas J. MacMaster, Jr., West Point, Pennsylvania	1990
Mr. Robert L. Myers, Clearwater, Florida	1988
Mr. Joseph A. Oddis, Bethesda, Maryland	1989
Mr. Jay J. Pisik, North Chicago, Illinois	1988
** Mr. Albert Sebok, Twinsburg, Ohio	1990
Dr. William J. Sheffield (Ph.D.), Round Rock	1989
Mr. R. Glenn Smith, Waco	1988
General Coulter R. Sublett, Dallas	1989
Mr. Eugene L. Vykukal, Dallas	1988
* Mr. Charles M. West, Alexandria, Virginia	1990
* Mr. David L. Wingate, Deerfield, Illinois	1990
Mr. R. F. Wojcik, Indianapolis, Indiana	1988
Unfilled Term	1990

School of Social Work Foundation Advisory Council.--  
Authorized Membership 28:

	<u>Term Expires</u>
Mr. Tom Backus, Austin	1989
Ms. Patricia Bailey, St. Louis, Missouri	1989
** Mrs. Charles F. Bedford, Fort Worth	1990
Dr. H. Rad Eanes III (Ph.D.), San Antonio	1988
Mrs. Robert Theodore Enloe III, Dallas	1989
Mr. Royal Furgeson, El Paso	1988
Mrs. Bettie Girling, Austin	1988
** Mrs. Beverly Griffith, Austin	1990
** Mr. James F. Hurley, Houston	1990
Mr. David R. Lambert, Dallas	1989
Mr. William G. Marquardt, Fort Worth	1989
Mrs. Sally Freeman McKenzie, Dallas	1989
Dr. M. Marjorie Menefee (Ph.D.), Austin	1989
** Mr. Dean Milkes, Corsicana	1990
* Ms. Camille Miller, Austin	1990
Mrs. Billye Muecke, Huntsville	1988
Ms. Sallie B. Nowlin, Fort Worth	1988
** Mr. Eddie Phillips, Dallas	1990
** Ms. Mary Polk, Austin	1990
Ms. Ann Quinn, Fort Worth	1989
Mr. Victor W. Ravel, Austin	1989
Mrs. Eleanor Selig, Seguin	1989
Mr. Russell Smith, Austin	1988
Mrs. Barbara Higley Staley, Houston	1988

Mr. August N. Swain, Austin	1988
Ms. Jo Ann Swinney, Houston	1988
Ms. Marilla B. Wood, Austin	1989
Mr. Everett E. Woods, Abilene	1988

Marine Science Institute Advisory Council.--  
Authorized Membership 35:

	<u>Term Expires</u>
* Mr. R. C. Allen, Corpus Christi	1989
** Mr. James H. Atwill, Port Aransas	1988
Charles W. Bailey, Jr., M.D., Houston	1988
Mr. Perry R. Bass, Fort Worth	1989
** Mr. Charles J. Brown, Port Aransas	1988
Mr. Cecil E. Burney, Corpus Christi	1988
** Mr. Charles C. Butt, San Antonio	1990
Mr. Louis Castelli, Dallas	1989
** Mr. James H. Clement, Kingsville	1990
Mr. Leroy G. Denman, San Antonio	1989
** Mr. John Dorn, Corpus Christi	1990
Dr. Peter T. Flawn (Ph.D.), Austin	1988
* Mr. W. Lynn Gavit, Port Aransas	1989
Mr. Christopher Gill, San Antonio	1988
Mr. Hugh Halff, Jr., San Antonio	1988
Mr. John C. Holmgreen, San Antonio	1989
Mr. Edward R. Hudson, Jr., Fort Worth	1989
Mr. D. Michael Hughes, Houston	1988
Mr. Richard King III, Corpus Christi	1989
Mrs. Edith McAllister, San Antonio	1989
Mr. George P. Morrill II, Beeville	1988
Dr. William C. Moyer (Ph.D.), California, Maryland	1989
** Mr. William Negley, San Antonio	1990
** Mr. Howard N. Richards, Austin	1990
Mr. Arthur A. Seeligson, Jr., San Antonio	1989
Mr. Frederick M. Smith, Dallas	1989
** Mr. James C. Storm, Corpus Christi	1990
* Mr. Ben F. Vaughan III, Austin	1990
Mr. Don E. Weber, San Antonio	1989
* Mr. H. C. Weil, Corpus Christi	1989
Mr. M. Harvey Weil, Corpus Christi	1988
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1990
Unfilled Term	1990

McDonald Observatory and Department of Astronomy  
Board of Visitors.--Authorized Membership 35:

	<u>Term Expires</u>
Mr. Clyde H. Alexander II, Trinidad	1988
Mrs. Raye Virginia Allen, Washington, D.C.	1988
* Mr. Gaylord Armstrong, Austin	1990
Mr. Rex G. Baker, Jr., Houston	1988
** Mrs. Joan Ragsdale Baskin, Midland	1990
** Mr. Mark E. Bivins, Amarillo	1990
Mr. William B. Blakemore II, Midland	1989
Mr. Z. D. Bonner, San Antonio	1989
Mr. Harry E. Bovay, Jr., Houston	1988
* Dr. Malcolm Brachman (Ph.D.), Dallas	1990
* Mr. Clifton Caldwell, Albany	1989
Mr. George E. Christian, Austin	1989
** Mr. John B. Connally III, Houston	1990
* Mr. William S. Davis, Fort Worth	1990

** Mrs. Anne P. Dickson, Dallas	1990
Mr. Sam Dunnam, Austin	1989
Mr. Jenkins Garrett, Fort Worth	1988
Mr. Fred Goetting, San Antonio	1989
Mr. Robert Jorrie, San Antonio	1989
** Mr. Herbert D. Kelleher, Dallas	1990
Mr. Allan C. King, Houston	1988
Mr. Thos. H. Law, Fort Worth	1988
Mr. Frederick Z. Mills, Jr., Dallas	1988
* Mr. Jon Mosle, Dallas	1990
* Dr. Judy Newton (Ph.D.), Austin	1988
** Mr. Wade Nowlin, Fort Worth	1990
** Mr. Pike Powers, Austin	1990
Mr. Billy Shurley, Marfa	1989
* Mr. Marshall Steves, Jr., San Antonio	1990
Mr. John Stuart III, Dallas	1989
Mr. Curtis T. Vaughan, Jr., San Antonio	1988
Mr. C. Lee Walton, Jr., Dallas	1989
** Mr. Otto K. Wetzell, Jr., Dallas	1990
The Honorable John Wildenthal, Houston	1989
** Mr. Samuel T. Yanagisawa, Dallas	1990

School of Nursing Advisory Council.--  
Authorized Membership 28:

	<u>Term Expires</u>
Joseph M. Abell, Jr., M.D., Austin	1989
Mrs. Dolores M. Alford, Dallas	1989
Mrs. Morris Atlas, McAllen	1989
Mr. Cleve Bachman, Beaumont	1988
Mrs. Bob G. (Ruth) Bailey, Abilene	1989
** Ms. Catherine A. Bane, Houston	1990
* Mrs. Eloise Blades, Houston	1990
Mrs. Jack S. Blanton, Sr., Houston	1988
** Mrs. Bob Casey, Jr., Houston	1990
Mrs. Joe Christie, Austin	1988
Mrs. J. E. Connally, Abilene	1988
Mrs. Martha Fletcher Coons, Austin	1989
** Armando Cuellar, M.D., Weslaco	1990
** Mrs. Ralph H. Daugherty, Jr., Austin	1990
Mr. David T. Davenport, Austin	1989
** Ms. Mandy Dealey, Austin	1990
Mr. Hector De Leon, Austin	1989
** Ms. Beverly Drawe, Austin	1990
** Mrs. Carlos Godinez, McAllen	1990
** Ms. Jane Hickie, Austin	1990
Mr. Paul C. Jackson, Austin	1989
Ms. Lou Hedrick Jones, Dallas	1988
Mrs. Janie Julian, Austin	1989
Mr. David McWilliams, Austin	1989
Mrs. John R. Rainey, Jr., Austin	1988
Henry Renfert, Jr., M.D., Austin	1989
Mr. Dell M. Sheftall, Jr., Austin	1989
Dr. Mabel Wandelt (Ph.D.), Austin	1989

Texas Union Advisory Council.--Authorized Membership 15:

	<u>Term Expires</u>
Mr. John W. Anderson, Houston	1988
Mr. Jerry A. Bell, Jr., Austin	1988
Mr. L. Dean Cobb, Austin	1989
Mr. James Hudson Dudley, Comanche	1988
** Ms. Molly Moffett Gray, Houston	1989
Mr. Jerry J. Nathan, Beaumont	1988
Mr. Larry Newman, Austin	1988
Mrs. Joan Franklin Phipps, Houston	1988
Mr. Gary M. Polland, Houston	1989
Mr. Benjamin Rodriguez, San Antonio	1988
** Mr. Brian Shivers, Dallas	1990
Mrs. Marolyn W. Stubblefield, San Antonio	1989
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1990

3. The University of Texas at Dallas

Development Board.--Authorized Membership 45:

	<u>Term Expires</u>
Mr. Kent M. Black, Dallas	1988
Mr. Bruce Calder, Dallas	1989
Mrs. Bruce Calder, Dallas	1989
** Dr. Andrew R. Cecil (Ph.D.), Richardson	1990
** Mrs. Caroline Edens, Dallas	1990
Mr. Hill Feinberg, Dallas	1988
Mr. James L. Fischer, Dallas	1988
* Mrs. Carolyn Foxworth, Dallas	1990
Mr. Sol Goodell, Dallas	1988
* Mr. Al Gonzales, Dallas	1988
** Mrs. Dorothy Griffin, Richardson	1990
Mrs. J. E. Henry, Richardson	1989
* Mr. Jerry Hogan, Dallas	1990
Mr. Jack B. Jackson, Richardson	1989
Mr. George W. Jalonick IV, Dallas	1989
Mr. Gifford K. Johnson, Dallas	1988
** Mr. Philip R. Jonsson, Dallas	1990
* Mr. Dale V. Kesler, Dallas	1990
Mr. Michael Kinsey, Dallas	1989
Mr. James R. Lightner, Richardson	1988
Mr. Richard K. Marks, Plano	1988
* Mr. James McCormick, Dallas	1989
Mr. Harvey Mitchell, Dallas	1988
** Dr. James E. Mitchell (Ph.D.), Plano	1990
* Mr. Lawrence Jack Moore, Esq., Dallas	1989
Mr. Mike A. Myers, Dallas	1989
* Mr. Tom Rhodes, Dallas	1990
Mr. James P. Sheehan, Dallas	1989
The Honorable Annette Strauss, Dallas	1989
* Mr. David Tacke, Dallas	1990
* Mr. Peter Thomas, Dallas	1988
Mr. C. J. Thomsen, Dallas	1988
* Mrs. Ann Utley, Dallas	1990
** Mr. James R. Voisinet, Dallas	1990
** Mr. C. Lee Walton, Jr., Dallas	1990

Unfilled Term	1988
Unfilled Term	1988
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1990
Unfilled Term	1990
Unfilled Term	1990

Advisory Council for the School of Management.--  
Authorized Membership 42:

	<u>Term Expires</u>
Mr. Gilbert H. Andres, Dallas	1988
Mr. Harry B. Bartley, Dallas	1988
Mr. John D. Beletic, Dallas	1989
Mr. Charles M. Best, Dallas	1988
Mr. Robert H. Boykin, Dallas	1988
** Mr. Robert K. Campbell, Dallas	1990
* Mr. Weston E. Edwards, Dallas	1990
** Mr. Richard I. Galland, Dallas	1988
Mr. James B. Gardner, Dallas	1989
Mr. James F. Gero, Garland	1989
Mr. Arthur L. Gonzales, Dallas	1989
Mr. William A. Grant, Dallas	1989
* Mr. Max D. Hopper, Dallas	1988
** Mr. Thomas B. Howard, Jr., Dallas	1989
** Mr. Dale V. Kesler, Dallas	1990
Mr. Alan B. Lerner, Dallas	1988
Mr. L. G. Lesniak, Dallas	1988
* Mr. Gregory A. LeVert, Dallas	1990
Mr. Thomas F. Lysaught, D/FW Airport	1989
Mr. Thomas McCartin, Dallas	1989
Mr. Richard F. Mitchell, Irving	1988
* Mr. William C. Nelson, Dallas	1990
* Mr. John P. Rochon, Dallas	1990
** Mr. Rex A. Sebastian, Dallas	1988
Mr. Robert W. Slater, Dallas	1988
Ms. Nancy Harvey Steorts, Dallas	1989
Mr. John Stuart III, Dallas	1989
** Mr. David R. Tacke, Dallas	1988
** Mr. James R. Voisinet, Dallas	1988
* Mr. Thomas J. Wageman, Dallas	1990
** Mr. C. Anthony Wainwright, Dallas	1990
** Mr. C. Lee Walton, Jr., Dallas	1990
** Ms. Linda A. Wertheimer, Dallas	1990
* Mr. Franklin R. Winnert, Dallas	1990
Unfilled Term	1989
Unfilled Term	1990

Advisory Council for the Callier Center for  
Communication Disorders.--Authorized Membership 30:

	<u>Term Expires</u>
** Mr. Stuart Bumpas, Dallas	1989
Mrs. Margaret J. Charlton, Dallas	1988
** Mrs. A. Earl Cullum, Jr., Dallas	1989
Mr. Bennett Cullum, Dallas	1989
Mrs. Dorine Cunningham, Wills Point	1989
** Mr. Joe Dealey, Dallas	1988
** Mrs. Robert E. Dennard, Dallas	1988
** Mr. Gerald Fronterhouse, Dallas	1988
Mr. Jay Goltz, Dallas	1988
** Mr. Thomas D. Hogan, Dallas	1988
Miss Nelle C. Johnston, Dallas	1988
Mr. J. E. Jonsson, Dallas	1989
** Mr. David M. Laney, Dallas	1988
** Mr. Michael Lockerd, Dallas	1989
* Mrs. Kevin McBride, Dallas	1989
* Mr. P. M. McCullough, Dallas	1989
Ludwig A. Michael, M.D., Dallas	1989
Mr. Robert Neely, Dallas	1989
** Mr. Sydney K. Peatross, Dallas	1989
Mr. Pat Y. Spillman, Dallas	1989
Mr. John M. Stemmons, Jr., Dallas	1988
Mr. Carl J. Thomsen, Dallas	1988
Unfilled Term	1990

Advisory Council for the School of General Studies.--  
Authorized Membership 28:

	<u>Term Expires</u>
Ms. Beverly Laughlin Brooks, Dallas	1988
Mr. Roy E. Dulak, Dallas	1989
** Ms. Carol Duncan, Dallas	1990
** Mr. Hardy H. England, Richardson	1990
Mr. Edward M. Fjordbak, Dallas	1988
* Mr. Howard D. Hern, Dallas	1990
Ms. Lorraine Kaas, Dallas	1989
Mr. David Kaplan, Richardson	1989
** Mrs. Gene K. Koonce, Richardson	1990
Mrs. R. F. Leftwich, Richardson	1988
** Mr. Raymond D. Noah, Richardson	1990
Ms. Cynthia Pharr, Dallas	1988
* Ms. Diane Price, Richardson	1990
* Mr. Michael Quarry, Dallas	1990
Mr. Gene Ramsey, Plano	1989
Mr. Ernest H. Randall, Jr., Richardson	1989
Mr. J. H. Rawles, Richardson	1989
Mr. Mark Rigg, Dallas	1989
Mrs. Ronald Ritter, Richardson	1988
* Mrs. Hortense Sanger, Dallas	1988
* Mrs. Norma Schlinger, Dallas	1990
Mr. Frederick H. Stern, Dallas	1989
Mr. C. E. Teague, Richardson	1988
* Mr. Steve Vittorini, Dallas	1990
Mrs. Julius Wolfram, Dallas	1989

Unfilled Term	1988
Unfilled Term	1990
Unfilled Term	1990

Advisory Council for the School of Arts and Humanities.--  
Authorized Membership 25:

	<u>Term Expires</u>
Mr. Earl O. Latimer II, Dallas	1989
Mr. James McCormick, Dallas	1989
Mrs. Joyce Meier, Dallas	1989
Mrs. Henry S. Miller, Jr., Dallas	1989
Robert D. Page, M.D., Dallas	1988
Mrs. Robert D. Page, Dallas	1988
Unfilled Term	1989
Unfilled Term	1990

Advisory Council for the School of Social Sciences.--  
Authorized Membership 25:

	<u>Term Expires</u>
** Mr. Richard J. Agnich, Dallas	1990
* Ms. Carolyn Bacon, Dallas	1989
Mr. David J. Chase, Dallas	1988
** Ms. Betty Jo Christian, Washington, D.C.	1990
Mr. William Crier, Plano	1988
** Mr. Alan R. Erwin, Austin	1990
Ms. Carolyn M. Gilbert, Dallas	1989
Mr. Jeremy Halbriech, Dallas	1989
** Ms. Kay Bailey Hutchison, Dallas	1990
Ms. Eddie Bernice Johnson, Dallas	1988
Mr. Rodger Mitchell, Dallas	1988
Mr. Ray Nasher, Dallas	1989
Mr. Lee Simpson, Dallas	1989
Mr. Forrest Smith, Dallas	1989
Mr. Richard F. Smith, Dallas	1988
Mr. Garry A. Weber, Dallas	1988
Unfilled Term	1989
Unfilled Term	1990

4.

The University of Texas at El Paso

Development Board.--Authorized Membership 30:

	<u>Term Expires</u>
Eugenio A. Aguilar, Jr., D.D.S., El Paso	1989
Mr. Federico Barrio T., Juarez, Mexico	1988
** Mr. Julian Bernat, El Paso	1990
Gordon L. Black, M.D., El Paso	1988
Mr. Hughes Butterworth, Jr., El Paso	1989
** Mr. H. M. Daugherty, Jr., El Paso	1990
Mr. Federico De La Vega, Juarez, Mexico	1988
Mr. Charles H. Foster, El Paso	1989
** Mr. Hugh K. Frederick, Jr., El Paso	1990
Mr. Joseph P. Hammond, El Paso	1988
Mrs. Robert F. Haynsworth, El Paso	1988
Mr. Robert C. Heasley, El Paso	1988
Mr. Donald S. Henderson, El Paso	1988
Mr. Fred Hervey, El Paso	1988
Mrs. George (Bette) Hervey, El Paso	1988
Mr. Richard Hickson, El Paso	1989
Mr. Hector Holguin, El Paso	1988
Mr. Lindsay B. Holt, El Paso	1988
* Mr. Larry A. Hornsten, El Paso	1990
Mr. Maury P. Kemp, El Paso	1988
Mr. Dennis H. Lane, El Paso	1989
Mr. Guillermo Licon, El Paso	1989
Mr. Louis B. McKee, El Paso	1988
Laurance N. Nickey, M.D., El Paso	1988
Mr. Arnold Peinado, Jr., El Paso	1989
Mr. Jim Phillips, El Paso	1988
* Mr. Jonathan Rogers, El Paso	1990
Mr. Edward F. Schwartz, El Paso	1989
** Mr. Orval W. Story, El Paso	1990
Dr. Judson F. Williams (Ph.D.), El Paso	1988

College of Engineering Industrial Advisory Council.--  
Authorized Membership 30:

	<u>Term Expires</u>
Mr. George Bailey, El Paso	1989
** Mr. Federico Barrio T., Ciudad Juarez, Mexico	1990
* Mr. William A. Bruner, El Paso	1990
Col. Charles C. Clarke, El Paso	1988
** Mr. Tony G. Conde, El Paso	1989
Mr. Samuel P. Drake, El Paso	1988
Mr. Kenneth Farah, El Paso	1989
* Mr. H. Paul Garland, El Paso	1989
* Mr. Joseph J. Gaynor, El Paso	1990
* Mr. Norman R. Haley, El Paso	1990
** Mr. Hector Holguin, El Paso	1990
Mr. Guillermo Licon, El Paso	1988
Mr. Richard H. Michel, El Paso	1988
** Mr. Frederick H. Mitchell, El Paso	1989
Mr. Edward D. Nelson, El Paso	1989
* Mr. Charles H. Page III, El Paso	1990
Mr. Harry W. Ray, El Paso	1988
Mr. Pablo Salcido, El Paso	1989
* Mr. John R. Shaw, El Paso	1990
Mr. Hector Barrio Terrazas, El Paso	1988
Mr. Jaime Torrez, El Paso	1988
Mr. Ignacio R. Troncoso, El Paso	1988
Mr. John Turner, El Paso	1989
** Mr. James A. Wise, White Sands Missile Range, New Mexico	1989
** Mr. Tony Woo, El Paso	1990

Unfilled Term	1988
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1989
Unfilled Term	1989

5. The University of Texas of the Permian Basin

Development Board.--Authorized Membership 30:

	<u>Term Expires</u>
** Mr. H. Eugene Abbott, Midland	1990
** Mrs. Jerry L. Avery, Big Spring	1990
Mr. William B. Blakemore II, Midland	1989
Mr. Frank Cahoon, Midland	1988
Mr. J. C. Chancellor, Odessa	1988
J. D. Cone, M.D., Odessa	1989
Mr. James K. Cox, Midland	1989
** Mr. John A. Currie, Big Spring	1990
Mr. J. Conrad Dunagan, Monahans	1989
Mr. James R. "Buzz" Hurt, Odessa	1988
Mr. William Monroe Kerr, Sr., Midland	1988
Mr. John Landgraf, Odessa	1988
** Mr. Herschel O'Kelley, Midland	1990
Mr. Joseph I. O'Neill III, Midland	1989
Mr. Charles R. Perry, Odessa	1988
Mr. Paul C. Rea, Midland	1989
** Mr. James Roberts, Andrews	1990
Mr. Louis Rochester, Odessa	1989
Mr. Tom Roden, Odessa	1988
Mr. W. O. Shafer, Odessa	1989
Mrs. Richard C. Slack, Pecos	1989
Mr. Cyril Wagner, Jr., Midland	1988
Unfilled Term	1988
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1989
Unfilled Term	1989
Unfilled Term	1990
Unfilled Term	1990
Unfilled Term	1990

6. The University of Texas at San Antonio

Development Board.--Authorized Membership 25:

	<u>Term Expires</u>
Mr. Glenn Biggs, San Antonio	1988
Dr. Roland K. Blumberg (Ph.D.), Seguin	1988
** Governor Dolph Briscoe, Jr., Uvalde and San Antonio	1990
Mr. Richard W. Calvert, San Antonio	1988
* Mr. Charles E. Cheever, Jr., San Antonio	1990
Mr. T. C. Frost, San Antonio	1989
Mr. Alex H. Halff, San Antonio	1989
Mr. Houston H. Harte, San Antonio	1989
Mr. Roger Hemminghaus, San Antonio	1989
Mr. Marvin G. Kelfer, San Antonio	1988
Mr. Cappy Lawton, San Antonio	1988
Mr. Bernard L. Lifshutz, San Antonio	1989
** Mrs. Walter W. McAllister, Jr., San Antonio	1990
Mr. B. J. "Red" McCombs, San Antonio	1989

Gen. Robert F. McDermott (Ret.), San Antonio	1989
Mr. Lewis J. Moorman, Jr., San Antonio	1988
Mr. Scott Petty, Jr., San Antonio	1988
* Mr. John T. Steen, Jr., San Antonio	1990
Mr. Louis H. Stumberg, San Antonio	1989
** Mr. Curtis Vaughan, Jr., San Antonio	1990
Mr. Charles Martin Wender, San Antonio	1988
** Mrs. Irene S. Wischer, San Antonio	1990
Unfilled Term	1990
Unfilled Term	1990
Unfilled Term	1990

College of Business Advisory Council.--  
Authorized Membership 27:

	<u>Term Expires</u>
Mr. Clark Aylsworth, Sr., San Antonio	1989
Mr. Jesse A. Baker, San Antonio	1988
Mrs. Barbara Banker, San Antonio	1989
Mr. Kenneth L. Batchelor, San Antonio	1988
Mr. Samuel P. Bell, San Antonio	1989
Mr. Taylor S. Boone, San Antonio	1988
Mr. George Brown, San Antonio	1989
Mrs. Betty Burke, San Antonio	1989
Dr. Patricia LeMay Burr (Ph.D.), San Antonio	1989
* Mr. Fully Clingman, San Antonio	1990
* Mr. Bob W. Coleman, San Antonio	1990
Mr. Robert Cuyler, San Antonio	1989
** Mrs. Alice S. Dawson, San Antonio	1990
* Mr. Alan Dreeben, San Antonio	1989
Col. Victor J. Ferrari, San Antonio	1988
Mrs. Cathy Obriotti Green, San Antonio	1988
** Mr. James L. Hayne, San Antonio	1990
* Mr. Craig Jeffery, San Antonio	1990
** Mr. Robert R. Moore, San Antonio	1990
** Mr. Clark C. Munroe, San Antonio	1990
Mr. James C. Phelps, San Antonio	1988
Mr. Thomas J. Pierce, San Antonio	1988
** Mr. Paul Reddy, San Antonio	1990
* Mr. Benjamin Rodriguez, San Antonio	1990
* Brig. Gen. (USAF-Ret.) David Roe, San Antonio	1988
Mr. Beuford T. Shirley, San Antonio	1988
Mr. Robert Worth, San Antonio	1989

College of Fine Arts and Humanities Advisory Council.--  
Authorized Membership 25:

	<u>Term Expires</u>
* Mr. Barry M. Beller, M.D., San Antonio	1988
* Mrs. Evelyn Berg, San Antonio	1988
* Mrs. C. L. Browning, Jr., San Antonio	1988
* C. Brandon Chenault, M.D., San Antonio	1989
* Mrs. Candes P. Chumney, San Antonio	1988
* Ms. Maria Eugenia Cossio, San Antonio	1988
* Mr. Alfredo L. Flores, Jr., San Antonio	1990
* Mrs. Ruth Jean Gurwitz, San Antonio	1990
* Lawrence B. Harkless, D.P.M., San Antonio	1990
* Mr. J. Joe Harris, San Antonio	1988
* Mr. John M. Johnston, San Antonio	1988
* Mr. A. Leonard C. Magruder, San Antonio	1989
* Miss Harriett C. Marmon, San Antonio	1988
* Mr. William G. Moll, San Antonio	1989
* Mrs. Lois Oppenheimer, San Antonio	1988
* Mr. David B. Person, San Antonio	1990

* Mrs. Aaronetta Pierce, San Antonio	1988
* Mr. Boone V. Powell, San Antonio	1990
* Mrs. Patsy Steves, San Antonio	1989
* Mrs. Jocelyn Straus, San Antonio	1989
* Mrs. Mary Pat Stumberg, San Antonio	1989
* Mrs. Margaret Pace Willson, San Antonio	1990
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1990

7. The University of Texas at Tyler

Development Board.--Authorized Membership 26:

	<u>Term Expires</u>
Mr. James W. Arnold, Tyler	1989
Mr. J. M. Bandy, Tyler	1989
Mr. Henry M. Bell, Jr., Tyler	1989
Mr. Frank M. Burke, Jr., Dallas	1988
Mr. Allen M. Burt, Tyler	1989
Mr. Charles L. Childers, Tyler	1988
** Mr. Vernon E. Faulconer, Tyler	1990
** Mr. Bill G. Hartley, Tyler	1990
Senator Peyton McKnight, Tyler	1988
Mr. George W. Oge, Tyler	1989
** Mr. Wade C. Ridley, Tyler	1990
Mr. A. W. Riter, Jr., Tyler	1988
Mr. Robert M. Rogers, Tyler	1988
Mr. Isadore Roosth, Tyler	1988
** Mr. Norman M. Shtofman, Tyler	1990
Mr. Ralph Spence, Tyler	1988
Mr. Earl L. Story, Jr., Tyler	1988
Mr. Eugene Talbert, Tyler	1989
** Jim M. Vaughn, M.D., Tyler	1990
Mr. John E. White, Jr., Tyler	1989
** Mr. Royce E. Wisenbaker, Tyler	1990
** Mr. James C. Wynne, Jr., Tyler	1990
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1989
Unfilled Term	1990

8. The University of Texas  
Institute of Texan Cultures at San Antonio

Development Board.--Authorized Membership 29:

	<u>Term Expires</u>
* Mrs. T. Armour (Claudia Abbey) Ball, Comstock and San Antonio	1990
Mr. Bob Brinkerhoff, Houston	1988
Mr. J. P. Bryan, Jr., Houston	1989
Mr. Robert A. Buschman, San Antonio	1988
Mr. Charles C. Butt, San Antonio	1988
Mr. Bob R. Dorsey, Austin	1988
** (Ret.) Lt. Col. George Ensley, San Antonio	1990
Sterling H. Fly, Jr., M.D., Uvalde	1988
** Mr. Alex H. Halff, San Antonio	1990
Mr. John Henderson, Lufkin	1988
** Mr. Reagan Houston III, San Antonio	1990
Mrs. Everett (Elizabeth) Hutchinson, Bethesda, Maryland and Palestine, Texas	1989

Mr. Earl Jones, Brownfield	1989
** Mrs. Don (Jean) Kaspar, Shiner	1990
Mr. Ballinger Mills, Galveston	1989
Dan C. Peavy, Jr., D.D.S., San Antonio	1989
** Mr. O. Scott Petty, Sr., San Antonio	1990
* Mr. Scott Petty, Jr., San Antonio	1990
* Mr. Richard Potter, Gilmer	1990
** Mr. Herman P. Pressler, Jr., Houston	1990
Miss Josephine Sparks, Corpus Christi	1988
Mrs. Walter (Ruth) Sterling, Houston	1989
* Mr. Richard L. Triska, Jr., Houston	1990
Mr. Sam Waldrop, Abilene	1988
** Mr. Patrick Hughes Welder, Victoria	1990
Mr. David A. Witts, Dallas	1989
* Mr. William P. Wright, Jr., Abilene	1990
Unfilled Term	1989
Unfilled Term	1990

9. The University of Texas  
Health Science Center at Dallas

Development Board--The Southwestern Medical Foundation serves in this capacity. The nominees are not subject to Regental approval.

10. The University of Texas  
Medical Branch at Galveston

Development Board--Authorized Membership 45:

	<u>Term Expires</u>
** W. Tom Arnold, M.D., Houston	1990
A. Nelson Avery, M.D., Austin	1988
Mrs. William H. Bauer, La Ward	1989
G. Valter Brindley, Jr., M.D., Temple	1988
** Mrs. Ann Barber Brinkerhoff, Houston	1990
C. B. Bruner, M.D., Fort Worth	1988
The Honorable Edward Clark, Austin	1988
Kleberg Eckhardt, M.D., Corpus Christi	1989
Edward Egbert, Jr., M.D., El Paso	1988
Mr. Lawrence E. Ethridge, Jr., Corpus Christi	1989
** Tracy D. Gage, M.D., Lubbock	1990
Mr. Edwin Gale, Beaumont	1988
Mr. Richard C. Gibson, Midland	1989
Carlos D. Godinez, M.D., McAllen	1989
* Dr. Cecil H. Green (Sc.D.), Dallas	1990
** Miss F. Marie Hall, Big Spring	1990
Walter F. Hasskarl, M.D., Brenham	1989
Jesse B. Heath, M.D., Madisonville	1988
* Mavis P. Kelsey, M.D., Houston	1990
Mr. Harris L. Kempner, Sr., Galveston	1989
Mr. Harris L. Kempner, Jr., Galveston	1988
Donald R. Lewis, M.D., Paris	1988
Mr. A. G. McNeese, Jr., Houston	1988
David C. Miesch, M.D., Paris	1989
Mr. Ballinger Mills, Galveston	1989
Mr. George P. Mitchell, The Woodlands	1989
Mr. Robert L. Moody, Galveston	1989
Mr. W. L. Moody IV, Galveston	1988
C. M. Phillips, M.D., Austin	1988
** Mario E. Ramirez, M.D., Roma	1990
** Wayne V. Ramsey, Jr., M.D., Abilene	1990
** Mrs. Edward Randall, Jr., Houston	1990
** Mr. Risher Randall, Houston	1990

Raleigh R. Ross, M.D., Austin	1989
** Ray E. Santos, M.D., Lubbock	1990
** Mr. A. R. Schwartz, Galveston	1990
Mr. Preston Shirley, Galveston	1988
** Mr. Ralph Spence, Tyler	1990
Mr. James C. Storm, Corpus Christi	1989
Clyde E. Thomas, Jr., M.D., Big Spring	1989
Courtney M. Townsend, Sr., M.D., Paris	1988
** Jim M. Vaughn, M.D., Tyler	1990
Miss Lissa W. Walls, Houston	1989
Unfilled Term	1988
Unfilled Term	1990

School of Allied Health Sciences Advisory Council.--  
Authorized Membership 18:

	<u>Term Expires</u>
* Ms. Rhonda Ashcraft, El Campo	1989
* Ms. Beverly Ripple Dickerson, Houston	1989
Mr. Anthony English, Refugio	1988
Mrs. Charles E. Gamble, Pittsburg	1989
Mr. Carlos Garza, Galveston	1989
Fernando A. Guerra, M.D., San Antonio	1989
Miss F. Marie Hall, Big Spring	1988
* Dr. George Henderson (Ph.D.), Oklahoma City, Oklahoma	1990
Dr. Wayne H. Holtzman (Ph.D.), Austin	1989
* Dr. Jeanne Lagowski (Ph.D.), Austin	1990
Dr. Roger A. Lanier (Ph.D.), Baltimore, Maryland	1989
Ms. Maria Teresa Lopez, Laredo	1989
* Ralph Morris, M.D., LaMarque	1990
Dr. Fernando M. Trevino (Ph.D.), Galveston	1988
* Mr. Donald B. Wagner, Houston	1989
* Mr. James A. Williams, Austin	1990
* Ms. Jeanette Winfree, Galveston	1989
Mr. John W. Young, Jr., Caldwell	1989

School of Nursing Advisory Council.--  
Authorized Membership 12:

	<u>Term Expires</u>
* Mrs. John (Drucie) Chase, Houston	1989
Mrs. Richard (Jan) Coggeshall, Galveston	1989
** Mr. Kyle Gillespie, Galveston	1990
Mrs. Judy Godinez, McAllen	1988
Mr. Joseph A. Hafner, Jr., Houston	1989
Miss F. Marie Hall, Big Spring	1989
** Mrs. Beth Jewett, Beverly Hills, California	1990
Ms. Kay McHughes, Houston	1989
** Mrs. Marilyn Schwartz, Galveston	1990
Mrs. Walter (Ruth) Sterling, Houston	1988
Mrs. Suzanne Sullivan, Galveston	1989
Mr. Clyde J. Verheyden, Houston	1988

11.

The University of Texas  
Health Science Center at Houston

Development Board.--Authorized Membership 59:

	<u>Term Expires</u>
** Mr. J. Evans Attwell, Houston	1990
** Mr. Harry G. Austin, Houston	1990
Dr. Thomas D. Barrow (Ph.D.), Houston	1989
* Mr. Lan Bentsen, Houston	1988
Mr. William K. Bruce, Houston	1988
* Mr. Leonel J. Castillo, Houston	1988
Mr. John T. Cater, Houston	1989
Mrs. John S. Chase, Houston	1988
Mr. Robert R. Combs, Houston	1988
Mr. Jack T. Currie, Houston	1989
Mr. C. Brien Dillon, Houston	1988
** Mr. John H. Duncan, Houston	1990
* Mr. M. Dow Dunn, Houston	1989
* Mr. Dillon J. Ferguson, Houston	1988
** Mr. Joe F. Flack, Houston	1990
Mr. A. J. Gallerano, Houston	1989
Mr. Edwin Philip Gemmer, Jr., Houston	1988
* Mr. Jenard M. Gross, Houston	1990
Mr. William C. Harvin, Houston	1988
Mrs. Collins Hill, Jr., Houston	1989
* Mr. Gerald D. Hines, Houston	1989
** Mr. John B. Holmes, Jr., Houston	1990
* Mr. Richard C. Hudson, Houston	1988
Dr. Roy M. Huffington (Ph.D.), Houston	1989
* Mr. Joseph D. Jamail, Jr., Houston	1990
Mr. Kenneth M. Johnson, Pebble Beach, California	1988
** Mr. Jack S. Josey, Houston	1990
* Mr. Baine P. Kerr, Houston	1988
Mr. Allan C. King, Houston	1989
Mrs. Robert A. Lawhon, Houston	1989
* Mr. J. Hugh Liedtke, Houston	1989
* Mr. Leo E. Linbeck, Jr., Houston	1990
** Mr. Earl B. Loggins, Houston	1990
Mr. Ben F. Love, Houston	1989
* Mrs. Frederick Rice (Marilyn Graves) Lummis, Houston	1990
* Mrs. William R. (Frances) Lummis, Houston	1990
Mrs. Kemp Maer, Jr., Houston	1988
** Mr. John L. McConn, Jr., Houston	1990
Mrs. A. G. McNeese, Jr., Houston	1989
Mr. Walter M. Mischer, Jr., Houston	1989
* Mr. Preston Moore, Houston	1990
* Mr. Ralph S. O'Connor, Houston	1988
Mr. Robert F. Parker, Houston	1988
* Mrs. Michael W. (Melinda H.) Perrin, Houston	1988
Mr. Matt Provenzano, Houston	1988
Mr. Theodore C. Rogers, New York, New York	1988
** Mr. Pat R. Rutherford, Jr., Houston	1990
* Dr. Barbara (Mrs. Hyman Judah) Schachtel (Ph.D.), Houston	1990
* Mr. Neil B. Strauss, Houston	1988
Mr. Prentis B. Tomlinson, Jr., Houston	1989
* Mr. Richard Trabulsi, Houston	1990
Mrs. Bernice Weingarten, Houston	1989
Mr. William M. Wheless III, Houston	1989
* Mrs. William K. (Ann A.) Wilde, Houston	1989
Unfilled Term	1989
Unfilled Term	1989
Unfilled Term	1990
Unfilled Term	1990
Unfilled Term	1990

Speech and Hearing Institute Advisory Council.--  
Authorized Membership 9:

	<u>Term Expires</u>
** Mr. J. Tim Arnoult, Houston	1990
Mrs. J. Graham Hill, Houston	1989
Mrs. William L. Hixon, Houston	1988
* Mr. Bert Zimmerli, Houston	1990
Unfilled Term	1988
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1989
Unfilled Term	1990

12.

The University of Texas  
Health Science Center at San Antonio

Development Board.--Authorized Membership 67:

	<u>Term Expires</u>
Mr. Edward H. Austin, Jr., San Antonio	1988
Mr. Roy R. Barrera, Sr., San Antonio	1988
Mr. Sam Barshop, San Antonio	1989
Mr. J. Michael Bell, San Antonio	1989
Mr. Thomas Benson, San Antonio	1988
Mr. Glenn Biggs, San Antonio	1989
Mr. L. D. Brinkman, Kerrville	1988
Mrs. Walter F. (Lenore) Brown, San Antonio	1989
Mr. Charles C. Butt, Jr., San Antonio	1989
* Mr. Richard W. Calvert, San Antonio	1990
Dr. Donald M. Carlton (Ph.D.), Austin	1989
Mr. A. Baker Duncan, San Antonio	1988
Mr. Ruben Escobedo, San Antonio	1988
Dr. Peter T. Flawn (Ph.D.), Austin	1988
** Mr. Thomas C. Frost, Jr., San Antonio	1990
Mr. Christopher Gill, San Antonio	1989
Mr. William E. Greehey, San Antonio	1989
Mr. C. C. Gunn, Sr., San Antonio	1988
Mr. Earl C. Hill, San Antonio	1988
** John J. Hinchey, M.D., San Antonio	1990
Mr. James E. Ingram, San Antonio	1989
Mr. B. K. Johnson, San Antonio	1989
Mr. Patrick J. Kennedy, San Antonio	1989
Mr. Radcliffe Killam, Laredo	1988
Mr. Charles Kilpatrick, San Antonio	1988
* Mr. Richard M. Kleberg III, San Antonio	1990
Mr. Steven Q. Lee, San Antonio	1989
Mr. Pat Legan, San Antonio	1988
Mr. Robert G. Marbut, San Antonio	1989
** Mr. L. Lowry Mays, San Antonio	1990
Mr. W. W. McAllister III, San Antonio	1989
Mr. B. J. "Red" McCombs, San Antonio	1989
General Robert F. McDermott, San Antonio	1989
Mr. Lewis J. Moorman, Jr., San Antonio	1988
* Mr. John E. Newman, Jr., San Antonio	1990
Mr. Charles G. Orsinger, San Antonio	1988
Mr. Dan F. Parman, San Antonio	1988
Mr. Tom E. Pawel, San Antonio	1988
Mr. Robert T. Rork, San Antonio	1988
** Mr. Stanley D. Rosenberg, San Antonio	1990
Mr. Pete C. Selig, San Antonio	1988
John M. Smith, Jr., M.D., San Antonio	1988
Reeves L. Smith, D.D.S., San Antonio	1988
** Mrs. Joe R. (Joci) Straus, Jr., San Antonio	1990

Mr. Arnold "Pic" Swartz, San Antonio	1988
Mr. William C. Thomas, San Antonio	1988
Mr. Abelardo L. Valdez, San Antonio	1989
** Mr. Edgar Von Scheele, Sr., San Antonio	1988
Mr. Martin Weiss, San Antonio	1988
Mr. C. Martin Wender, San Antonio	1989
Dr. Robert V. West, Jr. (Ph.D.), San Antonio	1989
Mr. Jack Willome, San Antonio	1989
Mrs. Earl H. (Irene) Wischer, San Antonio	1988
Mrs. Bill (Darolyn) Worth, San Antonio	1989
Mr. H. Bartell Zachry, Jr., San Antonio	1989
Unfilled Term	1988
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1990

Medical School Advisory Council.--Authorized Membership 7:

	<u>Term Expires</u>
* Mr. Ernesto Ancira, Jr., San Antonio	1990
* Frank Bryant, Jr., M.D., San Antonio	1990
* Dr. Ronald K. Calgaard (Ph.D.), San Antonio	1990
Scott C. Duncan, M.D., San Antonio	1988
Mr. Richard E. Goldsmith, San Antonio	1988
Mr. William Reddel, San Antonio	1989
Mr. Thomas E. Turner, Jr., San Antonio	1989

Nursing School Advisory Council.--Authorized Membership 20:

	<u>Term Expires</u>
Mrs. Robin F. Ancira, San Antonio	1989
* Mr. James (Tony) Anderson, San Antonio	1990
* Mr. Deryl Beakley, San Antonio	1989
Ms. Erin Bowman, San Antonio	1989
** Alfonso Chiscano, M.D., San Antonio	1990
* Mrs. Esther Curnutt, San Antonio	1990
* Mrs. Leigh Fischer-Ferrell, San Antonio	1990
Sterling H. Fly, Jr., M.D., Uvalde	1988
Ms. Mary Carroll Foley, San Antonio	1988
** Mrs. J. Howard (Ruth) Frederick, San Antonio	1990
Mrs. Richard E. (Toni) Goldsmith, San Antonio	1988
* Mrs. Nikke Jaffe, San Antonio	1990
Ms. Kelly Kidd, San Antonio	1989
* Mr. Don McManus, San Antonio	1989
Brigadier General Kenneth R. Milam (Ret.), San Antonio	1989
Mr. Dan F. Parman, San Antonio	1989
* Mrs. Louise Whittenburg, San Antonio	1990
Unfilled Term	1989
Unfilled Term	1989
Unfilled Term	1990

13. The University of Texas System Cancer Center

The University Cancer Foundation Board of Visitors.--  
Authorized Membership 50:

	<u>Term Expires</u>
Mr. John D. Alexander, Jr., San Antonio	1989
The Honorable Ben F. Barnes, Austin	1989
Mrs. Jack Blanton, Houston	1989
Mr. Charles C. Butt, San Antonio	1989
* Mr. William E. Carl, Corpus Christi	1990
Mr. Ernest H. Cockrell, Houston	1988
Mr. Edwin L. Cox, Dallas	1988
Mr. James D. Dannenbaum, Houston	1989
Mr. John H. Duncan, Houston	1989
Mr. E. A. Durham II, Corpus Christi	1988
* Mr. Wayne Gibbens, Washington, D.C.	1988
Mrs. William C. Harvin, Houston	1989
Mr. Roy M. Huffington, Houston	1989
** Mr. Charles Hurwitz, Houston	1990
* Mr. Richard J. V. Johnson, Houston	1990
* Mr. Michael Levy, Austin	1988
Mrs. J. Hugh Liedtke, Houston	1989
Mr. Ben Love, Houston	1988
* Mr. Wales H. Madden, Jr., Amarillo	1990
* Mr. Leroy Melcher, Houston	1990
* Mr. Randall Meyer, Houston	1990
* Mr. W. Merriman Morton, Houston	1990
* Mrs. Georgette Mosbacher, Houston	1990
Mr. Robert Mosbacher, Houston	1988
Mr. Robert Nichols, Dallas	1988
** Mr. B. M. Rankin, Jr., Dallas	1990
Mr. Ben J. Rogers, Beaumont	1988
** Mr. Isadore Roosth, Tyler	1990
Mr. Cyril Wagner, Jr., Midland	1989
Dr. Richard E. Wainerdi (Ph.D.), Houston	1989
Unfilled Term	1988

14. The University of Texas Health Center at Tyler

Development Board.--Authorized Membership 45:

	<u>Term Expires</u>
** Mr. Jud Adams, Tyler	1990
John E. Adcock, D.D.S., Tyler	1988
** Mr. James W. Arnold, Tyler	1990
Mr. Harold Beaird, Tyler	1989
Mr. Henry M. Bell, Jr., Tyler	1989
** Mr. Henry Bell III, Tyler	1990
Mr. Allen Burt, Tyler	1988
Mrs. D. K. Caldwell, Tyler	1989
Mr. Charles L. Childers, Tyler	1989
Mr. Wilton H. Fair, Tyler	1989
Mr. Vernon Faulconer, Tyler	1989
** Mr. R. L. Gibson, Kilgore	1990
Mrs. D. R. Glass, Tyler	1988
** Mr. B. G. Hartley, Tyler	1990
Mr. Bob L. Herd, Tyler	1988
Earl C. Kinzie, D.O., Lindale	1989
** Mr. Will A. Knight, Tyler	1990
Richard P. Lane, M.D., Wills Point	1988
Mr. H. J. McKenzie, Tyler	1988
** Senator Peyton McKnight, Tyler	1990
** B. H. McVicker, M.D., Lufkin	1990
Mr. George Oge, Sr., Tyler	1988
Mr. Harry Phillips, Tyler	1989
** Dr. Blanche Prejean (Ph.D.), Tyler	1990
Mr. Thomas B. Ramey, Jr., Tyler	1989
** Mr. Edwin Rasco, Tyler	1990
Mr. Richard L. Ray, Tyler	1989
Mr. A. W. Riter, Jr., Tyler	1989
** Mr. Isadore Roosth, Tyler	1990
** Mr. Bill Ross, Tyler	1990
C. Fagg Sanford, M.D., Tyler	1989
** Mr. Norman Shtofman, Tyler	1990
** Tom Smith, M.D., Dallas	1990
Mr. Ralph Spence, Tyler	1989
** John C. Turner, M.D., Tyler	1990
James M. Vaughn, M.D., Tyler	1988
Mr. Dayton Walkup, Kilgore	1988
Mr. John Warner, Tyler	1988
Mr. Watson Wise, Tyler	1988
** Mr. Royce E. Wisenbaker, Tyler	1990
Mr. Sam Wolf, Tyler	1988
Mr. James C. Wynne, Jr., Tyler	1989
Unfilled Term	1988
Unfilled Term	1989
Unfilled Term	1990

I. 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. Cancer Center: Proposed Settlement of Medical Malpractice Litigation

2. Land Acquisition, Purchase, Exchange, Lease or Value of Real Property and Negotiated Contracts for Prospective Gifts or Donations - Section 2(f)

U. T. Austin: Consideration of Negotiated Lease for Certain Real Property in Travis County, Texas

3. Personnel Matters [Section 2(g)] Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees

U. T. System: Consideration of Personnel Aspects of the 1987-88 Operating Budgets, Including Auxiliary Enterprises, Grants and Government Contracts, Designated Funds, Restricted Current Funds and Medical Service, Research and Development Programs

J. REPORT OF BOARD FOR LEASE OF UNIVERSITY LANDS

K. REPORT OF SPECIAL COMMITTEES

L. OTHER MATTERS

M. SCHEDULED MEETINGS AND EVENTS

1. Board of Regents' Meetings

<u>Dates</u>	<u>Locations/Hosts</u>
December 3, 1987	Austin (no host)
February 11, 1988	U. T. San Antonio
April 14, 1988	U. T. Medical Branch - Galveston
June 9, 1988	U. T. Austin
August 11, 1988	Austin (no host)
October 7, 1988	U. T. Arlington
December 1, 1988	U. T. El Paso

2. Other Events

November 19, 1987	U. T. Cancer Center: Dedication of R. Lee Clark Clinic Building
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N. OTHER BUSINESS

O. ADJOURNMENT

# 1988

## JANUARY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

## FEBRUARY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

## MARCH

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## APRIL

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

## MAY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

## JUNE

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

## JULY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
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# Executive Committee

EXECUTIVE COMMITTEE  
Committee Chairman Blanton

Date: October 9, 1987  
Time: Following the 1:00 p.m. Session of the Board of Regents  
Place: Room 1.212, Conference Center, U. T. Dallas

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3. U. T. Austin: Request for Approval of Extensions of Pledge Deadlines or Special Modifications for Endowed Academic Positions Under The Regents' Endowed Teachers and Scholars Program (Exec. Com. Letter 87-19)	3
4. U. T. Austin - Power Plant Expansion - Phase III - (Project No. 102-554): Recommended Award of Contracts for Furniture and Furnishings to Finger Office Furniture, Austin, Texas; Rockford Business Interiors, Austin, Texas; Sherrill Draperies, Inc., Austin, Texas; and Carpet Services, Inc., Austin, Texas; and Request for Authorization for the Chancellor to Sign the Contracts (Exec. Com. Letter 88-1)	5
5. U. T. Cancer Center: Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 87-19)	7
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1. Permanent University Fund - University Lands: Recommendation for Adopting Royalty Due Dates and Dates for Filing Accompanying Reports and Documents on Oil and Gas Leases (Exec. Com. Letter 87-19).--

#### RECOMMENDATION

The Executive Committee concurs in the recommendation of the Office of the Chancellor that the U. T. Board of Regents adopt the royalty due dates and the dates for filing accompanying reports and documents on oil and gas leases covering Permanent University Fund lands granted under the Constitution of the State of Texas as follows:

- a. Oil royalties and reports - the 5th day of the second month succeeding the month of production.
- b. Gas royalties and reports - the 15th day of the second month succeeding the month of production.

#### BACKGROUND INFORMATION

Section 66.74 (a) (1) of the Texas Education Code mandated the proposed dates. The 70th Legislature modified this statute to require the Board to set by rule the dates for making royalty payments and for filing accompanying reports and documents by September 1, 1987. These dates are necessary to enforce the collection and penalty provision of our leases.

2. U. T. System: Systemwide Executive Liability and Indemnification Policy - Renewal of Policy for the Period September 1, 1987 Through September 1, 1988 (Exec. Com. Letter 87-18).--

#### RECOMMENDATION

The Executive Committee concurs in the recommendation of the Office of the Chancellor that the U. T. System executive liability and indemnification insurance policy be renewed with the Chubb Group Insurance Companies, Warren, New Jersey, at an annual premium of \$85,000 for the period September 1, 1987 through September 1, 1988.

#### BACKGROUND INFORMATION

The University has acquired this insurance coverage on a continuous basis since 1976. The current carrier, the Chubb Group, has underwritten this policy for the last five years. Prior to this period, the coverage had been underwritten by CNA Casualty Insurance of California and Lloyds of London. The current year's premium was \$70,000. Policy coverage continues at \$10,000,000 per year with deductibles of \$5,000 per insured individual and \$250,000 for the insured organization.

A review of the insurance market indicates no significant advantages for the University to seek alternative proposals. The current policy offers the University the broadest coverage available in the market place for primary coverage. In fact, no other institution of higher education in the State has been able to secure this coverage in the form obtained by the University.

Today, as has been true for the last three years, this type of insurance is the most difficult to obtain of all other insurance that the University purchases. Per industry sources, the restricted market for this coverage is expected to continue in the foreseeable future.

The current year's policy was written on a thirteen-month basis so that the policy year would coincide with the University's fiscal year.

3. U. T. Austin: Request for Approval of Extensions of Pledge Deadlines or Special Modifications for Endowed Academic Positions Under The Regents' Endowed Teachers and Scholars Program (Exec. Com. Letter 87-19).--

#### RECOMMENDATION

The Executive Committee concurs in the recommendation of President Cunningham and the Office of the Chancellor that the Board approve the following extension of pledge deadlines beyond August 31, 1987, or other special modifications for endowed academic positions previously established under The Regents' Endowed Teachers and Scholars Program and its predecessors at U. T. Austin:

<u>Endowed Position</u>	<u>Balance due on Pledge</u>	<u>Recommended Action</u>
Golemon & Rolfe Centennial Lectureship in Architecture, School of Architecture; established October 1983	\$15,000	Extension of pledge deadline through August 31, 1989
Dallas E. Hawkins Senior Lectureship in Freedom of Enterprise and Entrepreneurship, College of Business Administration and the Graduate School of Business; established August 1984	13,600	Dissolve this Lectureship and transfer the \$6,400 received to the Century Club Professorship, College of Business Administration and the Graduate School of Business; established June 1981
Elton M. and Martha R. Hyder, Jr. Centennial Professorship, School of Law; established December 1983	50,000	Extension of pledge deadline through August 31, 1989

<u>Endowed Position</u>	<u>Balance due on Pledge</u>	<u>Recommended Action</u>
H. E. Hartfelder/The Southland Corporation Regents Chair for Effective Business Leadership, College of Business Administration and the Graduate School of Business; established April 1985	\$187,590	Extension of pledge deadline through August 31, 1989
Darrell K. Royal Regents Chair in Ethics and American Society, College of Liberal Arts; established December 1984	300,000	Extension of pledge deadline through August 31, 1989
Israel Rudy Lectureship in Business, College of Business Administration and the Graduate School of Business; established August 1984	20,000	Dissolve this Lectureship
A. M. Aikin Regents Chair in Junior and Community College Education Leadership, College of Education; established February 1985 (Donor Gift) Available earnings as of August 31, 1987 = \$81,852	87,423	Concurrence in use of previously accumulated income (and income to be accumulated in the future as set out below) to complete funding of these Chairs and that U. T. Austin be authorized to recommend appointments as soon as each Chair is at \$500,000 level (with earnings on hand and at the current rate of earnings, donor Chair would be fully funded by December 1987 and the matching Chair would be fully funded prior to the end of Fiscal Year 1988).
A. M. Aikin Regents Chair in Education Leadership, College of Education; established February 1985 (Matching Chair) Available earnings as of August 31, 1987 = \$70,388	87,423	

BACKGROUND INFORMATION

The above referenced endowed academic positions, all established under The Regents' Endowed Teachers and Scholars Program, have pledge deadlines of August 31, 1987, which for economic or other reasons cannot be met. With two exceptions, the gifts to date are sufficient to at least fund an academic position requiring a lesser endowment; however, prospects for full funding, given more time, are good. Thus, U. T. Austin requests these extensions or similar actions.

4. U. T. Austin - Power Plant Expansion - Phase III - (Project No. 102-554): Recommended Award of Contracts for Furniture and Furnishings to Finger Office Furniture, Austin, Texas; Rockford Business Interiors, Austin, Texas; Sherrill Draperies, Inc., Austin, Texas; and Carpet Services, Inc., Austin, Texas; and Request for Authorization for the Chancellor to Sign the Contracts (Exec. Com. Letter 88-1).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of President Cunningham and the Office of the Chancellor that the U. T. Board of Regents award contracts for furniture and furnishings for the Power Plant Expansion - Phase III at U. T. Austin to the following lowest responsible bidders:

Finger Office Furniture Austin, Texas	
Base Proposal "A" (Wood Office Furniture)	\$ 8,334.15
Rockford Business Interiors Austin, Texas	
Base Proposal "C" (Visitor and Training Room Seating)	\$5,337.24
Base Proposal "C-1" (Visitor and Training Room Seating)	2,981.80
Base Proposal "D" (Bookcases and Miscellaneous Items)	<u>7,819.49</u>
Total Contract Award to Rockford Business Interiors	16,138.53
Sherrill Draperies, Inc. Austin, Texas	
Base Proposal "F" (Window Treatments)	615.00
Carpet Services, Inc. Austin, Texas	
Base Proposal "G" (Carpeting)	<u>9,060.00</u>
GRAND TOTAL RECOMMENDED CONTRACT AWARDS	\$34,147.68

It is further recommended that the Chancellor be authorized to sign the contracts awarding these bids based on the results of the Executive Committee circularization.

## BACKGROUND INFORMATION

In accordance with authorization of the U. T. Board of Regents in October 1985, bids were called for and were received, opened and tabulated on September 1, 1987, as shown below, for furniture and furnishings for the Power Plant Expansion - Phase III at U. T. Austin. Funds for the contract awards are available in the Furniture and Equipment Account.

### Base Proposal "A", Wood Office Furniture

Finger Office Furniture	\$ 8,334.15
Architectural Interior Services	8,401.36
C/A Corporate Furnishings	8,878.48
Commercial Furniture Services, Inc.	8,944.00

### Base Proposal "C", Visitor and Training Room Seating

Rockford Business Interiors	\$ 5,337.24
Finger Office Furniture	5,593.56
Architectural Interior Services	5,622.00
C/A Corporate Furnishings	5,883.00

### Base Proposal "C-1", Visitor and Training Room Seating

Rockford Business Interiors	\$ 2,981.80
Finger Office Furniture	3,084.00
Architectural Interior Services	3,140.00
C/A Corporate Furnishings	3,285.00

### Base Proposal "D", Bookcases and Miscellaneous Items

Rockford Business Interiors	\$ 7,819.49
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### Base Proposal "F", Window Treatments

Sherrill Draperies, Inc.	\$ 615.00
Dallas Draperies	675.00
Dismukes Blind and Drapery Company	765.00

### Base Proposal "G", Carpeting

Carpet Services, Inc.	\$ 9,060.00
Bexar Floor Covering Company	9,394.00
Carpet Resources	9,545.00
Rockford Business Interiors	10,025.00

5. U. T. Cancer Center: Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 87-19).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of President LeMaistre and the Office of the Chancellor that the U. T. Board of Regents approve the following transfer of funds at the U. T. Cancer Center:

Educational and General Funds

Amount of Transfer - \$15,500,000

From:	Unappropriated Balance (via Estimated Income) - 1986-87	
To:	Provision for Environmental Enhancements	\$ 500,000
	Provision for Asbestos Abatement	3,000,000
	Provision for Remodeling and Upgrading of Facilities	6,000,000
	Provision for Facility Support Equipment and Deferred Maintenance	2,000,000
	Provision for Special Patient Care Equipment	2,000,000
	Provision for Special Research Equipment	1,000,000
	Provision for Information System	1,000,000
	Total	<u>\$15,500,000</u>

(RBC #281)

BACKGROUND INFORMATION

- a. Provision for Environmental Enhancements \$ 500,000

The U. T. Cancer Center has been developing a new graphics/signage system for the hospital and clinic complex. Purchase orders have been let for the installation of the new system in part of the complex. Additional funding is required to complete the installation throughout the entire complex.

Funding is also required to improve the external landscaping at the main complex. Due to various on-going construction projects, which will soon be completed, the grounds around the hospital complex have been significantly disturbed. The need exists to repair and improve the external areas to enhance the attractiveness of the entire facility.

- b. Provision for Asbestos Abatement \$ 3,000,000

Asbestos exists or may exist throughout various areas of the hospital complex, many of which were constructed in the early 1950s. As we are now in the process of renovating many of those areas, provision needs to be made for the testing, removal, and safe handling and disposal of this asbestos. It is our desire to establish an account for asbestos abatement, and to utilize the same account for construction/renovation projects as needed over the next 2-3 years.

- c. Provision for Remodeling and Upgrading of Facilities 6,000,000

For the last few years the U. T. Cancer Center has had an on-going program to renovate older areas of the facilities to make them better suited for current technological uses, to make the facilities more cost efficient through upgrading of mechanical/engineering systems and to bring them into compliance with current code requirements. It is anticipated that approximately this amount will be needed for these various renovation projects, the majority being expended for replacing and upgrading of the mechanical/engineering systems in the areas of the Bates-Freeman wing, the Gimbel addition, and the old central core.

- d. Provision for Facility Support Equipment and Deferred Maintenance 2,000,000

During the past 2-4 years of budget cycles impacted by reduced State appropriations, the U. T. Cancer Center has deferred numerous maintenance efforts and the procurement of many items of necessary equipment. Much of that equipment is critical to the on-going nature of the hospital and research activities, and would cause a major disruption of service should it fail. In order to ensure that these systems of support are in proper repair and to procure new ones where necessary (including fire alarm protection systems, HVAC zone control systems, electrical distribution systems, etc.), it is our desire to establish an account for such purposes.

- e. Provision for Special Patient Care Equipment 2,000,000

The U. T. Cancer Center has been operating a Magnetic Resonance Imaging (MRI) machine for approximately eight months. This state-of-the-art diagnostic tool is proving to be a tremendous asset in the area of tumor imaging. The usage of this machine has virtually reached full capacity. Due to the set up time, only about 8-10 patients can be seen per day. A second MRI is greatly needed to keep up with the patient demand and avoid delays in scheduling.

f. Provision for Special Research Equipment \$ 1,000,000

This amount is needed to replace either obsolete research equipment or to enhance our research programs by acquiring new equipment. Examples of the types of equipment needed are: vacuum/steam sterilizers, an electron microscope, a flow activated cell sorter, ultra-centrifuges with rotors, refrigerated scintillation counters, and a gamma counter with dose calibrator.

These types of equipment are basic core research equipment and generally are of the type which cannot be funded through conventional sponsored research grants.

g. Provision for Information System 1,000,000

The U. T. Cancer Center has embarked on a Long-Range Plan for Information Systems. The first step was the acquisition and installation of a new computer system. The second phase of the Plan involves the acquisition of software for the initial applications detailed in the Plan.

Although funds have previously been appropriated for the development of an integrated Hospital Computer Information System, it is anticipated that additional funding will be needed from year to year until the Long-Range Plan has been fully implemented.

TOTAL \$15,500,000

6. U. T. System: Recommended Approval in Principle of 1987-88 Operating Budgets (Exec. Com. Letter 88-2).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Office of the Chancellor and the chief administrative officers of the component institutions of the U. T. System that the 1987-88 Operating Budgets, Including Auxiliary Enterprises, Grants and Government Contracts, Designated Funds, Restricted Current Funds and Medical Service, Research and Development Programs be approved in principle.

BACKGROUND INFORMATION

The U. T. System Budget Agenda Book entitled:

The University of Texas System  
1987-88 Operating Budgets  
Budget Summaries  
and  
Supplemental Data

was distributed under separate cover.

# Finance and Audit Com.

FINANCE AND AUDIT COMMITTEE  
Committee Chairman Roden

Date: October 9, 1987  
Time: Following the meeting of the Executive Committee  
Place: Room 1.212, Conference Center, U. T. Dallas

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3. U. T. Board of Regents: Proposed Amendments to the Regents' <u>Rules and Regulations</u> , Part One, Chapter VI, Section 6, Subsection 6.12(4) (Solicitation)	3
4. U. T. Board of Regents: Proposed Amendments to the Regents' <u>Rules and Regulations</u> , Part Two, Chapter VI, Section 2, Subsection 2.1 (Optional Retirement Program)	4
5. U. T. System: Recommended Approval of Non-Personnel Aspects of the 1987-88 Operating Budgets, Including Auxiliary Enterprises, Grants and Government Contracts, Designated Funds, Restricted Current Funds, and Medical Service, Research and Development Programs	5
6. U. T. System: Proposed Revision of Policy Concerning Collection of Incidental Fees	5
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8. U. T. System: Proposed Amendments to Rules and Regulations Regarding the Use and Operation of the U. T. System Aircraft and Leased Aircraft	8

1. U. T. System: Docket No. 36 of the Office of the Chancellor.--

#### RECOMMENDATION

It is recommended that Docket No. 36 of the Office of the Chancellor 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 One, Chapter III, Section 31 (Retirement and Modified Service).--

#### RECOMMENDATION

The Office of the Chancellor recommends that the Regents' Rules and Regulations, Part One, Chapter III, Section 31 (Retirement and Modified Service) be amended as set out below in congressional style:

#### Sec. 31. Retirement and Modified Service.

- 31.1 No tenured [~~officer, administrator,~~] faculty member or law enforcement officer [~~employee~~] of The University of Texas System or of any component institution or agency thereof shall be continued in a full-time service capacity or at a full-time compensation rate beyond the end of the fiscal year that includes his or her seventieth birthday.
- 31.2 The Board of Regents, upon the recommendation of the Office of the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint a person who has retired pursuant to Subsection 31.1 [~~an officer, administrator, faculty member, or employee~~] to modified service after the end of the fiscal year that includes the person's seventieth birthday.

#### BACKGROUND INFORMATION

Amendments to the Federal Age Discrimination in Employment Act of 1967 (29 USC § 621, et seq) prohibit mandatory retirement policies based upon age with respect to employees other than law enforcement officers and tenured faculty. The proposed amendments bring the Regents' Rules and Regulations into compliance with the Act as amended.

3. U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part One, Chapter VI, Section 6, Subsection 6.12(4) (Solicitation).--

#### RECOMMENDATION

The Office of the Chancellor recommends that the Regents' Rules and Regulations, Part One, Chapter VI, Section 6, Subsection 6.12(4) concerning solicitation be amended as set out below in congressional style:

(4) (a) The operation by the institution of any service or facility maintained for the convenience of the students, staff and/or faculty.

(b) The operation by the institution's [7+its] subcontractor [7] or lessee (through appropriate written agreements approved as to content by the chief administrative officer of the institution and the Office of the Chancellor, as to form by the Office of General Counsel, and by the Board of Regents through the Docket of the Office of the Chancellor) of one of the following services or facilities, maintained for the convenience of the students, staff and/or faculty: any bookstore, specialty store, laundry, pharmacy, cafeteria, child care facility (limited to children or bonafide dependents of students, staff and/or faculty), state or federal credit union (the membership in which must be limited primarily to students, faculty, and staff of the institution but which may include: students, faculty, and staff of other area institutions of higher education; students, faculty, and staff of other component institutions of the U. T. System; staff members of the U. T. System administration; and staff members of organizations closely related to the institution's educational mission such as ex-student organizations and cooperative bookstores), unmanned teller machines (any agreement for the placement of which must include a provision expressly prohibiting advertising the location of the unmanned teller machine to the general public), travel agency (the use of which must be limited primarily to students, faculty and staff of the institution and which agency must agree to undertake no public advertising concerning the location of the facility) [7-ex-  
~~other-service-facility-maintained-for-the-convenience-of-the-students,-staff-and/or-faculty~~].

#### BACKGROUND INFORMATION

An amendment to the Regents' Rules and Regulations exempting child care facilities from the definition of "prohibited solicitation" is needed to authorize these services if provided by a subcontractor or lessee on campus. Additionally, an editorial amendment is proposed to separate the exemption for an institution's operation of facilities on campus from the exemption for those limited permissible service facilities operated by a lessee or subcontractor.

This amendment was initiated by President Rutford at U. T. Dallas who noted in his letter to Executive Vice Chancellor Duncan: "You know that the subject of child care has been an issue on this campus for several years. The nature of our student body is such that the ability to provide child care in the evening would be of considerable help to the single parent students or in those cases where both parents wish to attend classes. The physical isolation of our campus from other facilities in the community makes it almost essential that the child care activity take place on campus."

4. U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part Two, Chapter VI, Section 2, Subsection 2.1 (Optional Retirement Program).--

#### RECOMMENDATION

The Office of the Chancellor recommends that the Regents' Rules and Regulations, Part Two, Chapter VI, Section 2, Subsection 2.1 concerning eligibility for the Optional Retirement Program be amended to read as set forth below in congressional style:

- 2.1 Pursuant to Sections 31.001 and 36.101 et seq., Title 110B, Vernon's Texas Civil Statutes (to be included in the Texas Government Code) and subject to eligibility rules adopted by the Texas Higher Education Coordinating Board, the following employees are eligible to participate in the Optional Retirement Program (O.R.P.):
- 2.11 Full-time faculty members appointed at least four and one-half months.
- 2.12 Full-time administrative [~~7-researcher-professional~~] personnel responsible for teaching and research faculty appointed for at least four and one-half months [~~7-unless-included-in-the-classified-personnel-pay-plan-of-a-component-institution~~].
- 2.13 The Chancellor and individuals employed full-time as Executive Vice Chancellors, Vice Chancellors, chief administrative officers, vice presidents, and professional librarians, or other full-time professional staff persons whose national mobility requirements are similar to those of faculty members and who fill positions that are the subject of nationwide searches in the academic community.

#### BACKGROUND INFORMATION

These changes are necessitated by a recent amendment to State law that changes (and limits to some extent) the definition of "faculty member" for purposes of Optional Retirement Program eligibility. The statutory amendment also makes O.R.P. eligibility subject to rules adopted by the Texas Higher Education

Coordinating Board. Staff members who participate in O.R.P. pursuant to previously established institutional rules will be "grandfathered." The amendment was passed as House Bill 10 by the Second Called Session of the 70th Legislature and becomes effective October 20, 1987.

5. U. T. System: Recommended Approval of Non-Personnel Aspects of the 1987-88 Operating Budgets, Including Auxiliary Enterprises, Grants and Government Contracts, Designated Funds, Restricted Current Funds, and Medical Service, Research and Development Programs.--

#### RECOMMENDATION

The Office of the Chancellor and the chief administrative officers of the component institutions of the U. T. System recommend that the non-personnel aspects of the 1987-88 Operating Budgets, Including Auxiliary Enterprises, Grants and Government Contracts, Designated Funds, Restricted Current Funds, and Medical Service, Research and Development Programs be approved.

It is also recommended that the Office of the Chancellor be authorized to make editorial corrections and that subsequent adjustments be reported to the U. T. Board of Regents through the institutional dockets.

This item requires the concurrence of the Academic Affairs and Health Affairs Committees.

#### BACKGROUND INFORMATION

Budget summaries and copies of the component operating budgets have been made available to the Board in previous distributions.

The Chancellor will present a statement in support of the budget recommendation at the committee meeting.

6. U. T. System: Proposed Revision of Policy Concerning Collection of Incidental Fees.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of the presidents of the U. T. System component institutions that proposals to change rates of incidental fees or to add incidental fees for an upcoming fiscal year be submitted annually via the U. T. System Docket for the February U. T. Board of Regents' meeting rather than for the August meeting as approved at the October 1986 U. T. Board of Regents' meeting.

#### BACKGROUND INFORMATION

In October 1986, the U. T. Board of Regents approved a comprehensive list of component institution incidental fees. Approval of these fees specified that this list be updated annually via

the U. T. System Docket at the August U. T. Board of Regents' meeting. After a year's experience with the update process, the component presidents have recommended moving the annual update to the February Board meeting to correspond better with established institutional planning, catalog preparation, and budgeting cycles.

7. U. T. System: Proposed Rules and Regulations for the Administration of Line Item Scholarships Appropriated by the 70th Legislature.--

#### RECOMMENDATION

The Office of the Chancellor recommends that the following rules and regulations for the administration of line item scholarships appropriated in the General Appropriations Bill of the 70th Legislature be adopted for implementation at all component institutions of The University of Texas System for the 1988-1989 biennium:

#### Rules and Regulations for Administration of Line Item Scholarships

1. Scholarships
  - a. Scholarships from said fund may be awarded only to students who have been accepted for enrollment and who actually enroll on at least a half-time basis in the term or terms for which the scholarship is awarded.
  - b. Scholarships are to be awarded based on the financial need of the applicant as determined by the component institution and based on accepted need analysis procedures generally in use in other "need based" financial assistance programs.
  - c. Each student shall first use any other grant funds for support of educational expenses for which the student may reasonably be eligible before receiving state scholarship funds.
  - d. The amount of the scholarship award, when combined with all other grant or gift funds awarded to the student, shall not exceed 70% of the reasonable expenses to be incurred by the student in the semester or term for which the scholarship is awarded.
  - e. No student shall receive an amount in excess of demonstrated need.
  - f. No more than 10% of total scholarship funds awarded through the program in a fiscal year shall be awarded to nonresident students.
2. Institutional matching share of earnings in the Federal College Work-Study Program
  - a. Any or all of the scholarship funds appropriated may be used for the institutional matching share of earnings in the College Work-Study Program.
  - b. Funds used in this manner will not be subject to the restriction governing the scholarship.

3. No funds appropriated in this Act for scholarships to institutions of higher education may be used to provide athletic scholarships.

#### BACKGROUND INFORMATION

Subsections b., c., and d. of Section 14 of Article III (the "riders") of the General Appropriations Bill of the 70th Legislature provide as follows:

b. Out of the funds appropriated by this Article in the line-item described as "Scholarships," the respective governing boards may allocate and expend for student scholarships and the institutional share required to match Federal Work Study Funds such amounts as said boards may determine; provided, however, that each student receiving such scholarship first shall have utilized any federal grant funds for which the student may reasonably be eligible; and, that such scholarship, when combined with all other grant or gift funds awarded to the student, shall not exceed seventy percent (70%) of the reasonable expenses to be incurred by the student in the semester or term for which the scholarship is awarded; and provided, however, that no student shall receive an amount in excess of demonstrated need. The respective governing boards may transfer up to one-half of the amount to be awarded as scholarship to each otherwise eligible student to the Texas Higher Education Coordinating Board for use as matching funds to be awarded to that student through the Texas Public Educational Grants Program.

c. Copies of such approved allocations together with copies of rules and regulations adopted by the respective governing boards concerning the award of such scholarships shall be filed with the Texas Higher Education Coordinating Board and with the Comptroller prior to the disbursement of any moneys for scholarships. Copies of any subsequent changes in such allocations or rules shall be similarly filed with the Coordinating Board and with the Comptroller.

d. No funds appropriated in this Act for scholarships to institutions of higher education may be used to provide athletic scholarships.

The term "scholarships" as used in Section 14b, as quoted above, refers to all line-item appropriations for scholarships to institutions of higher education (including health science centers) under the terms "tuition and fees scholarships," "tuition scholarships," "tuition and minority opportunity scholarships," and similar titles.

Section 14c, as quoted above, also calls for the governing boards of institutions of higher education to adopt rules and regulations for the awarding of the scholarships (in addition to the regulations specified by the rider provision quoted above) and instructs that such rules and regulations be filed with the Texas Higher Education Coordinating Board and the Comptroller of Public Accounts prior to disbursement of funds. These proposed rules and regulations satisfy the provisions of the riders and, if approved, will be filed with the appropriate agencies as required.

8. U. T. System: Proposed Amendments to Rules and Regulations Regarding the Use and Operation of the U. T. System Aircraft and Leased Aircraft.--

RECOMMENDATION

The Office of the Chancellor recommends that the Rules and Regulations regarding the use and operation of the U. T. System aircraft and leased aircraft, last amended at the U. T. Board of Regents' meeting on December 12, 1980, be revised as indicated below in congressional style:

Rules and Regulations Regarding the Use and Operation of the U. T. System [University] Aircraft and Leased [Chartered] Aircraft

I. Use of the U. T. System [The-University-of-Texas] Aircraft

- A. The U. T. System aircraft [N9050V] or any leased aircraft [~~chartered~~] will be used only in the conduct of official State [University] business and only in compliance with the travel regulations contained in the current Appropriations Act and any other laws applicable to the use of state-owned or leased aircraft; and except in circumstances deemed by the Chairman of the Board or the Chancellor to constitute an emergency, the person who makes application for the use of the aircraft must be aboard the aircraft or the trip will be cancelled.
- B. When [~~if~~] the U. T. System aircraft or any leased aircraft makes a flight in the conduct of official University business, other[s] passengers who are not University officers or employees on official University business may occupy seats that would otherwise be empty as long as all passengers are state officers or employees, or are persons in the care or custody of state officers or employees, or are persons whose transportation furthers the official state business purposes of that flight; [~~the-official-business-for-which-the-trip-is-scheduled-is-not-adversely-affected-thereby~~] and provided the priority person to whom the aircraft is assigned approves. In accordance with A. G.'s Opinion H-1089, the U. T. Board of Regents finds that attendance of the spouses of members of the U. T. Board of Regents and officials of the Office of the Board of Regents; spouses of the Chief Executive Officer, the Chief Operating Officers, and the Administrative Officers of the U. T. System; and spouses of the heads of the component institutions of the U. T. System at certain official functions is in furtherance of official state business in certain circumstances. Examples of these circumstances include but are not limited to attendance at U. T. Board of Regents' meetings when there is an official function hosted by a component institution, and retirement functions honoring long-time key employees of the U. T. System or its components.

- C. The U. T. System aircraft or leased aircraft will be used only when the official business of the State or the University cannot be conducted as well or more economically through the use of regularly scheduled commercial aircraft. Specifically [For-example], it is appropriate to use the U. T. System aircraft or leased aircraft only when the destination is not served by commercial carriers, or the time required to use such a carrier interferes with other obligations, or the number of state officers and employees traveling makes the use of state aircraft cost effective [reservations-on-regularly-scheduled commereial-aireraft-are-not-available-or-when-the schedules-on-regularly-scheduled-commereial-aireraft will-not-permit-the-trip-to-be-made-in-an-efficient and-timely-manner].
- D. Requests for use of the U. T. System aircraft and leased aircraft or chartered flights by members of the U. T. Board of Regents will generally be arranged through the Executive Secretary to the Board. Leased aircraft or chartered [Chartered-aireraft] flights will be provided Regents when the U. T. System aircraft is not available. If circumstances occur that require flight arrangements for Board members to be made through the Chancellor or his or her designee, the Executive Secretary to the Board [Board-Secretary] will be advised of such arrangements by copy of the completed flight reservation form.
- E. Except for requests by the U. T. Board of Regents, all flights of U. T. System aircraft [N9050V] or requests for leased aircraft or chartered flights will be requested from and approved in advance by the Chancellor or his or her designee. Up until 24 hours before the flight is scheduled to begin, requests for the use of U. T. System aircraft [N9050V] will be approved upon the following order of priority:
1. Chairman of the U. T. Board of Regents
  2. A Vice-Chairman of the U. T. Board of Regents (in order of request)
  3. Members of the U. T. Board of Regents (in order of request)
  4. Chancellor and Executive Vice Chancellors (in order of request)
  5. Vice Chancellors and other Administrative Officers [Executive-Staff] (in order of request)
  6. Institutional Heads (in order of request)
  7. Other officers and staff of U. T. System Administration (in order of request)
  8. Other faculty and staff personnel of the component institutions (in order of request)
- F. If more than one of the priority persons listed above requests the use of the U. T. System aircraft [N9050V] more than 24 hours before the flight is scheduled to begin, the Chancellor or his or her designee will assign the U. T. System aircraft [N9050V] to the person with the highest priority, and will, insofar as necessary and practicable, provide leased aircraft or a chartered flight [aireraft] for the use of the person or persons with the lower priority if scheduled commercial aircraft will not permit the trip.

- G. During the 24-hour period prior to the beginning of a flight, if the U. T. System aircraft [N9050V] has not been previously scheduled, the Chancellor or his or her designee will assign the U. T. System aircraft [N9050V] to any person on the priority list on a first-come first-served basis without regard to the order of priority.
- H. During the 24-hour period prior to the beginning of a flight, if the U. T. System aircraft [N9050V] has been previously scheduled and an additional request for its use is made by a person on the priority list, the Chancellor or his or her designee will, insofar as necessary and practicable, provide a leased aircraft or a chartered flight [aircraft] for the use of the person making the subsequent request.
- I. If a U. T. System aircraft [N9050V] flight that is scheduled before the beginning of the 24-hour period is cancelled, insofar as practicable, the Chancellor or his or her designee will assign the aircraft to the person requesting the aircraft that is next in order of priority. If a U. T. System aircraft [N9050V] flight that is scheduled during the 24-hour period is cancelled, the Chancellor or his or her designee will assign the aircraft to the next person requesting it on a first-come first-served basis without regard to the order of priority.
- J. In accordance with the expressed intent of the Legislature that state-owned aircraft be utilized by all agencies of the state, use [Use] of U. T. System aircraft [N9050V] by other state officials and state personnel on official state business is encouraged and will be authorized by the Chancellor or his or her designee on a space available and first-come first-served basis after the individuals on the priority list indicated in Section I-E above.
- K. The pilots of U. T. System aircraft [N9050V] will report to and act under the direction of the Chancellor or his or her designee. Except as may be requested or directed by a Regent, only the Chancellor or his or her designee will direct the pilots as to the flights they will fly or make. If it becomes either necessary or desirable for an approved flight plan to be substantially changed from the flight plan that has been approved by the Chancellor or his or her designee, except in circumstances deemed to constitute an emergency by pilot and the priority person to whom the aircraft is assigned, prior approval of the change must be obtained from the Chancellor or his or her designee. All passengers must be approved by the priority person to whom the aircraft is assigned.
- L. Charges to the component institutions for use of U. T. System aircraft shall be equal to the rate approved by the Aircraft Pooling Board for inter-agency aircraft services [N9050V are-as-follows:
- 1.---Cost-per-flying-hour,-when-applicable, is-to-be-determined-semiannually-and approved-by-the-Chancellor-or-his designee-
  - 2.---Per-diem-and-expenses-(per-state-travel rules-and-regulations)-for-two-pilots].

- M. It is the intent of these Rules and Regulations [~~procedures~~], that maximum orderly and efficient use of the U. T. System aircraft [N9050V] will be made in the conduct of the [~~University's~~] official business of the University and the State and that the U. T. System aircraft [N9050V] will be available for the widest practicable use by the proper persons included in the priority group.

II. Operation of the U. T. System [~~University~~] Aircraft

- A. The U. T. System [~~University~~] aircraft will and must be operated at all times in accordance with the provisions of the Federal Aviation Agency approved flight manual and the University Flight Operations Procedures which is in consonance with the Federal Aviation Act (as amended) and Civil Air Regulations.
- B. Under Federal Regulations, the pilot of any aircraft is responsible for and is the final authority as to the flight operation of that aircraft. All decisions concerning the flight itself will rest solely with the pilot. However, the pilot should keep the priority person informed.
- C. It shall be the policy of operations for U. T. System aircraft, leased aircraft, and chartered flights [~~charters~~] that two (2) pilots be on board for each scheduled flight, unless otherwise authorized by the Chancellor or his or her designee and the priority person to whom the aircraft is assigned.

III. Record Keeping and Reports - U. T. System [~~University~~] Aircraft

A. Reservations

All flight reservations for U. T. System aircraft [N9050V] shall be entered on a U. T. System Aircraft Reservation form which should include, but is [~~be~~] not necessarily [~~be~~] limited to, the following:

1. Departure/estimated arrival, date, time and place
2. Name of each passenger
3. Destination(s) including intermediate stops
4. Purpose of trip for each passenger

B. Flight Reports

For each flight the pilot will complete a Flight Report showing the following:

1. Flight number and duration
2. Date
3. Aircraft number
4. Flight plan
5. Destination and intermediate stops of flight
6. Name of pilot and co-pilot
7. Passenger information:
  - (a) Name of each passenger
  - (b) Title
  - (c) Department
  - (d) Institution

IV. Record Keeping and Reports - Leased [~~Chartered~~] Aircraft

The forms used for U. T. System Aircraft reservations shall also be used for all [~~charter~~] flights or leased aircraft arranged by the Chancellor or his or her designee. The approved reservation request shall serve as the official record of all such [~~charter~~] flights or leased aircraft.

V. Reports to the Legislative Budget Board, the State Aircraft Pooling Board and the U. T. Board of Regents

The U. T. System Office of Finance and Administration shall prepare and submit the annual summary report of U. T. System and leased aircraft operations, the annual report of U. T. System aircraft utilization by other state agencies, and the monthly flight logs to the Legislative Budget Board and the State Aircraft Pooling Board, as necessary to comply with the requirements of the current Appropriations Act. Copies of all reports prepared by the U. T. System on aircraft operations shall be submitted to the U. T. Board of Regents for review by the Finance and Audit Committee.

BACKGROUND INFORMATION

The Appropriations Bill passed by the 70th Legislature contained, among the travel regulations in its General Provisions, a section prescribing restrictions on the use and operation of state-owned and state-leased aircraft. The foregoing proposed amendments to the Rules and Regulations regarding the use of U. T. System aircraft are intended to conform the Rules to the new requirements of the current Appropriations Act. Due to the passage of time since the Rules and Regulations were last amended, other editorial changes are recommended to comport with the current organization of the U. T. System.

Academic Affairs Com.

ACADEMIC AFFAIRS COMMITTEE  
Committee Chairman Baldwin

Date: October 9, 1987  
Time: Following the meeting of the Finance and Audit Committee  
Place: Room 1.212, Conference Center, U. T. Dallas

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1. U. T. System: Recommended Policy Related to Athletic Departments at Academic Components.--

RECOMMENDATION

The Office of the Chancellor recommends that the following policy relating to athletic departments at academic components of the U. T. System be adopted by the U. T. Board of Regents:

POLICY STATEMENT

The President of each general academic component of the U. T. System which engages in intercollegiate athletic activities shall ensure that the institutional Handbook of Operating Procedures includes the following:

- a. Provisions that ensure that no general revenue funds are used for intercollegiate activities purposes; and
- b. A prohibition against athletic department personnel violating any rule or regulation of an organization having regulatory authority over the intercollegiate athletic activities of the institution relating to recruitment of student athletes.

BACKGROUND INFORMATION

Each affected institution of the U. T. System has in place procedures relating to both actions that are proposed by the Policy Statement recommended above. However, language was added to Section 11 of the Special Provisions Relating Only To State Agencies of Higher Education in Article III of the General Appropriations Act, adopted by the 70th Legislature, that directs the governing board of institutions of higher education that have athletic departments to require such institutions to adopt the provisions set forth in the recommendation. A specific requirement that the institutional Handbooks contain such provisions will comply with the legislative mandate.

2. U. T. Austin: Proposed Appointment to the Betty and Glenn Mortimer Centennial Professorship in Business in the College of Business Administration and the Graduate School of Business Effective Immediately.--

RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation that Dr. Robert E. Witt, Dean of the College of Business Administration and the Graduate School of Business, be appointed to the Betty and Glenn Mortimer Centennial Professorship in Business in the College of Business Administration and

the Graduate School of Business at U. T. Austin effective immediately. Dr. Witt will retain his appointment to the Centennial Chair in Business Education Leadership in his capacity as Dean.

#### BACKGROUND INFORMATION

Dr. Witt, a faculty member at U. T. Austin since 1968, is nationally recognized for his marketing scholarship and teaching. He is the author of one monograph and numerous research articles and is considered to be an outstanding university administrator and business educator. He has received four major teaching awards in the College of Business Administration, chaired the Department of Marketing Administration, and served as Associate Dean and Acting Dean for Academic Affairs. Dr. Witt previously held an appointment to the Betty and Glenn Mortimer Centennial Professorship in Business from September 1985 through August 1986.

The Betty and Glenn Mortimer Centennial Professorship in Business was established by the U. T. Board of Regents in August 1983.

3. U. T. Austin: Proposed Appointments to Endowed Academic Positions in the College of Natural Sciences Effective Immediately.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation to approve the following appointments to endowed academic positions in U. T. Austin's College of Natural Sciences effective immediately:

<u>Name of Proposed Appointee</u>	<u>Endowed Academic Position</u>
Dr. Alfred G. Dale, Professor and Chairman, Department of Computer Sciences	Trammell Crow Regents Professorship in Computer Science, established August 1984; initial appointment
Dr. David L. Lambert, Isabel McCutcheon Harte Centennial Professor in Astronomy	Isabel McCutcheon Harte Centennial Chair in Astronomy; initial appointment
	See Item 8 on Page L&I - 9 for redesignation of Professorship.

#### BACKGROUND INFORMATION

Dr. Dale, a faculty member at U. T. Austin for more than 30 years, is internationally recognized for his research on the fundamentals of database systems and has authored more than 25 published research articles, proceedings, and book chapters. Dr. Dale has been a key figure in the development

of the Department of Computer Sciences programs at U. T. Austin. His contributions include the development of the department's substantial interactions with computing companies, as well as actively participating in U. T. Austin's successful efforts to attract MCC to Austin. Dr. Dale has played a leading role in the development of software engineering curricula, is an excellent teacher, and has supervised a number of graduate students who have later attained national and international stature.

Dr. Lambert joined the U. T. Austin faculty in 1969 and is internationally recognized for his research in the areas of stellar spectroscopy and star composition. He received his Ph.D. degree from Oxford and is the recipient of numerous awards, including a Guggenheim Fellowship in 1980 and the Dannie Heineman Prize for Astrophysics from the American Astronomical Society and the American Institute of Physics in 1987. Dr. Lambert has published more than 150 scientific articles and has supervised 17 Ph.D. dissertations, 12 post-doctoral collaborations, and 9 master's theses.

4. U. T. Austin: Proposed Amendments to the Interim Undergraduate Admissions Policy to be Effective Fall Semester 1988 (Catalog Change).--

#### RECOMMENDATION

The Office of the Chancellor concurs in President Cunningham's recommendation that U. T. Austin's interim undergraduate admissions policy be amended as set out below in congressional style to be effective with the Fall Semester 1988:

- a. Admit all Texas resident freshman applicants in the top 10% [~~25%~~] of their high school class irrespective of SAT or ACT scores. All applicants will be required to submit an SAT or ACT score for evaluation purposes.
- b. Admit all Texas resident freshman applicants with SAT scores of 1200 [~~1100~~] or greater or ACT scores of 29 [~~27~~] or greater irrespective of standing in high school class. [~~The President has the authority to raise these required scores if he or she deems it necessary.~~]
- c. Admit all Texas resident freshman applicants ranking in the top quarter, but below the top 10%, of their high school graduating class if they attain a score of at least 1000 on the SAT or 24 on the ACT.
- d. Admit all Texas resident freshman applicants ranking in the second quarter of their high school graduating class if they attain a score of at least 1100 on the SAT or 27 on the ACT.
- e. Admit all Texas resident freshman applicants ranking in the lower one-half of their high school graduating class if they attain a score of at least 1200 on the SAT or 29 on the ACT.

- f. Individual review will be given to all Texas resident freshman applicants ranking in the top quarter but below the top 10% if they attain scores of 800 - 990 on the SAT or 18 - 23 on the ACT; to applicants ranking in the second quarter if they attain scores of 900 - 1090 on the SAT or 22 - 26 on the ACT; and to Texas resident freshman applicants ranking in the lower one-half if they attain test scores of 1100 - 1190 on the SAT or 27 - 28 on the ACT.
- g. Consistent with the Texas Equal Educational Opportunity Plan for Higher Education, individual review will be given routinely to the Texas resident freshman applications of all Black and Hispanic students ranking in the top half of their high school graduating class and not otherwise admitted.
- h. The review of applications under provisions (f) and (g) will be conducted by professionals and will take into account such multiple criteria as leadership, recommendations of teachers, special hardships, competitiveness of high school, The University's need for ethnic and cultural diversity, and the extent to which an academic program is impacted.
- i. [e] Admit all nonresident freshman applicants in the top 25% of their high school class with a minimum SAT score of 1100 or minimum ACT score of 27 as permitted under State law. The President has the authority to raise these required scores if he or she deems it necessary.
- j. [d] Admit all holders of bona fide U. T. Austin scholarships designated by the President.
- k. [e] Admit all resident and nonresident transfer students with fewer than 54 semester credit hours and a minimum grade point average of 3.00; admit all resident and nonresident transfer students with 54 semester credit hours or more and a minimum 2.50 grade point average. Transfer students with less than 30 hours will be required to meet the same criteria as new freshman students.
- l. [f] Applicants not admitted under any of the above criteria will be denied regular admission but will be offered participation in the Provisional Admission Plan. [~~Retain-the-Provisional-Admission-Program unchanged-~~]
- m. [g] The [Advance-the] application deadline for all seeking admission for the Fall Semester is March 1. [~~or-readmission-from-July-1-to-June-1--The-President has-the-authority-to-modify-this-deadline-as-circumstances-require-~~]
- n. [h] With approval of the U. T. Board of Regents, individual schools and colleges may institute higher admission requirements where limitations on faculty and facilities do not permit the acceptance of all qualified applicants. In such cases, priority will be given to the applicants with the higher overall academic achievement and potential and earlier date of application.

- o. [±] Under compelling circumstances, the [The] President may revise application deadlines or [establish-additional] criteria for [the] admission [of-applicants who-are-not-legal-residents-of-the-State-of-Texas] as reasonably necessary to stabilize enrollment, increase the academic quality and diversity of the student body, and maintain access to The University for qualified Texas resident students.

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

On June 12, 1981, the U. T. Board of Regents approved an interim undergraduate admissions policy for U. T. Austin which became effective the Fall Semester 1982. These were modified slightly in June 1983.

The present criteria for Texas residents applying for admission as freshmen provide that those ranking in the top quarter of their high school graduating class are admissible regardless of test scores; those ranking in the lower three quarters are admissible if they have a score of 1100 or more on the Scholastic Aptitude Test (SAT) or 27 or more on the American College Test (ACT). No change is proposed in the present requirement that nonresidents must rank in the top quarter and have scores of 1100 or 27, or in the provision that holders of certain residentially designated scholarships are admissible regardless of rank or test scores, or in the unit requirement.

The proposed plan will assist U. T. Austin in managing its enrollment within the 46,000 - 48,000 range where it has been the past several years. At the same time, it will:

- a. Permit the institution to bring greater sensitivity and human judgment to admissions decisions.
- b. Allow more accurate response to changes in the applicant pool and the academic interests of applicants.
- c. Continue the considerable progress made in the enrollment of Black and Hispanic students.
- d. Reduce the number of students who experience failure when past academic achievement and low test scores predict a poor chance of academic success at U. T. Austin.

The proposed Texas resident criteria are set forth graphically on Page AAC - 7.

**PROPOSED TEXAS RESIDENT FRESHMAN ADMISSIONS CATEGORIES**

DRAFT Office of Admissions - The University of Texas at Austin DRAFT

SAT Total	ACT Composite	Top 10%	11 - 25%	Second Quarter	Third Quarter	Fourth Quarter
1,600 thru 1,250	36 thru 30	Admit	Admit	Admit	Admit	Admit
1,240 thru 1,200	29	Admit	Admit	Admit	Admit	Admit
1,190 thru 1,150	28	Admit	Admit	Admit	Review	Review
1,140 thru 1,100	27	Admit	Admit	Admit	Review	Review
1,090 thru 1,000	26 thru 24	Admit	Admit	Review	Deny/offer	Deny/offer
990 thru 900	23 thru 22	Admit	Review	Review	Deny/offer	Deny/offer
890 thru 800	21 thru 18	Admit	Review	Deny/offer	Deny/offer	Deny/offer
790 thru 700	17 thru 15	Admit	Deny/offer	Deny/offer	Deny/offer	Deny/offer
690 thru 0	14 thru 0	Admit	Deny/offer	Deny/offer	Deny/offer	Deny/offer



Admit



Review



Deny/Offer  
Provisional Admission

VPSA 3.0 090287

5. U. T. Austin: Request to Establish "The Regents' Endowed Student Fellowship and Scholarship Program" Effective September 1, 1987.--

RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation that a program be established at U. T. Austin to be entitled "The Regents' Endowed Student Fellowship and Scholarship Program." It is further recommended that:

- a. The Regents' Endowed Student Fellowship and Scholarship Program be effective September 1, 1987;
- b. The Regents' Endowed Student Fellowship and Scholarship Program cease on August 31, 1989, unless extended by the Legislature;
- c. Available University Fund monies in the amount of \$1.5 million be earmarked for The Regents' Endowed Student Fellowship and Scholarship Program for the fiscal year beginning September 1, 1987; and
- d. The Regents' Endowed Student Fellowship and Scholarship Program operate within the following guidelines:

GUIDELINES FOR MATCHING GRANTS UNDER  
THE REGENTS' ENDOWED STUDENT FELLOWSHIP AND SCHOLARSHIP PROGRAM  
THE UNIVERSITY OF TEXAS AT AUSTIN

Subject to the availability of matching funds, the President of U. T. Austin and the Office of the Chancellor of the U. T. System may make recommendations to the U. T. Board of Regents for the matching of individual private grants to endow graduate and undergraduate student fellowships and scholarships with Available University Fund monies under The Regents' Endowed Student Fellowship and Scholarship Program pursuant to the following guidelines:

- (1) matching monies will be available only for grants that will fund from private sources a new student fellowship or scholarship endowment at a minimum level of \$25,000, or that will add from private sources a minimum of \$10,000 to an existing student fellowship or scholarship endowment;
- (2) the ratio of matching to gift funds for each new endowment or addition to an existing endowment will be recommended to the U. T. Board of Regents by the President of U. T. Austin with the concurrence of the Office of the Chancellor but in no case will the ratio of matching to gift funds exceed one dollar for two dollars;
- (3) matching funds available in an academic year are limited to the amount budgeted for that year;

- (4) subject to the institutionally established academic objectives of the school or college, the U. T. Board of Regents agrees to match all eligible gifts to a school or college until the funds used to match these eligible gifts to the school or college reach a level which shall be determined annually by the President of U. T. Austin, at which point, eligible gifts beyond this amount to a school or college will have priority for matching as may be recommended by the President of U. T. Austin;
- (5) matching funds shall be used to increase the size of the grant for establishing or adding to a student fellowship or scholarship endowment;
- (6) to the extent possible, the wishes of the donor will be considered within these overall guidelines;
- (7) the income from endowments established pursuant to these guidelines shall be distributed to eligible students pursuant to the provisions of Section 3, Chapter I, Part Two of the Regents' Rules and Regulations, as that section now reads or as it later may be amended;
- (8) the investment procedures for the endowments established under The Regents' Endowed Student Fellowship and Scholarship Program will be administered through the U. T. System Common Trust Fund and will be the same as those established for other endowments for scholarships and fellowships;
- (9) The Regents' Endowed Student Fellowship and Scholarship Program shall be effective for gifts or pledges received on or after September 1, 1987, and except as provided in (10) below, on or before August 31, 1989;
- (10) matching monies made available under this program will be available to match pledges made on or before August 31, 1989, if the pledges are to be fulfilled during the two-year period following August 31, 1989;
- (11) payment of pledges for the establishment of fellowship or scholarship endowments will be matched as received if an initial fungible gift of at least \$10,000 is received; and
- (12) private grants and matching funds in The Regents' Endowed Student Fellowship and Scholarship Program and those in The Regents' Endowed Teachers and Scholars Program shall be separate and distinct, with income earned from funds in one program not to be used in aid of the other program.

#### BACKGROUND INFORMATION

In order to provide a method for funding an expanded program of scholarships and graduate fellowships at U. T. Austin, the U. T. System sought and obtained an amendment to the rider in the General Appropriations Act that appropriates the Available University Fund for the fiscal 1988-1989 biennium. This amendment authorizes the U. T. Board of Regents to use a portion of the Available University Fund, not to exceed \$1.5 million per year, for the matching of private grants for the endowment of student fellowships and scholarships.

The purpose of The Regents' Endowed Student Fellowship and Scholarship Program is to provide the long-term guaranteed financial aid necessary to attract and support an increased number of student scholars of high academic achievement at U. T. Austin through the combined use of private and university resources.

The proposed guidelines are designed to provide operational and accounting simplicity while permitting the deans of the schools and colleges the necessary flexibility to address both their academic program needs and prospective donor wishes. The minimum grant level will encourage and broaden the scope of prospective donors able to support this Program while providing the schools and colleges the option of responding to donor wishes to establish substantial fellowship and scholarship pools. The larger endowments established by the requirement that the matching funds be added to the initial grant enhances the usefulness of these student fellowships and scholarships. In view of the legislative limit on the amount of matching funds available during the biennium, the scope of the program is increased by the leverage obtained by the proposed ratio of gift to matching funds.

6. U. T. Austin: Request to Establish the Nursing Foundation of the School of Nursing (Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3, Internal Foundations).--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's request to establish the Nursing Foundation of the School of Nursing at U. T. Austin by issuance of the standard resolution adopted by the U. T. Board of Regents in October 1980 as set out on Page AAC - 11. This recommendation is in accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3, relating to establishment of internal foundations and was approved by the School of Nursing Advisory Council at its Spring 1987 meeting.

It is further recommended that the 28 member School of Nursing Advisory Council as listed on Page B of R - 17 constitute the advisory council for the Foundation.

It is further recommended that the Nursing Foundation of the School of Nursing be added to the list of internal foundations contained in Section 4.33, Part One, Chapter VII of the Regents' Rules and Regulations.

#### BACKGROUND INFORMATION

An internal foundation is an accounting and administrative mechanism in the name of which development boards and advisory councils may approach prospective donors. Internal foundations are under the jurisdiction and control of the U. T. Board of Regents and are governed by rules, regulations, policies and procedures promulgated by the Board. The School of Nursing has identified many pressing needs in its academic program not met by current State of Texas appropriations and

is seeking a more effective fund raising program through establishment of this internal foundation. The purpose of this internal foundation shall be to foster the understanding and development of the programs of the School of Nursing and to encourage the making of gifts to the Foundation by deed, grant, will or otherwise for any purpose appropriate to the work of the Foundation.

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

WHEREAS, there exists a clear and specific need for means to finance the program of the School of Nursing of The University of Texas at Austin, in addition to the regular budgetary provisions, and

WHEREAS, it is the desire of interested persons to set up the facilities to encourage and assist in such financing,

IT IS NOW RESOLVED, that the Board of Regents of The University of Texas System hereby establishes, the Nursing Foundation of the School of Nursing of The University of Texas at Austin.

AND FURTHER, that the purpose of the said Foundation shall be to foster the understanding and development of the programs of the School of Nursing at The University of Texas at Austin, and to encourage the making of gifts to the Foundation by deed, grant, will or otherwise for any purpose appropriate to the work of the Foundation.

1. The funds of the Foundation shall be devoted solely to the enrichment of the academic programs of the School of Nursing of The University of Texas at Austin and shall not be used for the ordinary operating expenses of the School of Nursing.
2. A donation to the Foundation may be made for a specific purpose and may be given in the name of the donor or other designation specified by the donor or may be given as unrestricted funds.
3. The Board of Regents shall hold, manage, control, sell, exchange, lease, convey, mortgage or otherwise encumber, invest or reinvest, and generally shall have power to dispose of in any manner and for any consideration and on any terms the said gifts, funds, or property in their discretion and shall from time to time pay out of the income, or if the income be insufficient, out of the principal, all expenses of trust and all expenditures incurred in furthering the purposes of the trust.
4. Neither any donation to the Nursing Foundation nor any fund or property arising therefrom in whatever form it may take shall ever be any part of the Permanent University Fund nor shall the Legislature have power or be in any way authorized to change the purposes thereof or to divert such donation, fund or property from those designated purposes.
5. As in the case of other University funds, authorization for expenditure of all funds from the Foundation shall be vested in the Board of Regents and recommendations for such expenditures shall be made by the President to the Office of the Chancellor and by the Office of the Chancellor to the Board of Regents of The University of Texas System.

7. U. T. Dallas: Report on Completion of Negotiations and Execution of Contracts Authorizing Worthing Central Corporation, Dallas, Texas (Formerly Vantage Residential Central, Inc.), to Lease a Site Tract on the Campus and Provide for Private Financing, Construction, and Operation of a Student Apartment Project.--

#### REPORT

The Executive Secretary to the Board of Regents and the Office of General Counsel report that, within the parameters authorized by the U. T. Board of Regents at its December 1985 meeting, negotiations have been completed and contracts have been executed with Worthing Central Corporation, Dallas, Texas (formerly Vantage Residential Central, Inc.), to provide for the private financing, construction and operation of a student apartment project located on a site tract leased out of the U. T. Dallas campus. The final form of all contractual agreements with Worthing was approved by the Executive Committee of the Board prior to execution, in accordance with the December 1985 instructions from the U. T. Board of Regents.

This project was approved by the Texas Higher Education Coordinating Board at its January 23, 1987 meeting; however, subsequent legislation (drafted by the U. T. System) has amended the law to provide that Coordinating Board approval is not required for projects which are privately owned and are financed and operated solely with private funds. Under present law, the U. T. Dallas Student Apartment Project would not require approval by the Coordinating Board.

Worthing Central Corporation's construction plans and specifications for the apartment project have been reviewed and approved by the Office of Facilities Planning and Construction. It is estimated that the U. T. Dallas Student Apartment Project will be completed before the Summer Semester 1988.

# Health Affairs Committee

HEALTH AFFAIRS COMMITTEE  
Committee Chairman Yzaguirre

Date:       October 9, 1987  
Time:       Following the meeting of the Academic Affairs Committee  
Place:      Room 1.212, Conference Center, U. T. Dallas

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4. U. T. Health Science Center - San Antonio: Request for Permission for Individual to Serve on the Board of Scientific Counselors for the National Institute of Child Health and Human Development [ <u>Regents' Rules and</u> <u>Regulations, Part One, Chapter III, Sec-</u> <u>tion 13, Subsections 13(10) and 13(11)]</u>	13
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1. U. T. Health Science Center - Dallas: Recommendation to Change the Name of The University of Texas Health Science Center at Dallas to The University of Texas Southwestern Medical Center at Dallas and the Name of The University of Texas School of Allied Health Sciences at Dallas to The University of Texas Southwestern Allied Health Sciences School at Dallas [Regents' Rules and Regulations, Part One, Chapter VIII, Section 4, Subsections 4(11) and 4(11)3].--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Wildenthal to change the name of The University of Texas Health Science Center at Dallas to The University of Texas Southwestern Medical Center at Dallas with the shortened title to be U. T. Southwestern Medical Center - Dallas.

For consistency, it is further recommended that the name of The University of Texas School of Allied Health Sciences at Dallas be changed to The University of Texas Southwestern Allied Health Sciences School at Dallas with the shortened title to be U. T. Southwestern A.H.S.S. - Dallas.

Approval of this recommendation will be reflected in amendments to the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4, Subsections 4(11) and 4(11)3.

#### BACKGROUND INFORMATION

Originally named "Southwestern Medical College," the school became "The University of Texas Southwestern Medical School" and later "The University of Texas Health Science Center at Dallas" with "Southwestern Medical School" and "Southwestern Graduate School" as components. The Dallas and national academic communities still know the institution as "Southwestern." A consistent, formal name which can yield a related, understandable, "short-hand" name is recognized by media and public relations experts as essential to building a good public perception as broadly as possible. The recommended name was selected after consultation with public relations and fund-raising experts.

The confusion with the current institutional name was highlighted at the time of the awarding of the Nobel Prize in 1985. Various news reports located Drs. Goldstein and Brown at "The University of Texas at Dallas," "The University of Texas," "The University of Texas Health Science Center" (without specifying a city), "Southwestern Medical School" and "The University of Texas Health Science Center at Dallas." When members of the faculty have been elected to the National Academy of Sciences, they have been identified in Science, Nature, and The New York Times as being from "The University of Texas" or "The University of Texas at Dallas."

When scientific historian Dr. Eugene Garfield wrote an article on the history of the American Society of Clinical Investigation, he quoted from that organization's past presidents whom he regarded as especially influential; one he identified as from "The University of Texas Health Science Center at Dallas" and a second from the "Southwestern Medical School." When public relations representatives such as Stan Richards of The Richards Group and Liener Temerlin of Bozell-Jacobs have attempted to devise information campaigns, they uniformly bemoan the difficulty of using the title "The University of Texas Health Science Center at Dallas/Southwestern Medical School."

"The University of Texas Southwestern Medical Center at Dallas" incorporates all the essential functional and historical identities and avoids public confusion of what "health science center" might mean, and it lends itself to a short, identifiable, distinct, and historically accurate name.

2. U. T. Medical Branch - Galveston: Request for Approval of Affiliation Agreement with the Harris County Hospital District, Houston, Texas.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Levin that the U. T. Board of Regents approve the affiliation agreement set out on Pages HAC 4 - 12 by and between the U. T. Medical Branch - Galveston and the Harris County Hospital District, Houston, Texas.

#### BACKGROUND INFORMATION

The U. T. Nursing School - Galveston desires to provide educational experiences for its graduate nursing students in facilities of the Harris County Hospital District. The District owns and operates facilities in Houston, including the Ben Taub General Hospital, Jefferson Davis Hospital and the Quentin Mease Hospital. The Office of Health Affairs and the Office of General Counsel have reviewed the agreement and recommend its approval.

AGREEMENT OF AFFILIATION BETWEEN  
THE BOARD OF REGENTS OF  
THE UNIVERSITY OF TEXAS SYSTEM  
AND  
HARRIS COUNTY HOSPITAL DISTRICT  
(UTMB SCHOOL OF NURSING)

THIS AGREEMENT made and entered into by and between the Harris County Hospital District, a political subdivision organized under the laws of the State of Texas, hereinafter referred to as the "District", and The Board of Regents of The University of Texas System on behalf of The University of Texas Medical Branch at Galveston, an institution of higher education of the State of Texas, hereinafter referred to as the "University."

W I T N E S S E T H:

WHEREAS, the District is the owner and operator of three hospitals, Ben Taub General Hospital, Jefferson Davis Hospital and Quentin Mease Hospital (hereinafter called the "Hospitals"), and numerous neighborhood clinics, all situated in Harris County, Texas, hereinafter collectively referred to as the District's "facilities", providing medical and hospital care to the indigent ill of Harris County, Texas; and

WHEREAS, it is mutually recognized that the District and the University have certain objectives in common, namely (a) providing health care personnel of the highest caliber which perform high quality professional care of patients (b) educating and training of health care personnel, (c) advancing knowledge in the field of health care, and (d) promoting personal and community health and education through the training of highly qualified Nurses and that each can accomplish these objectives in a larger measure and more effectively through affiliated operations; and

WHEREAS, it is mutually recognized that the primary function of the District is the provision of the best possible medical and hospital care for the indigent ill of Harris County; and

WHEREAS, the providing of nursing care for hospital patients is a well established part of medical and hospital care; and

WHEREAS, it is the desire of both parties and it is for the benefit of the citizens of Harris County that the District maintain health care programs for the care of its patients; and in order that all parties can accomplish their objectives in a larger measure;

NOW, THEREFORE, for and in consideration of these premises and in further consideration of the matters hereinafter set forth, the District and The Board of Regents of The University of Texas System on behalf of The University of Texas Medical Branch at Galveston do hereby stipulate and agree as follows:

#### THE PROGRAM

This Agreement provides for the establishment and implementation under the terms herein of a Women's Health Care Nurse Practitioner Program (the "Program"), by and through which the District is to provide educational services to certain graduate nursing students of the University, which said students, for purposes of this Agreement, shall hereinafter be referred to as "Program students."

#### II

#### SEPARATE JURISDICTION

The University will continue as it has in the past to operate its programs of the highest quality in Health Care Education and in other areas and all jurisdictional powers incident to separate ownership and operation, including the power to determine the general and fiscal policies of its educational programs and to appoint its administration, faculty and other personnel subject to the terms of the subsequent paragraphs of this Agreement shall be retained.

The District shall retain over its facilities all jurisdictional powers incident to separate ownership and operation, including the powers to determine general and fiscal policies relating to the operations of its facilities.

The Board of Managers of the District shall retain final jurisdiction over the administration and supervision of its facilities, including all patient services and the types of activities occurring within any or all facilities of the District.

### III

#### PATIENT CARE

The District will continue to operate the facilities of the District in a manner and with standards consistent with its purpose of providing for the highest quality of patient care available. The University will provide the necessary personnel as herein specified for the effective operation of this Nurse Education Program. The University will provide the necessary clinical supervision of its students participating in the Program.

### IV

#### TEACHING PROGRAMS

The District will provide clinical facilities necessary to support programs for the training and qualifying of students in the field of Nursing. All facilities to be provided by the District shall be used to provide training in the Nursing Program. Students using the District's facilities may assist hospital personnel in the care of the District's patients as requested and as is consistent with the Program.

Except as otherwise provided in other agreements, The University may make no use of the District's facilities provided in compliance with this Agreement for any purpose other than training of graduate nurse personnel for this Program.

The University shall be responsible for directing the Nurse Training Program in accordance with the proper applications in the field of Nursing and such program shall meet all guidelines established by appropriate and applicable local, state, or national associations for the nursing profession. The University will be responsible for recruiting and selecting graduate students to participate in the Program who are licensed nurses.

### V

#### CLINICAL INSTRUCTOR

The University will appoint one or more qualified nursing professional(s) who shall be responsible for the instruction and supervision of the Program students based in the District's facilities. The person(s) selected to function in this capacity shall be a member of the University's faculty.

In addition, the District may, at the request of the University, provide a preceptor for any Program student. Such preceptor shall provide additional instruction and shall assist the University in the evaluation of the performance of such Program students.

## VI

### STUDENT HEALTH CARE AND ASSIGNMENTS

The District shall provide equally to each Program student emergency health care of a monetary value not to exceed ONE HUNDRED DOLLARS (\$100.00) with respect to injuries sustained in any of the District's facilities.

The decision regarding the number of Program students to be assigned by the University to the District shall be determined on a periodic basis by the District, after consulting with the University.

No compensation will be paid by the District for services rendered by any Program student while enrolled in the Program nor shall any such student be considered an employee or agent of the District, or to be acting in any capacity on behalf of the District.

The University agrees that it will furnish the District with evidence that each student, staff member and faculty member participating in the Program has in effect professional liability insurance coverage in an amount acceptable to the District, such coverage to continue in effect while such student, staff member and faculty member is assigned to the District. The University agrees to inform the District immediately of each renewal, cancellation, or change in the content or amount of such coverage. The carrier and terms of such insurance shall be subject to the prior and continuing approval of the District, which approval shall not be unreasonably withheld. To the extent permitted by the Constitution and laws of the State of Texas, the University agrees to indemnify and hold harmless the District from and against any and all claims, demands, causes of action, liabilities, costs, damages, and expenses asserted or adjudged against or incurred by the District resulting from the breach by the University of any provision of this Agreement. By entering into this Agreement, it is recognized that the University is not waiving the

sovereign or governmental immunity the Board of Regents of The University of Texas System, its agents or employees, have under state law.

## VII

### SUPERVISION

All Program students furnished by the University shall comply with the District's administrative policies established for the operation of the District's facilities. The Director of the District's Nursing Program or her designate and the Chief Administrator of the District or his designate shall be responsible for the overall review of this Program in order to determine that any services provided by the Program students are properly performed.

The University may establish such administrative policies as are necessary for the operation of the Program, provided such policies are not inconsistent with the administrative policies of the District.

Should any Program student, staff or faculty member become undesirable, the District will recommend in writing to the University that such student, staff or faculty member be removed. The University will forthwith remove such person from the District's facilities.

## VIII

### CONSULTATION BETWEEN PARTIES

A committee to be known as the "Joint Consultation Committee" shall be established in furtherance of this Agreement. The Committee shall be made up of an equal number of representatives from the District and the University and shall hold meetings whenever necessary or appropriate for:

- (a) the establishing of procedures necessary to implement this Agreement;
- (b) the resolution of problems which may arise between the District and the University;
- (c) educational purposes so that the members of the Committee will be familiar with the joint operations of the District and its programs and with any problems incident to the implementation of this Agreement; and
- (d) the review and evaluation of qualifications of potential Program students, such review to be made within thirty (30) days prior to the assignment of any such students to a District facility.

IX

ACCREDITATION

The University shall be required to have and maintain or make application for accreditation with the appropriate and applicable local, state and/or national accreditation organization or organizations and shall keep the District informed of all actions taken with respect to its accreditation standing. If the University is not accredited at the time of execution of this Agreement, and does not receive accreditation within two (2) years of implementation of this Agreement, or should the University for any reason lose any or all of its local, state or national accreditation(s), this Agreement will immediately become null and void and all personnel participating in this Program will be immediately removed by the University from the District's facilities.

X

GRANTS, RESEARCH OR DEMONSTRATION PROGRAMS

The University shall submit to the District any and all proposals for research or demonstration projects in which it is anticipated that facilities of the District will be utilized. The University recognizes that it is the policy of the District that the District shall not be committed to participate in any grants, research or demonstration projects or similar activities without having first had the plans for any such program submitted to the District for its approval. In accordance with this policy, should the University desire to initiate any program which involves the District or any of its facilities or personnel, the University shall first submit the plan and completed application to the District for approval. If the District does not approve same, the University shall not proceed with any such program involving the District.

XI

TERM

This Agreement shall be effective upon execution by both parties and shall continue in full force and effect ~~XXXX~~ for five (5) years from the date of execution by the District, or unless sooner terminated by mutual consent of the parties, or by either party hereto giving to the other party written notice of termination. Any written notice of termination

shall specify the date of termination, but in no event shall such termination be effective until at least six (6) months after the receipt of such notice by the other party. No termination as provided above, however, shall be effective with regard to students previously enrolled in the Program until such students shall have completed their training cycle. This Agreement shall also be terminated automatically by loss of the University of any or all of its local, state and/or national accreditation(s) as provided in Part IX of this Agreement, in which case any and all students and/or staff and faculty members participating in the Program shall be immediately removed.

## XII

### PROVISION FOR OTHER AGREEMENTS

It is recognized that either party may enter into other agreements and affiliations so long as same are not inconsistent with the terms and provisions hereof.

## XIII

### AMENDMENTS

This Agreement may be amended by a written instrument by representatives duly authorized by the governing Boards of the respective parties hereto.

## XIV

### BINDING ON SUCCESSORS

This Agreement shall bind and benefit the respective parties and their legal successors, but shall not otherwise be assignable in whole or in part by either party without first obtaining written consent of the other party.

## XV

### LEGALITY

This Agreement shall be subject to all present and future valid laws, orders, rules and regulations of the United States of America, the State of Texas, and any other regulatory body thereof having jurisdiction.

## XVI

### NOTICE

Unless otherwise provided in this Agreement, any notice, communications, request, reply or advice (herein severally and collectively for convenience called "Notice") herein provided or permitted to be given, made or accepted by either

party to the other must be in writing and may be given or be served by depositing the same in the United States mail, postpaid and registered or certified mail, addressed to the party to be notified, with return receipt requested, or by delivering the same to any officer of such party, or by prepaid telegram, when appropriate, addressed to the party to be notified. Notice deposited in the mail in the manner hereinbefore described shall be conclusively deemed effective, unless otherwise stated, five (5) days after it is so deposited. Notice given in any other manner shall be effective only if and when received by the party to be notified. For the purposes of notice, the addresses of the parties shall, until changed as hereinafter provided, be as follows:

UNIVERSITY:       The Board of Regents of  
                  The University of Texas System  
                  201 West 7th Street  
                  Austin, Texas 78701  
                  Attention: Arthur Dilly, Executive Secretary

With copies to:

The University of Texas  
Medical Branch at Galveston  
Office of the President  
Galveston, Texas 77550

Office of General Counsel  
The University of Texas System  
201 West 7th Street  
Austin, Texas 78701  
Attention: John L. Darrouzet, Attorney

DISTRICT:        HARRIS COUNTY HOSPITAL DISTRICT  
                  P. O. Box 66769  
                  Houston, Texas 77266  
                  Attention: Director of Nursing

The parties shall have the right to change their respective addresses. In the event that either party changes its address, written notice of such change shall be given to the other party within fifteen days of such change.

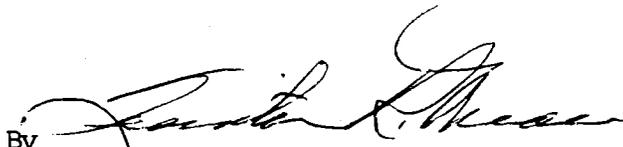
IN WITNESS THEREOF this Agreement, in duplicate originals of equal force, has been executed on behalf of the parties hereto as follows, to-wit:

(a) It has on the 24th day of JULY, 1987, been executed on behalf of the Harris County Hospital District by the Chairman of the Board of Managers pursuant to an order of the Board of Managers so authorizing; and

(b) It has on the \_\_\_\_\_ day of \_\_\_\_\_, 198\_\_, been executed on behalf of the Board of Regents of The University of Texas System by the Executive Vice Chancellor for Health Affairs pursuant to an order of the Board of Regents so authorizing.

HARRIS COUNTY HOSPITAL DISTRICT

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM ON BEHALF OF THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

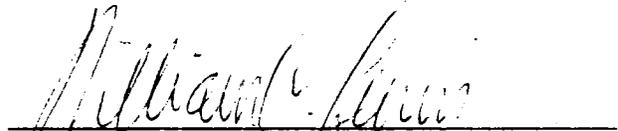
By   
Chairman, Board of Managers

By   
Dr. Charles B. Mullins  
Executive Vice Chancellor for Health Affairs

ATTEST:

RECOMMENDED FOR APPROVAL:

  
Secretary

  
Dr. William Levin, President  
The University of Texas Medical Branch at Galveston

APPROVED AS TO FORM:

APPROVED AS TO FORM:

  
Assistant County Attorney

  
Office of General Counsel  
The University of Texas System

CERTIFICATE OF APPROVAL

I hereby certify that the foregoing Agreement was approved by the Board of Regents of The University of Texas System on the \_\_\_\_\_ day of \_\_\_\_\_, 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

3. U. T. Health Science Center - Houston: Recommendation to Approve Naming Room A-113 in the Dental Branch Addition The Ralph C. Cooley Conference Room (Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, Naming of Facilities Other Than Buildings).--

RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Bulger to name Room A-113, a conference room in the Dental Branch Addition at the U. T. Health Science Center - Houston, as The Ralph C. Cooley Conference Room. 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

Dr. Ralph C. Cooley was a graduate of the original Texas Dental College, which later became the U. T. Dental Branch - Houston. Denton A. Cooley, M.D., a Clinical Professor in the Department of Surgery at the U. T. Health Science Center - Houston, suggests the memorial to honor his father. The Cooley Foundation has pledged \$12,000 for this memorial conference room, and these funds will be utilized for furniture and equipment for the new addition to the Dental Branch facility.

4. U. T. Health Science Center - San Antonio: Request for Permission for Individual to Serve on the Board of Scientific Counselors for the National Institute of Child Health and Human Development [Regents' Rules and Regulations, Part One, Chapter III, Section 13, Subsections 13(10) and 13(11)].--

RECOMMENDATION

The Office of the Chancellor concurs with President Howe's recommendation that approval be given for Peter O. Kohler, M.D., Dean of the U. T. Medical School - San Antonio at the U. T. Health Science Center - San Antonio, to serve on the Board of Scientific Counselors for the National Institute of Child Health and Human Development.

It is further recommended that the U. T. Board of Regents find that: (1) the holding of this position by Dr. Kohler is of benefit to the State of Texas; and (2) there is no conflict between the position this individual holds and appointment to the Board of Scientific Counselors for the National Institute of Child Health and Human Development.

## BACKGROUND INFORMATION

Dr. Kohler has been invited by Secretary of Health and Human Services Otis Bowen to serve a four-year term on the Board of Scientific Counselors for the National Institute of Child Health and Human Development. This Board reviews ongoing research for the Institute's intramural program.

This recommendation is in accordance with approval requirements for positions of honor, trust, or profit provided in Article 6252-9a of Vernon's Texas Civil Statutes and Part One, Chapter III, Section 13, Subsections 13(10) and 13(11) of the Regents' Rules and Regulations.

5. U. T. Health Science Center - San Antonio: Request for Authorization to Provide an Educational Mobility Option for Persons Who Hold an Associate Degree in Nursing/Diploma in Nursing to be Admitted into a Master of Science in Nursing Degree Program and to Submit to the Coordinating Board for Approval (Catalog Change).--

## RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Howe to provide an educational mobility option for persons who hold an Associate Degree in Nursing/Diploma in Nursing to be admitted into a Master of Science in Nursing Degree Program at the U. T. Nursing School - San Antonio and, if approved by the U. T. Board of Regents, to submit the program proposal to the Coordinating Board for approval.

## BACKGROUND INFORMATION

The Nursing School faculty and the Graduate School of Biomedical Sciences Faculty Council of the U. T. Health Science Center - San Antonio wish to establish an educational mobility entry option for highly qualified candidates with Associate Degrees in Nursing or a Diploma in Nursing to earn a Master of Science in Nursing without first earning a baccalaureate degree. This option combines some of the present baccalaureate requirements with the present master's degree requirements. For entry into the master's program, the candidate would be required to have 76 specified hours of the required 126 hours of the bachelor's program and be a registered nurse.

To qualify for this option, a student would meet all lower division requirements for admission to the upper division baccalaureate degree program with the exception of Texas History. The student would also need a grade point average of "B" or above in prerequisite courses, a Graduate Record Exam score of 1000 or higher or the Miller's Analogies Test score of 50. Those who qualified would not be required to take the credit by examination courses during the first semester of the Flexible Process Program, but would be required to complete 22 semester hours of the Flexible Process undergraduate program. Many of the Master's tracks require work experience, and all applicants would be encouraged to have such experience.

The option does not require the U. T. Nursing School to add any new courses. Also the U. T. Nursing School can accommodate an enrollment increase in the Master's Program without additional faculty positions.

These accepted students would be able to complete the Master of Science in Nursing Degree in two and one-half years, in contrast to the traditional three and one-half years. This proposed program has the support of the Directors of Nursing at the major hospitals, the Director of the Diploma School at Baptist Memorial Hospital, and recent applicants.

Upon Regental and Coordinating Board approval, the next appropriate catalog published will be amended to reflect this action.

6. U. T. Cancer Center: Proposed Appointment to the David Bruton, Jr. Chair in Tumor Biology Effective October 1, 1987.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation by President LeMaistre to appoint Garth L. Nicolson, Ph.D., as initial holder of the David Bruton, Jr. Chair in Tumor Biology at the U. T. Cancer Center effective October 1, 1987. This appointment is contingent upon the redesignation of this Chair as proposed in Item 15, Page L&I - 13.

#### BACKGROUND INFORMATION

Dr. Nicolson received his doctorate in Cell Biology from the University of California at San Diego in 1971. He was associated with the California Institute of Technology in Pasadena, the Salk Institute for Biological Studies and the University of California at Irvine. In 1980, Dr. Nicolson began his career with the U. T. Cancer Center as Chairman of the Department of Tumor Biology.

Dr. Nicolson, a renowned research scientist in the area of tumor biology, has been a consultant to the National Cancer Institute and several pharmaceutical firms and is a member of many national and international committees and societies. A prolific writer, he has authored or co-authored over two hundred publications.

Dr. Nicolson currently holds the Florence Maude Thomas Cancer Research Professorship. He will relinquish this position upon appointment to the David Bruton, Jr. Chair in Tumor Biology.

7. U. T. Cancer Center: Proposed Appointment to the Hubert L. and Olive Stringer Professorship in Medical Oncology Effective October 1, 1987.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation by President LeMaistre to appoint Waun Ki Hong, M.D., as initial holder of the Hubert L. and Olive Stringer Professorship in Medical Oncology at the U. T. Cancer Center effective October 1, 1987. This appointment is contingent upon the establishment of the Professorship as proposed in Item 16, Page L&I - 14.

#### BACKGROUND INFORMATION

Waun Ki Hong, M.D., received his medical degree from the Yon-Sei University School of Medicine in Seoul, Korea. Following an internship at the Bronx-Lebanon Hospital in New York City and a residency at Boston V.A. Medical Center, Dr. Hong completed a fellowship in Medical Oncology at Memorial Sloan-Kettering Cancer Center. From 1975 until 1984, he served on the faculties and staffs of Tufts University School of Medicine, Boston University School of Medicine, Northeastern University, Boston V.A. Medical Center and Boston City Hospital. In 1984, Dr. Hong joined the U. T. Cancer Center and holds the positions of Chief of Head and Neck Oncology and Chief of Thoracic Medical Oncology. He is a member of several national and international committees, scientific and medical societies, and is the author or co-author of numerous publications.

# Buildings and Grounds Com.

BUILDINGS AND GROUNDS COMMITTEE  
Committee Chairman Hay

Date: October 9, 1987  
Time: Following the meeting of the Health Affairs Committee  
Place: Room 1.212, Conference Center, U. T. Dallas

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1. U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part Two, Chapter VIII, Section 2 (Minor New Building Construction; Minor Repairs and Remodeling; and Construction of Improvements Other Than Buildings Involving Less Than \$300,000 Per Project).--

#### RECOMMENDATION

The Office of the Chancellor recommends that Part Two, Chapter VIII, Section 2 (Minor New Building Construction; Minor Repairs and Remodeling; and Construction of Improvements Other Than Buildings Involving Less Than \$300,000 Per Project) of the Regents' Rules and Regulations be amended as set out below in congressional style:

- Sec. 2. Minor New Building Construction; Minor Repairs and Remodeling; and Construction of Improvements Other Than Buildings Involving Less Than \$300,000 Per Project.--Minor new building construction, minor repairs and remodeling of the physical plant and construction of improvements other than buildings that involve a total expenditure of \$300,000 or less per project may be handled at the component institution. However, any project involving the addition of space to the building inventory must have advance approval by the Office of the Chancellor and then be approved by the U. T. Board of Regents via standard docket procedures. If the proposed construction or renovation is to accommodate program changes requiring approval beyond the campus level, such program approvals must be secured in advance of requests for construction approval or must be included with the construction request. [Necessary] Funds must have been approved through standard U. T. System budgetary procedures and [~~the proper procedure---in each case,~~] the project must have been approved by the institution's director of physical plant, chief business officer, and [~~the~~] chief administrative officer [~~of the institution involved~~]. All contracts for minor new building construction, minor repairs, or remodeling shall be let on a standard form contract approved by the Office of Facilities Planning and Construction and the Office of General Counsel and shall be submitted to the Board of Regents through the institutional docket. Any such contract that involves the expenditure of more than \$25,000 shall be submitted to the Office of General Counsel for approval as to form prior to its execution by the institution.

## BACKGROUND INFORMATION

Confusion has arisen regarding expectations for U. T. System review of minor construction activities following the October 1983 amendments to the Regents' Rules and Regulations. This proposed amendment will clarify the use of the revised procedure to ensure that: financing for new construction and repair projects has been approved; that programmatic changes involving the addition of floor space have been approved; that an appropriate contract has been executed; and that legal requirements for performance bonds have been met. This amendment will prevent situations where construction contracts are let on purchase orders which do not delineate appropriately the expectations of the State of Texas and the U. T. System. The \$25,000 review limit is based upon the McGregor Act (Article 5160, V.T.C.S.) which requires that payment and performance bonds be provided on public works construction contracts that exceed \$25,000.

2. U. T. System: Permanent University Fund (PUF) Bond Proceeds Capital Improvement Program - Proposed Allocation of PUF Bond Proceeds Reserved for Equipment, Library, Repair, and Rehabilitation Projects for 1987-88.--

## RECOMMENDATION

The Office of the Chancellor recommends the appropriation of Permanent University Fund (PUF) Bond Proceeds reserved in the U. T. System Capital Improvement Program (adopted in October 1985 and revised in January 1987) to component institutions for I. Institutional Equipment/Library Purchases and II. Repair and Rehabilitation Projects for 1987-88 as detailed below. Descriptive information on projects proposed for funding is contained in the Background Information.

It is further recommended that the component institutions be authorized to purchase approved equipment items and library materials following standard purchase procedures and within approved PUF Bond Proceeds dollar limits or a combination of allocated bond proceeds and other funds, where appropriate. Substitute equipment purchases are to receive prior approval by the Office of the Chancellor and, where appropriate, the U. T. Board of Regents. Transfer by U. T. System Administration of allocated funds to institutional control or to vendors will coincide with vendor payment requirements.

Final approval of specific repair and rehabilitation projects and subsequent appropriation of funds will be in accordance with Board established procedures for construction and repair or rehabilitation projects.

If recommended funding is below institutional requests and if 1985-86 and 1986-87 reserves remain due to project costs lower than originally anticipated, it is specifically recommended that institutions be authorized to apply those remaining reserves to fund 1987-88 approved projects.

Recommended Appropriation Explanations

"Total Funding Requirement" is the total to be funded from all sources, including the recommended PUF appropriation. In many cases, partial funding is to come from matching grants, from budgeted institutional funds or from savings from prior appropriations.

The "PUF Requested" column represents the institutions' estimates of PUF Bond Proceeds required to support the project. Lump sum proposed appropriations are shown under "Recommended PUF Appropriation" rather than specific amounts for each individual project, since in some cases limits to PUF Bond Proceeds or the scope of the project prevent full funding of the amount of PUF Bond Proceeds requested. With at least partial funding and project approval in principle, institutions will either partially fund a project or exercise discretion on which projects in a list of approved projects to fund.

I. Recommended Institutional Equipment and Library Purchases

	<u>Total Funding Requirement</u>	<u>PUF Requested</u>	<u>Recommended PUF Appropriation</u>
Brown and Goldstein - Equipment			\$100,000
U. T. Arlington			
Computer & Network Improvement	1,027,000	945,000	
Electron Microscopes	453,900	353,900	
Library Automation - Year Two	<u>591,000</u>	<u>506,000</u>	
Subtotal	2,071,900	1,804,900	
Less Advance (1/87)		768,638	
TOTAL	2,071,900	<u>1,036,262</u>	\$819,362
U. T. Dallas			
Numerically Controlled Machine Tool Equip.	220,000	150,000	
Faculty Workstation Program	275,000	225,000	
Biotechnology Research and Teaching Facility	305,000	200,000	
Physics Program Vacuum and Laser Equipment	<u>350,600</u>	<u>200,000</u>	
TOTAL	<u>1,150,600</u>	<u>775,000</u>	\$725,000
U. T. El Paso			
Scientific and Engineering Equip.	1,332,000	500,000	
Library Collection Enhancement and Automation	150,000	150,000	
Computer Center DASD Expansion and Upgrade	155,000	141,000	
Materials Science Lab. Facilities - Physics	200,000	80,000	
Medical Tech. Lab. - Allied Health	50,000	50,000	
Speech Laboratory - Communication Dept.	<u>207,000</u>	<u>57,000</u>	
TOTAL	<u>2,094,000</u>	<u>978,000</u>	\$822,604

I. Recommended Institutional Equipment and Library Purchases  
(continued)

	<u>Total Funding Requirement</u>	<u>PUF Requested</u>	<u>Recommended PUF Appropriation</u>
U. T. Permian Basin			
Library Enhancement	100,000	100,000	
Complete Computer			
Network	75,000	75,000	
Human Performance Lab.	85,000	85,000	
TOTAL	<u>260,000</u>	<u>260,000</u>	\$170,000
U. T. San Antonio			
Library Enhancement	300,000	300,000	
Development			
Intelligent			
Algorithms	150,000	150,000	
Teaching and			
Audiovisual			
Equipment Upgrade	92,119	92,119	
Teaching and Public			
Information			
Equipment at			
Institute of			
Texan Cultures	42,566	42,566	
TOTAL	<u>584,685</u>	<u>584,685</u>	\$584,685
U. T. Tyler			
Technology Laboratory	112,000	112,000	
TOTAL			\$112,000
U. T. Health Science Center - Dallas			
Video Detection			
Fluorescence			
Microscopy	420,000	370,000	
Library Enhancement	234,000	200,000	
Core Centrifugation			
Facilities	436,000	436,000	
Library Automation -			
Biomedical Science			
and Medicine	113,000	100,000	
Biomedical NMR			
Spectroscopy	437,000	437,000	
TOTAL	<u>1,640,000</u>	<u>1,543,000</u>	\$1,543,000
U. T. Medical Branch - Galveston			
On-line Acquisition/ Spiral-Binary System	195,527	195,527	
MBI-Upgrade Academic			
Computer System	270,000	270,000	
M.D. Anderson			
Analytical			
Chemistry Center	370,000	250,000	
Nutrition Research	812,000	400,000	
Automate School of			
Nursing and			
Allied Health	350,000	250,000	
TOTAL	<u>1,997,527</u>	<u>1,365,527</u>	\$1,365,527
U. T. Health Science Center - Houston			
Upgrade Laboratory			
Safety Equipment	134,000	134,000	
Completion of Computer			
Facilities	598,706	550,000	
Library Network Link			
and Upgrade	162,100	150,000	
Library LS/2000 System -			
On-line Catalog	181,843	181,843	
TOTAL	<u>1,076,649</u>	<u>1,015,843</u>	\$1,015,843

I. Recommended Institutional Equipment and Library Purchases  
(continued)

	<u>Total Funding Requirement</u>	<u>PUF Requested</u>	<u>Recommended PUF Appropriation</u>
U. T. Health Science Center - San Antonio			
Community Outreach Clinic	320,613	220,613	
Molecular Genetics Core Facility	420,000	320,000	
Fluorescence Digital Imaging Microscope	410,000	410,000	
Library Collections Enhancement	<u>130,000</u>	<u>130,000</u>	
TOTAL	<u>1,280,613</u>	<u>1,080,613</u>	\$1,080,613
U. T. Cancer Center			
Upgrade Laboratory Research Kitchens	1,300,000	700,000	
Locally Mounted Biomedical Database	<u>660,040</u>	<u>660,040</u>	
TOTAL	<u>1,960,040</u>	<u>1,360,040</u>	\$1,360,040
U. T. Health Center - Tyler			
Molecular Biology Laboratory Equipment	400,000	400,000	
Less Advance (1/87)		<u>400,000</u>	
TOTAL	400,000	-0-	-0-
Total Equipment and Library	\$14,628,014	\$10,110,970	\$9,698,674

II. Repair and Rehabilitation Projects

	<u>Total Funding Requirement</u>	<u>PUF Requested</u>	<u>Recommended PUF Appropriation</u>
U. T. Austin			
H. C. Weaver Power Plant Roof	175,000	175,000	
BRC-Primary Electrical Conversion	290,000	290,000	
BRC Building #24 - Rewire Building	250,000	250,000	
Harry Ransom Center-Roof	225,000	225,000	
Main Building-Roof	250,000	250,000	
Computation Center - Plaza Leaks	125,000	125,000	
Electrical Gear	240,000	240,000	
Building Exterior Rehabilitation	235,000	235,000	
Marine Science Institute HVAC System	120,000	120,000	
Street Repairs	250,000	250,000	
Thompson Conference Center-Safety Exit Stairs	200,000	200,000	
BRC-Demolition of Old Magnesium Cell Bldgs.	250,000	250,000	
BRC-Landscaping	250,000	250,000	
Replacement of Auditorium Seating	100,000	100,000	
Removal of CCS #1 Equip.	250,000	250,000	
Demolition of CCS #1 Cooling Tower	<u>100,000</u>	<u>100,000</u>	
TOTAL	<u>3,310,000</u>	<u>3,310,000</u>	\$2,428,100

II. Repair and Rehabilitation Projects  
(continued)

	<u>Total Funding Requirement</u>	<u>PUF Requested</u>	<u>Recommended PUF Appropriation</u>
U. T. Dallas			
Transformer Replacement	450,000	450,000	
Roof Replacement and Repairs	<u>260,000</u>	<u>260,000</u>	
TOTAL	710,000	710,000	\$710,000
U. T. El Paso			
Retaining Wall Stabilization	120,000	120,000	
Replace Exterior Walls	275,000	275,000	
Emergency Power - Computer Center	<u>125,000</u>	<u>125,000</u>	
TOTAL	520,000	520,000	\$520,000
U. T. Permian Basin			
Campus Street Reseal	100,000	100,000	
Remodel Gym Complex	<u>7,500</u>	<u>7,500</u>	
TOTAL	107,500	107,500	\$100,000
U. T. San Antonio			
Reroof Additional Campus Buildings	276,400	276,400	
Installation of Safety Glass	187,500	187,500	
Exterior Wall Sealant	396,000	396,000	
Access to Art Building for Handicapped	<u>355,000</u>	<u>355,000</u>	
TOTAL	1,214,900	1,214,900	\$859,900
U. T. Tyler			
Roof Repairs - Phase II and Library	175,000	175,000	
Energy Conservation Measures - Phase I	<u>130,986</u>	<u>98,989</u>	
TOTAL	305,986	273,989	\$175,000
U. T. Health Science Center - Dallas			
Asbestos Removal	500,000	500,000	
Reroofing Multiple Buildings	<u>548,000</u>	<u>548,000</u>	
TOTAL	1,048,000	1,048,000	\$1,048,000
U. T. Medical Branch - Galveston			
Renovate Third Floor Ewing Hall	4,767,000	300,000	
TOTAL			\$300,000
U. T. Health Science Center - Houston			
Retrofit Air Handlers	800,000	550,000	
PCB Removal	<u>1,000,000</u>	<u>300,000</u>	
TOTAL	1,800,000	850,000	\$850,000
U. T. Health Science Center - San Antonio			
Animal Facilities Improvement	453,810	354,002	
Reassignment of Reassigned Space	<u>939,275</u>	<u>939,275</u>	
TOTAL	1,393,085	1,293,277	\$809,000
U. T. Cancer Center			
Research Laboratory Kitchens Upgrade	830,000	650,000	
TOTAL			\$650,000

II. Repair and Rehabilitation Projects  
(continued)

	<u>Total Funding Requirement</u>	<u>PUF Requested</u>	<u>Recommended PUF Appropriation</u>
U. T. Health Center - Tyler			
Asbestos Removal/OPC	50,000	50,000	
TOTAL			\$50,000
Total Repair and Rehabilitation	\$16,207,751	\$10,510,943	\$8,500,000

This item requires the concurrence of the Health Affairs and Academic Affairs Committees.

BACKGROUND INFORMATION

Explanations - Previous Actions

At the January 14, 1987 meeting, the U. T. Board of Regents approved advance allocations for three minor projects from the FY 88 reserves. U. T. Health Center - Tyler was allocated \$400,000 for Molecular Biology Laboratory Equipment, contingent upon the successful recruitment of a faculty member with expertise in molecular biology. The contingency has been met and the equipment purchased. The \$400,000 has been deducted from the \$10,000,000 FY 88 reserve for Equipment and Library Projects.

At the same meeting, the U. T. Board of Regents approved an advance allocation to U. T. Arlington of \$353,900 for the purchase of a transmission electron microscope, an energy dispersive X-ray analyser, and a scanning tunneling electron microscope. Subsequently, at the August 1987 meeting, an additional \$414,738 was advanced and U. T. Arlington was authorized to combine that advance with the unspent balances from the January advance to implement a computer purchase contract. These amounts, \$353,900 and \$414,738 were also deducted from the \$10,000,000 FY 88 reserve for Equipment and Library Projects. The balance after funding these three projects is \$8,831,362.

At the January 14, 1987 meeting of the U. T. Board of Regents, \$1,500,000 was approved in principle and authorized for completing Library Automation at health component institutions, as part of the FY 87-88 Library Enhancement Program. At this same meeting, the Regents approved the replacement library computer for U. T. Health Science Center - San Antonio and an advance allocation of \$632,688 for that purpose from the \$1,500,000 for Library Automation at health institutions. This left a balance of \$867,312 to be allocated at the same time as the FY 87-88 Equipment and Repair and Rehabilitation reserves. This amount is combined with the Equipment reserves in the recommendation above.

The total amount available for allocation for equipment and library projects for FY 87-88 is \$9,698,674.

At the October 1985 U. T. Board of Regents' meeting, \$1,500,000 was designated for Renovation of Public Areas at the U. T. Institute of Texan Cultures - San Antonio. These funds were to be deducted from the FY 87-88 Repair and Rehabilitation reserves. Consequently, \$8,500,000 is available for allocation at this time from the original \$10,000,000 reserved for repair and rehabilitation projects in 1987-88.

#### Explanation - Proposed Allocations for 1987-88

In January 1987, the U. T. Board of Regents directed the U. T. System Administration, in consultation with component institution representatives, to prepare recommendations for the allocation from the FY 87-88 Reserve for Repair and Rehabilitation (\$8,500,000), the FY 87-88 Reserve for Institutional Equipment (\$8,831,362), and the Library Automation Reserve for health components (\$867,312). After consulting with the presidents of the component institutions, the Office of the Chancellor, on May 12, 1987, issued invitations to the component institutions to submit prioritized lists of equipment, library, and rehabilitation projects. Requests for library projects were to be included with the institutions' equipment requests. Following that invitation, the component institutions prepared prioritized lists of needs for PUF funding for 1987-88 totaling \$36,311,671 for library and equipment projects and \$50,059,082 for repair and rehabilitation projects. These lists and the associated written justifications were reviewed by the Office of the Chancellor and discussed with the component institutions during the budget review process. The preceding recommendations are a product of this review process.

The fact that no funds are recommended for U. T. Arlington for repair and rehabilitation and no funds are recommended for U. T. Austin for Equipment purchases deserves special explanation. U. T. Arlington's priority request for repair and rehabilitation was for \$2,900,000 for humidity control in the Science Building. The scope of this project was beyond that envisioned for allocations from these reserves. Further study of this problem is being conducted which may require future adjustment to the U. T. System Capital Improvement Program. Library and equipment needs for U. T. Austin will be funded through the Available University Fund, a resource not available to other component institutions.

This round of allocations differs from previous allocations in that requests for library projects and equipment were to be combined into one request, and many projects were funded at less than the amount requested. Both of these actions placed the burden of decision-making on the institutions -- priority of library versus equipment projects and choosing between multiple-authorized projects.

When PUF Appropriations are less than PUF amounts requested, institutions have a number of options. They may partially fund a project this year (e.g., buy only certain pieces of equipment, reroof only some buildings) and request funding for the completion of the project next year. In some cases, the receipt of outside funding may be contingent upon matching these funds with institutional funds. When there is uncertainty about outside funding, the institution would have the option to apply the appropriated funds as matching funds if outside funding is available. If the outside funding did not become available, the PUF amount could be applied to another project that was approved in principle. Many projects on these lists have multiple sources of funding. Other options may be instituted by the component institutions.

The dollar amounts shown for each project are the best estimates available at the present stage of project planning. Slight adjustments may be necessary as equipment bids are received and repair and rehabilitation designs are refined. A brief description of each institution's repair projects or equipment requests follows.

#### I. EQUIPMENT AND LIBRARY PROJECTS

##### BROWN AND GOLDSTEIN - \$100,000

Equipment - This allocation was part of a 5-year, \$500,000 allocation made to the Nobel prize winners Dr. Michael Brown and Dr. Joseph Goldstein via Board action on October 24, 1985.

##### U. T. ARLINGTON - \$819,362

Computer and Network Improvement - This project was partially funded from an advanced allocation of \$414,738 of PUF Bond Proceeds in August 1987. A DEC VAX 8700 computer will replace the obsolete DEC VAX 2060 and access will be provided to the computer through an improved campus network. The basic computer equipment has been purchased and the additional funding will provide for network improvements, workstation, and related equipment purchases.

Electron Microscopes - This project was initially funded from an advanced allocation of PUF Bond Proceeds in January 1987 and in August 1987 a portion of the funds was temporarily diverted to implement the computer purchase described above. This allocation will permit the acquisition of a scanning tunneling electron microscope and an associated energy dispersive X-ray analyser as originally planned. A portion of the advanced allocation has already been matched by \$100,000 from Defense Advanced Research Projects Agency (DARPA) for the purchase of a transmission electron microscope. The microscopes will play a major role in materials research.

Library Automation - Year Two - As the U. T. Arlington libraries continue with the installation of a state-of-the-art IBM-based integrated library control system and the retrospective conversion of all catalog records to a machine-readable form, additional computer storage capability is needed. Equipment such as bar code scanners, computer terminal communications equipment, and furnishings for the on-line catalog terminals will make operational such system modules as the circulation subsystem and the on-line catalog subsystem.

##### U. T. DALLAS - \$725,000

Numerically-controlled Machine Tool Equipment - A state-of-the-art, computer-controlled machining facility will be established consisting of a Cincinnati milling machine, a MAHO milling machine, a numerically-controlled turret lathe and the associated control equipment. The addition of this equipment will update the machine shop and provide precision machining facilities for research and instruction programs, and provide a facility for research and instruction on modern manufacturing that is needed to implement the graduate and undergraduate programs in engineering science/manufacturing option. The University anticipates \$70,000 from grants to supplement the PUF Bond Proceeds.

Faculty Work Station Program - This is a continuation of a FY 87 PUF funded project which provided faculty work stations. Schools involved will be Arts & Humanities, Human Development and Social Science. The University anticipates \$50,000 from gifts and grants.

Biotechnology Research and Teaching Facility - To purchase equipment such as Beckman ultracentrifuges, Beckman scintillation counter, high pressure liquid chromatography, DNA synthesizer, and soft laser scanning densitometer to aid in research in recombinant DNA and biotechnology. The upgrading and updating of facilities for the synthesis, cloning and analysis of genes and their products from living organisms is required for competitive renewal of extramurally-funded research by biology faculty, and to provide state-of-the-art facilities for the instruction of pre-doctoral students in biotechnology. Matching funds of \$105,000 are anticipated.

Physics Program Vacuum and Laser Equipment - Experimental research projects in the physics program will be supported by the upgrading and replacement of high vacuum and calibration equipment. Equipment purchases include modernization of solar-terrestrial plasma physics laboratory for instrument development for NASA, DOD, and NSF sponsored research projects, upgrading of double-walled vacuum chamber obtained from NASA-LaRC for development of calibration system for space flight mass spectrometers, and pumping systems for vacuum ultraviolet spectrometer to improve sensitivity, lifetime, and operating costs. Matching funds of \$150,000 are anticipated.

U. T. EL PASO - \$822,604

Scientific and Engineering Equipment - Equipment to support individual research projects in areas in which doctoral programs have been proposed by U. T. El Paso is approved for PUF funding. The institution will purchase the equipment from this approved list. Examples of the equipment on this list are a portable seismograph system, additions to HP-900 computer system, computer image processing system, position laser, sonar plotter, laser for interface detection, video camera, motion picture camera, thermister velocity probes, Schlieren equipment, strip chart recorders, refractometer, automated salinity measuring equipment, etc. The University has applied for a \$5.0 million grant from NSF and will only partially fund this project if the grant is not received.

Library Collection Development and Automation - To purchase books and journal back files in support of programs in the College of Business Administration, and for additional computer hardware for the library's NOTIS system. The additional materials for the College of Business Administration is to support their seeking accreditation from the AACSB.

Computer Center DASD Expansion and Network Upgrade - This project will bring the computing resources of UTEP and UTCHPC to the faculty offices and laboratories by expanding the amount of on-line storage available from 12.5GB to 15GB on a central computing system. Additional capacity will be placed in the College of Business, Science and Engineering; additional functionality will be added to the data PBX; and additional high speed computer-to-computer connections will be added.

Materials Science Laboratory Facilities - Physics - To consist of Scanning Auger, ESCA, LEED, Surface Mass Spectroscopy and Electron Energy Loss Spectroscopy Systems. This facility will support current and future research involving faculty in the departments of Chemistry, Geological Sciences, Metallurgical Engineering, Physics and others. The \$80,000 requested for this project is supplemented by \$120,000 from gifts and grants.

Medical Technology Laboratory - Allied Health - This project would establish a permanent laboratory for the B.S. in Medical Technology program. Purchases include microscopes, incubators, laminar flow hoods and miscellaneous hookups for hoods, incubators and sinks.

Speech Laboratory - Communication Department - Various pieces of audiovisual and support equipment would be used in a speech monitoring facility, a viewing facility, and the ability to use television sets and videocassette recorders in large lecture sections.

U. T. PERMIAN BASIN - \$170,000

Library Enhancement - This project approves, in principle, UTPB's continuation of filling back issues of periodicals, and replacing microform equipment for reading and printing.

Complete Computer Network - The project will provide all necessary hardware and software to connect all the microcomputers in Faculty and Administrative offices to the existing local area networks (approximately 100 PCs).

Human Performance Laboratory - This project is designed to upgrade the teaching and research capabilities of the Human Performance Laboratory by the physical education faculty and students. Equipment such as a treadmill, a computerized metabolic cart, and a residual spirometer will be used to conduct physical work capacity tests, oxygen uptake estimation protocols, and graded exercise tests. This equipment will be used in conjunction with the gymnasium repair work.

U. T. SAN ANTONIO - \$584,685

Library Enhancement - This project supports collection development in the following program areas: Engineering, Neurosciences, Computer Science, Education, Archaeology, Geology, Business, Fine Arts and Humanities, Social and Behavior Sciences, and Sciences and Engineering.

Development of Intelligent Algorithms for Geometric Modeling with Graphics Applications - Microcomputers, software, and a symbolic processor will be purchased. The development of algorithms for geometric modeling has applications to robotics and graphics.

Teaching and Audiovisual Equipment Upgrade - Equipment to support the functions of the Office of Media Resources which manages teaching equipment that serves all disciplines across the University. Overhead and slide projectors, video cameras and support equipment for state-of-the-art teaching and audiovisual equipment will be provided.

Teaching and Public Information Equipment at Institute of Texan Cultures - This project will provide educational equipment used directly in the interpretive programs on the main exhibit floor and outdoor teaching areas, by the Outreach program to schools and community organizations and the teaching activities that service other areas of the state through the traveling trunk program. In addition to the teaching equipment, two color, offset presses will be purchased in order to aid in the production of printed material.

U. T. TYLER - \$112,000

Technology Laboratory - This project will fund the acquisition of physical and electronic simulators to support undergraduate and graduate research/teaching activities in the Department of Technology. This \$112,000 project represents Phase One of the Technology Laboratory goal of \$500,000.

U. T. HEALTH SCIENCE CENTER - DALLAS - \$1,543,000

Video Detection Fluorescence Microscopy - A state-of-the-art fluorescence microscope equipped for low-light level video detection and advanced image processing as well as quantitative spectroscopic determinations will have broad interdisciplinary applications in Pharmacology, Physiology, Cell and Molecular Biology, Immunology, and Biochemistry.

Clinical Services and Patient Care Library Acquisitions - Purchase of monographs, textbooks, and reference volumes to support expanding needs in Oncology, Immunology, Neurosciences, and the Imaging Sciences. Materials in other areas to support research efforts will also be purchased.

Core Centrifugation Facilities - Nineteen (19) centrifuges and accompanying rotors are requested to replace obsolete and worn-out machines in core centrifugation facilities serving Biochemistry, Cell Biology, Internal Medicine, Microbiology, Molecular Genetics and Pediatrics. This request represents an essential renewal of the infrastructure of biomedical research.

Library Automation for Biomedical Science and Medicine - The purchase of a Datewriter Management System, forty (40) terminal printers for faculty and student use, and two (2) laser printers for use in the library will continue the library's ability to provide faculty and students on-line access to the library's resources from their offices and laboratories, and from clinical locations on campus.

Biomedical NMR Spectroscopy - The purchase of a combined NMR spectroscopy and imaging console with accessories will provide current tools and methods of NMR spectroscopy to support studies of protein, enzyme, and nuclei acid structure-function relationships. The request for equipment will enhance the NIH-supported Biomedical Regional Resource Facility for "In Vivo NMR."

U. T. MEDICAL BRANCH - GALVESTON - \$1,365,527

Create an On-line Acquisition and Spiral-Binary System and Upgrade - The purchase of two (2) IBM 3380 disk storage units will allow the UTMB Library to aid several on-line catalog enhancements, create an on-line spiral-binary system including automated journal check-in, create an on-line acquisition system which will significantly increase the efficiency of the ordering process, and upgrade the cataloging information to full MARC records.

Upgrade Academic Computer System for Marine Biomedical Institute - The computers requested will provide for data storage and analysis, and efficient network between various physical sites and the supercomputer. This project will enhance the current collection of mini- and microcomputers for processing of electrophysiological recordings, analysis of like microscopic neuroanatomical experiments, analysis of the electron micrographs, analysis of biochemical data and other laboratory data processing, as well as providing access for many of the faculty, staff, and trainees to productivity tools such as word-processing, spreadsheets, and database management.

Enlarging the M.D. Anderson Analytical Chemistry Center - Includes a peptide synthesizer, a DNA synthesizer, a gasphase microsequencer with an attachment to increase sensitivity, a high pressure liquid chromatography unit with central control system and data storage capability, and other equipment for faculty recruits including ultracentrifuges and scintillation counters. The presence of this strong Department of Human Biological Chemistry and Genetics and a centralized analytical chemistry facility supports the development of outstanding clinical research by providing basic science support for collaborative investigations. The institution will provide \$250,000 in technicians, equipment and supplies.

Equipment for Nutrition Research - Numerous pieces of equipment will be purchased to support the nine faculty positions that have been committed to establish a nationally-recognized division with significant research in basic human nutrition and its role in disease prevention and clinical therapy. Approximately one-half of the required funds will be provided through gifts and grants.

Automate Schools of Nursing and Allied Health - The purchase of a new computer system will allow for the automation of administrative functions as well as some academic functions of the new combined facility of the Schools of Nursing and Allied Health Sciences. The capability of faculty to prepare and modify grant applications will be improved as well as the centralization of academic databases such as student records, scheduling requirements, and faculty records. Other funding for this project is available from the budget for constructing and equipping the new building.

U. T. HEALTH SCIENCE CENTER - HOUSTON - \$1,015,843

Laboratory Safety Equipment - To provide fire blankets, eye protection kits, flammable liquid storage cabinets and other safety-related items in laboratories and other hazardous areas at the U. T. Health Science Center - Houston. These items are required by the Texas Hazards Communications Act or the Health Sciences Laboratory Safety Manual.

Completion of Computer Facilities - The purchase of a VAX 8550 mini-computer together with a disk drive, printer, terminals, and the Ethernet system will provide a linking of the School of Public Health and the Graduate School of Biomedical Sciences plus linking with the statewide Ethernet system. This equipment will enhance the capability to conduct studies generating massive amounts of data necessary to understand the impact of disease and approaches to lessening our burden of disease.

Library Network Link and Upgrade - This project provides for the needed computer upgrade to support the local database search system which is being developed by the U. T. Cancer Center. The proposed equipment will upgrade the hardware currently supporting the Quick Search System to supporting network interchange functions at the HAM-TMC Library, linking users to the MEDLINE system on the UTSCC computer and giving access through multiple terminals in the library.

Library LS/2000 System On-line Catalog - To purchase computer equipment to expand the capabilities of the present computer in order to install the acquisitions and serials control functions as developed and marketed by the on-line Computer Library Center. Two new disk drives are needed to give the system enough capacity to handle additional database loading through the next year. This expanded capability will also provide for the backup of the on-line catalog, which presently does not have any form of backup.

U. T. HEALTH SCIENCE CENTER - SAN ANTONIO - \$1,080,613

Community Outreach Clinic - The replacement of two mobile dental vans will support outreach dentistry in San Antonio and South Texas. Benefits to students are from both community service and clinical experience aspects of this work in public health. Partial funding for this project is provided by University plant funds.

Molecular Genetics Core Facility - Equipment to provide a laboratory facility would be a microchemical station serving present and future faculty members who are investigating the biochemistry and molecular biology of human diseases. The core facility would contain the following automated technologies: protein sequencing on a microscale, peptide synthesis, DNA sequence determination and oligonucleotide synthesis. A microcomputer and smaller equipment items would be included. This commitment of resources for molecular biology core facility is necessary to meet the goals that were outlined in the agreement to utilize the funds from the Parman Chair for the development of a world class program in this area.

Center for Development and Application of Bioanalytical Methods: A Fluorescence Digital Imaging Microscope - Acquisition of a fluorescence digital imaging microscope will allow quantitative and dynamic evaluation of specifically labelled biological components, and with this facility it will be possible to examine living cells without disrupting normal metabolic activities. Ongoing support would come from individual research grants.

Library Collections Enhancement - The acquisition of these monograph series will allow the U. T. Health Science Center - San Antonio Library to continue building a strong collection of research aids for the faculty, particularly in the clinical sciences.

U. T. CANCER CENTER - \$1,360,040

Upgrade Laboratory Research Kitchens - This is the second phase of a project to replace 20 year old equipment for glass washing, drying, and sterilization for the clinical research program.

Locally-based Bibliographic Database - This project will create a locally-mounted biomedical database through the upgrade of existing MEDLINE to a mainframe version. As a cooperative proposal initially between UTSCC, UTHSC - Houston and UTMB, the system will operate from the UTSCC computer facilities and be installed initially as a regional network serving the Houston-Galveston area.

U. T. HEALTH CENTER - TYLER

At the January 1987 Board of Regents' meeting, \$400,000 was advanced for molecular biology lab equipment, contingent upon successful recruitment of a faculty member with expertise in molecular biology as outlined in the institutional request. Contingency requirement has been met and no additional allocation is recommended.

## II. REPAIR AND REHABILITATION PROJECTS

U. T. AUSTIN - \$2,428,100

H. C. Weaver Power Plant - Reroofing of the H. C. Weaver Power Plant in order to preserve the investment in the building. There is water dripping into the high voltage electrical equipment which could cause extensive damage.

Balcones Research Center - Primary Electrical Conversion - Conversion of the existing 4.16 KV electrical distribution which is over 30 years old to a 12 KV system. The system load capacity has reached its limits and there have been requests for additional loads above this capacity. Converting to 12 KV will allow for additional growth and reliability.

Balcones Research Center - Ferguson Laboratory (Building 24) - Rewiring of this facility electrically is needed for expansion of the research and testing program. The test lab is housed in a 1942 manufacturing facility and the existing building wiring system is inadequate to serve current demands.

Harry Ransom Center - Roof replacement in order to preserve the investment in the basic building structure and to prevent possible damage to Art and Rare Book collection.

Main Building - Roof replacement at various levels in order to preserve investment in basic building structure. Potential for energy savings.

Computation Center - Request to repair plaza leaks. Computation Center is housed in an area under the East Plaza approach to the Main Building. Water leaks could cause extensive damage to the Academic Computer Bank.

Electrical Gear - Replace obsolete panel boards and switches to correct potential safety hazards. Buildings included in the project are Performing Arts Center, Gearing Hall, Hogg Memorial Auditorium, International Center, Gregory Gym and Anna Hiss Gym.

Exterior Rehabilitation - Multiple Buildings - Repair, tuck point, reglaze, paint, clear or waterproof buildings or systems in order to preserve investment. Includes the Texas Swim Center, Ernest Cockrell, Jr. Hall, Claudia Taylor Johnson and O. Henry Halls, and the Graduate School of Business. Waterproofing of utility tunnels throughout campus and replacement of fountain spray ring at the L. B. J. Library fountain also included in this project.

Marine Science Institute - Port Aransas - Make HVAC improvements to Administration Building by enclosing the walkway between building sections and installing a return air system to provide for significant energy savings. Investment payback period is two years.

Street Repairs - Repair badly deteriorated streets. Would eliminate potential for accidents and property damage.

Thompson Conference Center - Install additional fire exits to meet fire safety codes. Current evacuation routes from the first floor auditorium and second and third floor large conference rooms are not in compliance with current codes. Existing stairwells also do not comply in that they do not exit to the outside of the building.

Balcones Research Center - Demolition of Magnesium Cells - Structures have little usable space. Cleared area will be prime building space for future construction.

Balcones Research Center - Landscaping - Basic landscaping around new buildings and along road "A." Original construction funds provide only minimal landscaping. No moneys are provided for trees and shrubs. In addition to road "A," areas include Bureau of Economic Geology, Centers for Electromechanics and Energy Studies, and the Commons. These facilities are attracting many visitors and conference attendees.

Removal of Central Chilling Station Number One Equipment - Removal of four steam turbine-driven water chilling units from Central Chilling Station Number One located in the west basement of Experimental Science building. Removal of the water chillers, steam condensers, condenser water pumps, most of the chilled water pumps and associated piping will allow for utilization of the area presently occupied by the installation. Also, it is proposed that two of the existing chilled water pumps be left in service as standby boosters for the northwest segment of the campus.

Demolition of Central Chilling Station Number One Cooling Tower - Demolish the cooling tower for Chilling Station Number One and convert area to parking. When Chilling Station Number 5 is activated, Chilling Station Number One will be retired. The space occupied by Chilling Station Number One cooling tower is relatively small, i.e., could not be used as a building site. Therefore, it is recommended that it be converted to parking.

Replacement of Auditorium Seating - Replace auditorium seating at Painter 248, 302, and 442, and Burdine. Existing units are obsolete and replacement parts are no longer available. New units will be installed to conform with fire safety codes.

U. T. DALLAS - \$710,000

Transformer Replacement - The replacement of electrical service transformers containing polychlorinated biphenyls (PCBs) will be undertaken in order to comply with Federal Environmental Protection Agency mandates and eliminate a potential major health hazard to the University community.

Roof Replacement and Repair - This first phase of a two-year request will replace the roofs on the Green Center and Berkner Hall and make roof repairs to McDermott Library. Replacement of the roof surfaces with the most efficient closed-cell foam material will provide the greatest protection from leakage, with the added benefit of increased insulation for increased energy efficiency.

U. T. EL PASO - \$520,000

Retaining Wall Stabilization - Engineering Complex - The project involves the stabilization of major retaining walls above campus arroyo by pressure grouting and insulation of drainage beds as well as leveling or replacement of several concrete patio and walkway slabs surrounding the buildings. Areas involved are in high pedestrian traffic areas around Engineering complex.

Replacement of Exterior Walls - Library Annex - Replacement of all exterior exposed aggregate panels, preferably with pre-cast concrete panels with a finish compatible to exterior walls of other structures on campus. This corrective measure will preserve the newly-remodeled interior of the buildings.

Emergency Power - Computer Center - Install emergency electrical power source (UPS) and generator backup to provide conditioned and continuous power to the central computing facility in Bell Hall. This will eliminate the power fluctuations and minor outages resulting in delays in processing data, equipment failures and data loss at the central campus computing facility which is responsible for all campus administrative and educational data processing.

U. T. PERMIAN BASIN - \$100,000

Campus Street Reseal - This project will sealcoat paved areas of the campus that have not been resealed for the past several years.

Remodel Gymnasium Complex - Provide appropriate and adequate space for the equipment requested for the Human Performance Laboratory.

U. T. SAN ANTONIO - \$859,900

Reroof Additional Campus Buildings - This project would complete the reroofing of Phase One buildings and other buildings with immediate reroofing needs, with new built-up roofing, polyurethane or other system, as applicable. Buildings included would be the remaining sections of the John Peace Library roof and the Science building roof, the Arts building roof and the Multidisciplinary Studies roof.

Installation of Safety Glass - Replace large panels of plate glass with safety glass to comply with the Federal Consumer Product Safety Commission Architectural Glazing Requirements.

Exterior Wall Sealant - Phase One Buildings - This project will involve cleaning and sealing all exterior surfaces of building pre-cast concrete structural members with caulking and water-repellent. After 14 years of weathering of original sealing, some panels of these buildings are absorbing water causing building discoloration and damage, but more importantly moisture is penetrating the reinforcing steel causing corrosion and destroying the structural integrity of the concrete members.

Access to Arts Buildings for Handicapped Persons - This project will allow for the transportation of handicapped persons to the immediate area near the entrance to the Arts Building. A lighted roadway will be provided, since the present access requires the traversing of a long set of steps creating an impossible situation for anyone confined to a wheel chair.

U. T. TYLER - \$175,000

Roof Repairs - Phase Two and Library - Deterioration of roofs leads to higher maintenance and replacement costs. The roof assembly on several Phase Two and Library buildings have aged badly on several locations. Phase One buildings were funded for repairs in the 1986-87 PUF Allocation.

Energy Conservation - Phase I

This project will implement four high payoff energy conservation measures identified in a professional energy audit and technical analysis. All have a payoff of less than three years. Eight other energy conservation measures, each with less favorable payoffs, were identified in this analysis. Partial funding will come from a Federal grant.

U. T. HEALTH SCIENCE CENTER - DALLAS - \$1,048,000

Asbestos Removal - Project involves removal of remaining asbestos on campus. Asbestos is a known carcinogen which must be removed from all work areas for the safety of the employees.

Roof Repair - Multiple Buildings - The roofs of five buildings that were constructed between 1955 and 1974 have deteriorated beyond repair and must be replaced to prevent further damage to the interior of the buildings. Four other buildings that were reroofed five years ago must have a 15 mil polyurethane coating to extend the warranties and prolong the life of the roof. Without this preventive maintenance, the roofs of these buildings will deteriorate rapidly resulting in extensive costs for replacing the roofs in future years.

U. T. MEDICAL BRANCH - GALVESTON - \$300,000

Renovation of Ewing Hall - Partial funding provided for extensive renovation of Ewing Hall for laboratory space for the Division of Environmental Toxicology. Laboratory areas include chemistry labs, a molecular genetics lab, two cytogenetics/tissue culture labs, a microbiology lab, animal quarters, inhalation areas, an autoclave room, dishwashing room and storage areas. Total cost of the project is estimated to be \$4,767,000; \$750,000 was authorized by the Regents in October 1986 and \$3,717,000 is anticipated from U. T. Medical Branch Plant Funds.

U. T. HEALTH SCIENCE CENTER - HOUSTON - \$850,000

Retrofit Air Handlers - Replace sixty (60) air handling units which are 30+ years of age. Sheet metal and other components have deteriorated beyond economical repair. Renovation projects in progress may be severely inhibited by the condition and capacity of these existing units.

PCB Removal - The replacement of electrical service transformers containing polychlorinated biphenyls (PCBs) will be undertaken in order to comply with Federal Environmental Protection Agency mandates and eliminate a potential major health hazard to the University community.

U. T. HEALTH SCIENCE CENTER - SAN ANTONIO - \$809,000

Animal Facilities Improvement - Project involves equipping newly renovated rabbit housing area with new mobile caging equipment and fabricating mobile cage racks for existing caging presently in use in order to meet requirements mandated by the government. In addition, two new primate housing rooms will be provided with mobile caging equipment. A new tunnel washer in the Dental School cage wash area will be purchased. The project also involves the renovation of a facility for housing the transgenic mice used in the study of molecular biology of aging. This facility must have a separate air supply from which microscopic organisms have been removed by a HEPA filter.

General Renovations - Partial funding is being provided for the follow-on renovations of laboratories and offices to be vacated by the departments which will occupy the new space being constructed in the fifth level of the Basic Science Building, plus interior renovations in Surgery, Pediatric Dentistry, and Dental Laboratory Technology all of which will be needed to accommodate the "domino effect" for departments reassigned and realigned following completion of the PUF project now underway.

U. T. CANCER CENTER - \$650,000

Upgrade of Research Kitchen - This is the continuation of the PUF-funded project to upgrade thirteen (13) laboratory kitchens. These will be accomplished in concert with the project for replacement of the vertical mechanical upgrade of the Anderson central core. Upgrade includes addition of a centralized media preparation, cold storage support, and terminal water filtration system to provide eighteen megohm water suitable for tissue culture and analytical testing, and a dirty-to-clean traffic flow pattern, now absent.

U. T. HEALTH CENTER - TYLER - \$50,000

Asbestos Removal - OPC Clinic - Removal of asbestos insulating materials from boiler room in the Outpatient Clinic. The presence of asbestos products in the work environment has been proven to be extremely hazardous and possibly carcinogenic to workers who are exposed to it. This project would systematically and safely remove all insulating material containing asbestos from the vicinity of the outpatient clinic area.

3. U. T. System: Recommendation to Name Police Academy's Firing Range Facility (Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, Naming of Facilities Other Than Buildings).--

#### RECOMMENDATION

The Office of the Chancellor recommends that the U. T. System Police Academy's firing range facility, located on Bee Caves Road in Austin, Texas, be named the Frank I. Cornwall Firing Range as an appropriate means of memorializing the many and unique contributions of Frank I. Cornwall to the police departments of the U. T. System. 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

The proposed naming of the firing range is in memory of Frank I. Cornwall, former U. T. System Director of Police. Mr. Cornwall was born in Houston and attended public schools in Dallas. He graduated from the Southern Police Institute, the University of Louisville, held an Associate of Police Science degree from Central Texas College, and was a graduate of the Federal Bureau of Narcotics Training School, Washington, D.C.

Frank I. Cornwall served his country with honor and distinction as a member of the United States Marine Corps during World War II (1941-1945), participating in landings at Guadalcanal, Tarawa, Saipan, and Okinawa. After training as an underwater demolition expert, he became one of the original "frogmen" and fought in the battle of the Marshall Islands.

In 1947, Mr. Cornwall joined the Dallas Police Department and for twenty-two years served as patrolman, detective and lieutenant. During his last eleven years with the Dallas Police Department, he was supervisor of the Narcotics Division.

Mr. Cornwall joined the U. T. System in 1970 as Associate Director of Police. In 1973, he was named Director of Police and served in that capacity until his death on January 22, 1987. Mr. Cornwall's energetic leadership significantly improved the training of police officers for the 13 component institutions, resulting in the U. T. System Police Department being recognized as one of the most highly trained and professional university police departments in the United States.

4. U. T. Arlington - Automation and Robotics Research Institute: Request for Approval of Plaque Inscription.--

RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Nedderman that the U. T. Board of Regents approve the inscription set out below for a plaque to be placed on the Automation and Robotics Research Institute building at U. T. Arlington. The inscription follows the standard pattern approved by the U. T. Board of Regents in June 1979.

AUTOMATION AND ROBOTICS RESEARCH INSTITUTE  
1987

This facility was made possible through a Letter of Understanding dated October 12, 1984, among the Board of Regents of The University of Texas System, David R. Newell and Kenneth B. Newell on behalf of Newell and Newell, Ltd., and the Fort Worth Chamber Foundation, Inc., and was formally accepted by the U. T. Board of Regents for the use and benefit of The University of Texas at Arlington on August 13, 1987.

BOARD OF REGENTS

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University of Texas System  
Wendell H. Nedderman  
President, The University  
of Texas at Arlington

Larry Lacy Architects, Inc.  
Project Architect  
Newell & Newell Construction Co.  
Contractor

BACKGROUND INFORMATION

Construction of the Automation and Robotics Research Institute facilities has been completed and in August 1987, the U. T. Board of Regents authorized acceptance of these facilities for the use of U. T. Arlington. The U. T. Arlington Administration wishes to install a building plaque on these new facilities.

5. U. T. Austin and U. T. Permian Basin: Request for Approval in Concept for Construction of Facilities to House the U. T. Permian Basin Center for Energy and Economic Diversification to be Financed Partially Under Agreement with the Texas Permian Basin Foundation, Inc. and Partially with Permanent University Fund Bond Proceeds and/or Grant Funds.--

#### RECOMMENDATION

The Office of the Chancellor concurs in the recommendation of President Leach and President Cunningham that the U. T. Board of Regents approve in concept the construction of start-up facilities with an estimated total project cost of approximately \$4 million to house the U. T. Permian Basin Center for Energy and Economic Diversification in two stages, consisting of (a) an administrative/support services wing for the management and support of all Center activities and (b) a research/laboratory wing to be dedicated initially to U. T. Austin research activities in the Permian Basin area. These facilities would be constructed upon a site north of the Midland-Odessa airport being given to the Texas Permian Basin Foundation, Inc. for that purpose by the Scharbauer family.

With regard to financing these facilities, it is specifically recommended that the Board:

- a. Authorize the Executive Committee of the Board, in association with Executive Vice Chancellor Duncan, President Leach, and General Counsel Crowson, to negotiate an agreement with the Texas Permian Basin Foundation, Inc. to construct the administrative/support wing with funds raised or to be raised by the Foundation in support of the Center
- b. Amend the U. T. System Capital Improvement Program by approving the commitment of up to \$2 million in Permanent University Fund (PUF) Bond Proceeds to construct a research/laboratory wing to house U. T. Austin research activities underway or planned for the Permian Basin area. This recommended allocation of PUF Bond Proceeds is requested with the understanding that the dollar amount of PUF Bond Proceeds committed in the Capital Improvement Program may be reduced by grant funds being sought or subsequently received for contemplated research activities or reimbursed on the basis of other projects assigned to this space as the Center's activities expand to accommodate other U. T. System component activities. Further, commitment of PUF Bond Proceeds and U. T. System component institution grant funds, if any, is recommended contingent upon the Foundation's providing access to and covering the operating expenses for a suitable administrative/support facility and offering a satisfactory ground lease for the proposed site.

This item requires the concurrence of the Academic Affairs and Finance and Audit Committees.

## BACKGROUND INFORMATION

In December 1985, the U. T. Board of Regents:

- a. Approved the concept of the Permian Basin Center for Energy and Economic Diversification as a research and development center administered by U. T. Permian Basin and drawing on the research activities of the entire U. T. System
- b. Authorized the establishment of a separate tax exempt foundation to hold the principal assets of the Center
- c. Accepted a \$500,000 planning grant from the Odessa Industrial Development Corporation
- d. Authorized the Executive Committee of the U. T. Board of Regents to negotiate for the acquisition and/or gift of real property.

Since that date, the Texas Permian Basin Foundation, Inc. has been established, funds have been raised, and a gift of land located near the Midland-Odessa airport has been offered.

It is anticipated that over \$2.9 million of the originally projected \$5.5 million will have been raised by December 31, 1987, to support the activities of the Center. Of that amount, over \$2.0 million is expected to be available for capital expenditures. To achieve the goal of \$2.9 million will require that an additional \$411,910 be raised as of August 10, 1987, to match a \$1.0 million challenge grant pledged by the Midland firm of Wagner and Brown. The ability of the Foundation to initiate the proposed construction of the administrative/support wing is dependent upon raising the matching funds by December 31, 1987.

A tract of land located just north of the Midland-Odessa airport has been offered by the Scharbauer family of Midland as a site for the Center. The offer is for some 30 acres for initial development, with expansion of up to 160 acres if needed to serve Center activities. The offer is contingent upon having by November 22, 1987, a firm commitment to construct center facilities on the site. (Specific wording of the offer specifies that a contract be let for construction of the initial facilities, but institutional assessment is that this proposed agenda action, if approved, will be sufficient to acquire an extension of this contingency deadline.) It is anticipated that title to the land will be held by the Texas Permian Basin Foundation, Inc.

The Texas Permian Basin Foundation, Inc. has been created as a nonprofit corporation specifically to support the activities of the Center and to hold the major assets of the Center including real property, intellectual property, and equity in any joint ventures which may result from Center activities. It is anticipated that the gift of land will be made to the Foundation and the Foundation will be the developer of the tract. Approximately \$2.0 million of the funds raised or to be raised in support of Center activities will be used to bring utilities to the site, construct roads, and build the administrative/support wing. It is anticipated that the Foundation will provide a long-term lease for a building site upon which a U. T. Austin-owned research/laboratory wing can be constructed from University resources, PUF Bond Proceeds, and/or grant funds.

Housing some U. T. Austin research activities on the site in the earliest stages of its development will help assure the development of the site and the center concept. From the beginning, the concept of the center has been that it would house research and development activities of other U. T. components which could stimulate economic development in the Permian Basin. A building to house some U. T. Austin research activities is the first step in this endeavor.

There are several contract and grant funded research projects at U. T. Austin which might logically be housed at the Center. At this time, it is unclear which projects may have grant funds to pay for such space or how much space is needed for each, but, the most likely initial occupants of the research/laboratory wing are some activities of the Center for Electromechanics and some activities of the Bureau of Economic Geology, two major research units of U. T. Austin. Prior to initiating design of the building, the initial occupants will be identified and amount of non-PUF resources established. It may be possible to fund the entire building with revenue bonds backed by research contract and grant funded lease payments.

A detailed summary of the estimated cost of constructing the initial facilities on the proposed site is set out on Page B&G - 28. These cost estimates (\$4,602,000 total) were prepared for the Center by the firms of Hemphill Rhotenberry Associates, Inc. and Langraf, Crutcher and Associates, Inc. The total project cost includes \$605,000 for laboratory and computer equipment. Hence, the project cost excluding this specialized equipment is estimated to be just under \$4 million. It is anticipated that \$2.0 million will be provided by the Foundation for the utilities, the roads and parking, and the administrative/support wing. The remaining \$2.0 million to be supplied from PUF Bond Proceeds or research project grant funds would pay for the research/laboratory wing.

As stated, the Foundation must offer to the U. T. System a satisfactory lease agreement before construction of a university building can be undertaken. It is anticipated that at least the following conditions would be met in that lease agreement:

- a. A 99 year lease on the land including any U. T. System financed or funded building
- b. There must be no risk of involuntary reversion of the land to the previous owners
- c. Properly designed roads and other utilities must be provided to the leased parcel
- d. Access must be provided to a properly designed and properly maintained Foundation building which houses common support services including computing services, secretarial services, and library services. The cost of operating and maintaining this facility must be borne by the Foundation
- e. All roads, buildings and other improvements on the Center's land must be designed and built to quality standards acceptable to the U. T. System Office of Facilities Planning and Construction.

It is anticipated that the Foundation will be able to meet all of these conditions provided it is successful in its fund-raising campaign through the end of this calendar year and is able to obtain the land being conditionally offered to the Center.

THE CENTER FOR ENERGY AND ECONOMIC DIVERSIFICATION

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN

Estimated Project Budget<sup>(1)</sup>

Construction Costs:

Paving	\$ 165,000	
Drainage	75,000	
Water System	150,000	
Sewage System	50,000	
Franchise Utilities (Electric, Telephone)	75,000	
Landscape & Irrigation	100,000	
Lighting & Signage	70,000	
Building	<u>2,400,000</u>	
Total Estimated Construction Costs		\$3,085,000

Furnishings & Equipment:

Furnishings	\$ 175,000	
Lab Equipment	300,000	
Computer/Library	230,000	
Communications Link	<u>75,000</u>	
Total Estimated Furnishings & Equipment		\$ 780,000

Fees:

Soil and Subsurface Investigation (S)	\$ 4,500	
Above and Below Ground Survey (H)	7,500	
Programming (H)	2,000	
Master Planning (H)	3,000	
Platting (H)	5,000	
Paving and Drainage Design (10%)	24,000	
Water System Design (10%)	15,000	
Sewer System Design (10%)	5,000	
Site Construction Supervision (Inc. Paving, Drainage, Water and Sewer) (H)	10,000	
Landscape and Irrigation (S)	12,000	
Lighting and Signage Design (S)	4,000	
Franchise Utility Supervision and Coordinating (H)	3,000	
Architectural (7.75%) (*) (Inc. Structural, Mechanical and Electrical)	186,000	
Interior Design and Furnishings (12%) (*)	<u>21,000</u>	
Total Fees		\$ 302,000

Contingency: 435,000

TOTAL ESTIMATED PROJECT COST \$4,602,000

NOTES:

- (\*) Fee includes construction supervision
- (H) Fee based on an hourly estimate
- (S) Subcontract amount
- (%) Fee based on a percentage of total construction cost

(1) Prepared for U. T. Permian Basin by Hemphill Rhotenberry Associates, Inc. and Landgraf, Crutcher and Associates, Inc.

6. U. T. Permian Basin - Recommendation to Grant a Sign Easement for Highway Purposes to the State Highway and Public Transportation Commission.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Leach that the U. T. Board of Regents grant an easement as set out on Pages B&G 30 - 33 to the State Highway and Public Transportation Commission for the purpose of constructing and maintaining traffic guide signs at two locations on the campus of U. T. Permian Basin.

#### BACKGROUND INFORMATION

The State Highway and Public Transportation Commission has requested an easement for the purpose of constructing and maintaining traffic guide signs at two locations on the U. T. Permian Basin campus. Each of the two parcels would contain approximately .009 acre (20 feet by 20 feet) for a total of .018 acre. The parcels are located along the northern property line of the campus (south right-of-way line of State Highway 191).

SIGN EASEMENT FOR HIGHWAY PURPOSES

THE STATE OF TEXAS  
COUNTY OF ECTOR

Y  
Y  
Y

KNOW ALL MEN BY THESE PRESENTS:

That the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) to it in hand paid by THE STATE OF TEXAS, ACTING BY AND THROUGH THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION, Grantee, the receipt of which is hereby acknowledged, has GRANTED and CONVEYED and by these presents does GRANT and CONVEY unto THE STATE OF TEXAS, ACTING BY AND THROUGH THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION, as an easement for highway purposes, in, along, upon and across the following described property in the County of Ector, State of Texas, more particularly described as follows, to-wit:

Parcel 1-SE

Part 1

Being 0.009 of one acre of land, more or less, same being out of and a part of the northwest 1/4 of Section 18, Block 41, T-2-S, T&P Ry. Company Survey, Ector County, Texas; said 0.009 of one acre of land, more or less, being more particularly described by metes and bounds as follows:

BEGINNING at a point on the existing south right of way line of State Highway 191, said point being South 14° 02" East, a distance of 510.58 feet and South 79° 51' West, a distance of 4,623.55 feet from the northeast corner of said Section 18;

THENCE South 10° 09' East, a distance of 20.00 feet to the southeast corner of this survey;

THENCE South 79° 51' West, a distance of 20.00 feet to the southwest corner of this survey;

THENCE North 10° 09' West, a distance of 20.00 feet to a point on the existing south right of way line of State Highway 191;

THENCE North 79° 51' East, along said existing south right of way line, a distance of 20.00 feet to the POINT OF BEGINNING and containing 0.009 of one acre of land, more or less.

Part 2

Being 0.009 of one acre of land, more or less, same being out of and a part of the northwest 1/4 of Section 18, Block 41, T-2-S, T&P Ry. Company Survey, Ector County, Texas; said 0.009 of one acre of land, more or less, being more particularly described by metes and bounds as follows:

BEGINNING at a point on the existing south right of way line of State Highway 191, said point being South 14° 02" East, a distance of 510.58 feet and South 79° 51' West, a distance of 2,718.55 feet from the northeast corner of said Section 18;

THENCE South 10° 09' East, a distance of 20.00 feet to the southeast corner of this survey;

THENCE South 79° 51' West, a distance of 20.00 feet to the southwest corner of this survey;

THENCE North 10° 09' West, a distance of 20.00 feet to a point on the existing south right of way line of State Highway 191;

THENCE North 79° 51' East, along said existing south right of way line, a distance of 20.00 feet to the POINT OF BEGINNING and containing 0.009 of one acre of land, more or less.

TO HAVE AND TO HOLD the above described premises together with all and singular the rights and appurtenances thereto in anywise belonging unto THE STATE OF TEXAS, ACTING BY AND THROUGH THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION, its successors and assigns, save and except the following reservations and provisions.

Grantor reserves all of the oil, gas sulphur, and other minerals in and under said land.

This conveyance is made subject to any and all outstanding easements and leases covering the above described lands and premises, or any part thereof.

It is understood and agreed that this conveyance is made to THE STATE OF TEXAS, ACTING BY AND THROUGH THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION, its successors and assigns, only for the purpose of constructing and maintaining traffic guide signs thereon and for no other purpose, and in the event said premises or any part thereof shall not be used for said purpose or

shall be used at any time for any other purpose, or should said premises be at any time permanently abandoned, then in any such event this conveyance shall be null and void and of no further force or effect, and the said premises shall absolutely revert to and revest in the Grantor, its successors or assigns, without the necessity of any further act, suit, or action on the part of either the Grantor or Grantee herein; provided, however, Grantee does hereby agree in such event to execute and deliver to Grantor, its successors or assigns, a proper deed of reconveyance in order to clear the record title to said property upon the written request of Grantor, its successors or assigns, therefor.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_.

ATTEST:

BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM

\_\_\_\_\_

\_\_\_\_\_

Chairman

Approved as to Form:

Approved as to Content

\_\_\_\_\_

\_\_\_\_\_

Chancellor, The University of Texas  
System

THE STATE OF TEXAS

X  
X  
X

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, Chairman of the Board of Regents of the University of Texas System, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for Travis County,  
Texas

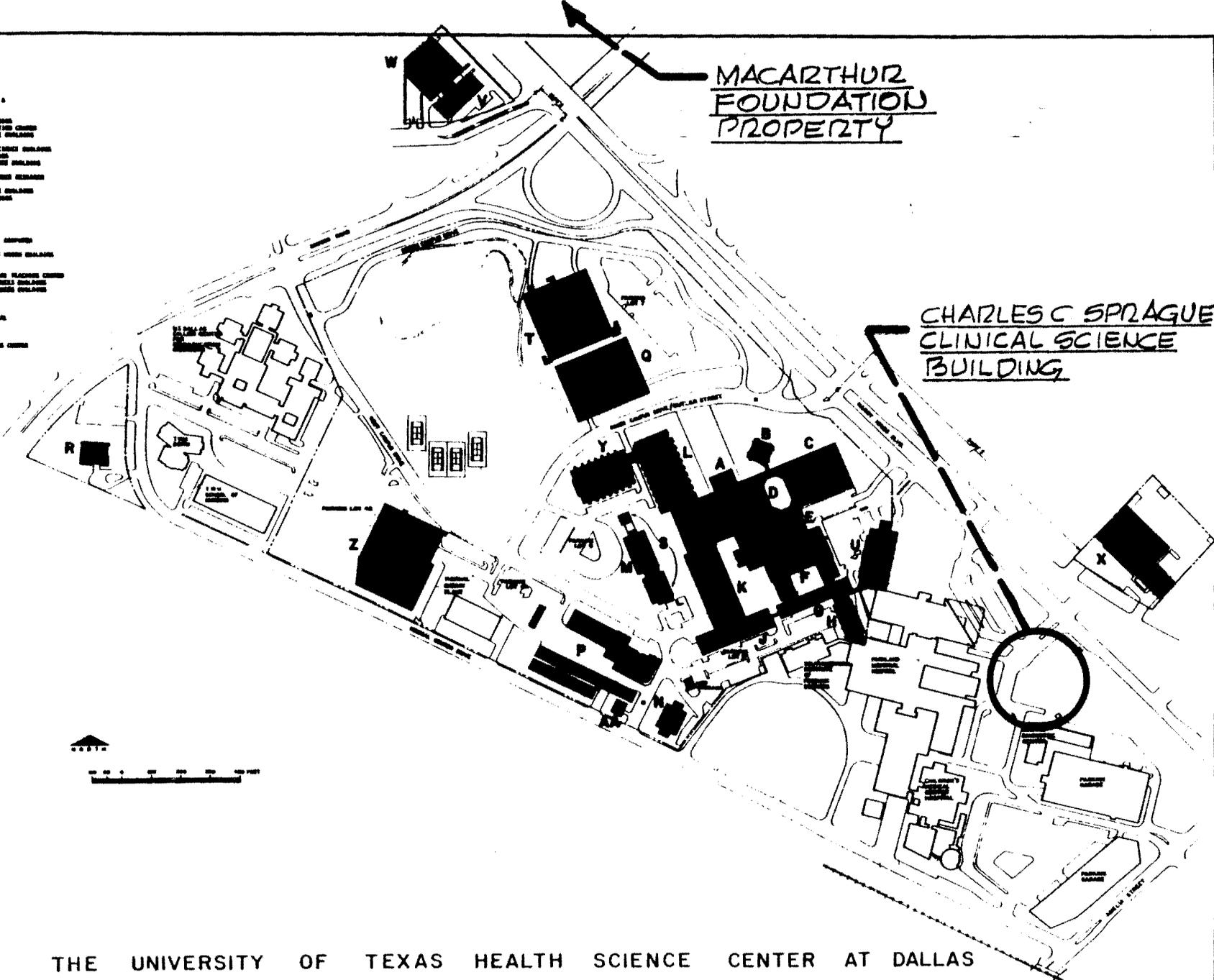
My Commission Expires: \_\_\_\_\_

**BUILDING INDEX**

- A BERRY BUILDING
- B BERRY RESEARCH BUILDING
- C ADMINISTRATIVE BUILDINGS
- D BERRY RESEARCH PLAZA BUILDING
- E PAUL F. GILBERT LABORATORY CENTER
- F BERRY A. COPELAND SCIENCE BUILDING
- G HANCOCK HILLIARY CL. HANCOCK SCIENCE BUILDING
- H ANDERSON RESEARCH BUILDING
- I HANCOCK V. HANCOCK SCIENCE BUILDING
- J PAUL D. ANDERSON BASIC SCIENCE RESEARCH BUILDING
- K CARL D. ANDERSON SCIENCE BUILDING
- L HALLWAY CONNECTING OTHER BUILDINGS
- M UNIVERSITY BUILDING
- N PORTAGE PLAZA BUILDING
- O PORTAGE STRUCTURE I
- P UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER IN URBAN TEXAS
- Q HORTON D. HORTON CENTER SCIENCE BUILDING
- R PORTAGE STRUCTURE II
- S JAMES H. HORTON REGULATORY AND RESEARCH CENTER
- T HORTON D. HORTON HALL IN SCIENCE BUILDING
- U HORTON D. HORTON HALL IN SCIENCE BUILDING
- V HORTON D. HORTON HALL IN SCIENCE BUILDING
- W SERVICE BUILDING
- X CSCS AND THE GRAM PARSONS
- Y RESEARCH BUILDING III
- Z ADMINISTRATIVE CENTER PHASE THREE

MACARTHUR  
FOUNDATION  
PROPERTY

CHARLES C SPRAGUE  
CLINICAL SCIENCE  
BUILDING



THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT DALLAS

EXISTING SITE PLAN  
MAY 1987

7. U. T. Health Science Center - Dallas: Recommendation to Authorize the Executive Vice Chancellor for Health Affairs, the Administration of U. T. Health Science Center - Dallas, and the Office of General Counsel to Negotiate the Proposed Acceptance of a Gift of Land from the John D. and Catherine T. MacArthur Foundation, Chicago, Illinois, with the Oversight of the Special Committee on Endowment Lands in Collin and Dallas Counties; and Authorize the Executive Committee to Accept the Gift of Land and to Approve the Agreements Relating Thereto.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Wildenthal that the U. T. Board of Regents:

- a. Authorize the Executive Committee of the U. T. Board of Regents to approve agreements for signature by the Executive Vice Chancellor for Health Affairs whereby the John D. and Catherine T. MacArthur Foundation of Chicago, Illinois, will grant approximately 29 acres of land for the future expansion of the U. T. Health Science Center - Dallas, and authorize the Executive Vice Chancellor for Health Affairs, the Administration of U. T. Health Science Center - Dallas, and the Office of General Counsel to negotiate the agreements with the Foundation within the following parameters:
  1. Acceptable terms for reclamation of this site from the 100-year floodplain
  2. Development of an acceptable Master Plan for continued development of the proposed U. T. Health Science Center - Dallas site, including satisfactory provisions regarding the priority and proposed concentration of program elements by U. T. Health Science Center - Dallas
  3. Acceptable terms for cooperation in future negotiation, funding, and implementation of an Infrastructure Agreement sufficient for the future development of the U. T. Health Science Center - Dallas site, including any joint easements, utilities, access, maintenance, operation, cost sharing, parking, etc.
  4. Acceptable integration of the U. T. Health Science Center - Dallas site Master and Infrastructure Plans with the Foundation's Master and Infrastructure Plans for development by the Foundation of the remainder of the adjacent Foundation property

BUILDINGS AND GROUNDS COMMITTEE

SUPPLEMENTAL MATERIAL

October 9, 1987

7. U. T. Health Science Center - Dallas: Recommendation to Authorize the Executive Vice Chancellor for Health Affairs, the Administration of U. T. Health Science Center - Dallas, and the Office of General Counsel to Negotiate the Proposed Acceptance of a Gift of Land from the John D. and Catherine T. MacArthur Foundation, Chicago, Illinois, with the Oversight of the Special Committee on Endowment Lands in Collin and Dallas Counties; and Authorize the Executive Committee to Accept the Gift of Land and to Approve the Agreements Relating Thereto.--

Attached is the proposed agreement which implements the recommendations set forth in the Material Supporting the Agenda related to the gift of land from the John D. and Catherine T. MacArthur Foundation.

## LETTER OF UNDERSTANDING

THIS LETTER OF UNDERSTANDING is entered into by and between John D. and Catherine T. MacArthur Foundation, a not-for-profit corporation organized under the laws of the State of Illinois (the "Foundation"), and the Board of Regents of The University of Texas System (the "University") for and on behalf of The University of Texas Health Science Center at Dallas ("UTHSCD").

### I. Recitals

The Foundation is the beneficial owner of certain parcels or tracts of land situated in the City of Dallas, County of Dallas, State of Texas, commonly known as Exchange Park and including Tracts "A", "B" and "C" on Exhibit "A" hereto (the "Park"). The University has requested the Foundation to grant to the University a portion of the Park to allow expansion of the UTHSCD campus.

To further UTHSCD's educational, medical and scientific goals by providing an additional area for campus expansion near the present campus, to further the Foundation's health research and education goals, to protect and preserve the use of the Foundation's adjoining investment property, and to permit and govern the orderly and coordinated use and development of the Park, the Foundation is willing to grant and the University desires to accept a grant of a certain portion of the Park, which consists of approximately 29.281 acres of land, designated Tract "U" on attached Exhibit "A", subject to and in accordance with the conditions of gift and the terms set forth below.

### II. Gift Upon Conditions

The Foundation will make in favor of the University and the University will accept from the Foundation, a grant of Tract "U", subject to and in accordance with the terms and conditions herein set forth.

### III. Commitments of the Foundation

The Foundation will:

1. Deliver prior to December 1, 1987, a Quitclaim Deed with appropriate covenants in recordable form, which shall contain a reversion to the Foundation on December 31, 1988, if the University fails to commence prior to December 15, 1988, floodplain reclamation and construction of the Magnetic Resonance Imaging research ("MRI") building. The Quitclaim Deed shall contain only those restrictions, limitations and covenants which shall be mutually satisfactory to the Foundation and the University.
2. By July 31, 1988, revise certain aspects of its existing conceptual master plan (the "Revised Park Master Plan") providing for integration of the infrastructure of the University Master Plan with the Foundation's plan and present

such revisions to the University for the University's review and recommendations. The Foundation agrees to use its best efforts to accept the reasonable recommendations of the University regarding the revision of its existing conceptual master plan.

3. a. By October, 1988, propose Conditions, Covenants and Restrictions (the "CC&R") in respect to the Park, (exclusive of Tract "U") consistent with the revisions to the Park Master Plan, and present the CC&R to the University for the University's review and recommendations. In regard to the CC&R, the Foundation agrees to use its best efforts to accept the recommendations of the University to the extent deemed reasonable by the Foundation, at its absolute discretion, and without diminishing the investment value of the Park to the Foundation. The CC&R will be recorded prior to sale of any or all of the Park, but in any event not later than December 31, 1988.
- b. Insofar as the Foundation accepts the recommendations of the University with regard to CC&R recorded on the Park, the University will record similar CC&R on Tract "U" not later than December 31, 1988.
4. Grant to the University all easements reasonably necessary to integrate the infrastructure of the University Master Plan that is approved by the Foundation with the Foundation's Revised Park Master Plan, such easements to be mutually agreed upon by the University and the Foundation, provided that all temporary construction easements are substantially restored to original condition at the conclusion of work.
5. Grant to the University, and any other necessary entity, all temporary construction easements useful to accomplish the floodplain reclamation work, provided that all temporary construction easements are substantially restored to original condition at the conclusion of work. After completion of the floodplain reclamation work specified by the Reclamation Plan prepared by Raymond L. Goodson, Jr. Inc., the temporary construction easements shall terminate and all maintenance on reclamation-related improvements will be the duty of each respective landowner.
6. Commence all floodplain reclamation work as set forth in the November, 1985 Floodplain Reclamation Study and Application for Permit for Exchange Park as approved by the City of Dallas (the "Reclamation Plan") prepared by Raymond L. Goodson, Jr., Inc., other than the floodplain reclamation work specifically set forth below to be performed by the University, prior to or concurrently with the University's commencement of its work.

IV. Commitments of the University

The Board of Regents of The University of Texas System will:

1. Accept the land conveyed by Quitclaim Deed only if any title exceptions or questions, and any covenants or restrictions set forth in the proposed form of Deed, are acceptable to the University, in its absolute discretion.
2. Approve and appropriate funds sufficient to accomplish the floodplain reclamation work on the Main Fork and the West Fork of Knight's Branch contained within Tract "U", and the box culvert connection from the water retention impoundment area on Tract B, under Forest Park and Bomar roads, and South to Tract "U" and the box culvert connection from Tract C, under Forest Park road, and South to Tract "U", all in accordance with the Reclamation Plan and to preserve as landscaped, permanent open space the floodplain area on Tract "U" after reclamation.
3. Approve and appropriate funds sufficient for the construction on Tract "U" of the MRI building.
4. Use its best efforts to obtain immediate approval from the Texas Higher Education Coordinating Board of the University's floodplain reclamation work and the construction of the MRI building and commence construction on those projects in 1988.
5. Approve and appropriate funds sufficient for the development of a master plan addressing the components and goals listed in Exhibit B, including infrastructure support for Tract "U" (the "University Master Plan") and present by July 31, 1988 the University Master Plan for the Foundation's review and recommendations. The University agrees to use its best efforts to create a University Master Plan that will be compatible with the Revised Park Master Plan, to accept the reasonable recommendations of a joint University and Foundation committee, solely as to external appearance and materials compatible with the Revised Park Master Plan, and to implement the Foundation's reasonable recommendations regarding the University Master Plan.
6. Use Tract "U" only for UTHSCD's educational, medical, research, and related purposes. No part of Tract "U" will be otherwise used for commercial or private purposes or sold.
7. Focus the educational, medical, and research-related growth of the UTHSCD campus on Tract "U" and agree not to approve construction on any other property of any new building included in the University Master Plan. UTHSCD may construct on any its property any facility for which construction on Tract "U" is not contemplated by or compatible with the University Master Plan.
8. Use its best efforts to obtain by 1991 approval and funding to construct permanent roadways, landscape designated green spaces

and meet the aesthetic appearance standards stipulated in the University Master Plan.

9. Initiate transportation between the Parkland Memorial Hospital/UTHSCD campus, St. Paul Medical Center, and Tract "U", as soon as construction of the first building on Tract "U" is completed, and according to ridership demand.
10. Encourage interaction between UTHSCD faculty, including those located in buildings on Tract "U", and tenants at the Park. UTHSCD will cooperate in encouraging research and medically related firms, including Dallas Biomedical Corporation, to locate at the Park.
11. Use its best efforts to comply with the University Master Plan; maintain and preserve the appearance of all buildings on Tract "U"; maintain and preserve the appearance of designated green spaces on Tract "U", and properly dispose of all hazardous waste products produced by UTHSCD on Tract "U".
12. Grant to the Foundation all easements reasonably necessary to implement the Foundation's Master Plan, such easements to be mutually agreed between the University and the Foundation, provided that all temporary construction easements are substantially restored to original condition at the conclusion of work.

V. Infrastructure Policy

The University and the Foundation have agreed to negotiate in good faith to achieve fair and equitable allocation of available infrastructure capacity and to share costs of providing infrastructure capacity required to serve their respective properties, shared to the extent capacity is used by each. Infrastructure shall mean roadways, pedestrianways, and all utilities, including but not limited to storm water management, connections to sewers, and joint access to Harry Hines Boulevard.

The University agrees to restrict construction on Tract "U" to a floor-area ratio ("FAR") of not greater than 2.5 for the term of this Letter of Understanding.

VI. Conditions of Performance

All parties to this Letter of Understanding condition performance of the commitments made herein on requisite approvals, if any, by the Texas Higher Education Coordinating Board, and the Legislature of the State of Texas, and the grant by the Foundation of Tract "U" is subject to the condition that the land granted by the Foundation, and any income and any proceeds thereof, shall not become a part of the Permanent University Fund, the Available University Fund, or the general funds of the State of Texas.

The Foundation and the University further condition performance on compliance of that performance with all applicable lawful governmental statutes, rules and regulations.

VII. Expiration of Restrictions

All terms and conditions placed upon the Foundation's grant to the University of Tract "U" pursuant to this Letter of Understanding shall expire on the twenty-fifth anniversary of the effective date of this Letter of Understanding.

Executed by the parties hereto, to be effective as of October 9, 1987.

ATTEST:

THE JOHN D. AND CATHERINE T.  
MacARTHUR FOUNDATION

By: \_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
President

ATTEST:

BOARD OF REGENTS OF  
THE UNIVERSITY OF TEXAS SYSTEM

By: \_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Charles B. Mullins  
Executive Vice Chancellor  
for Health Affairs

Approved as to Form:

Approved as to Content:

\_\_\_\_\_  
Patricia H. Burrall  
Attorney  
Office of General Counsel

\_\_\_\_\_  
Kern Wildenthal, President  
U. T. Health Science Center  
at Dallas

# Exhibit A

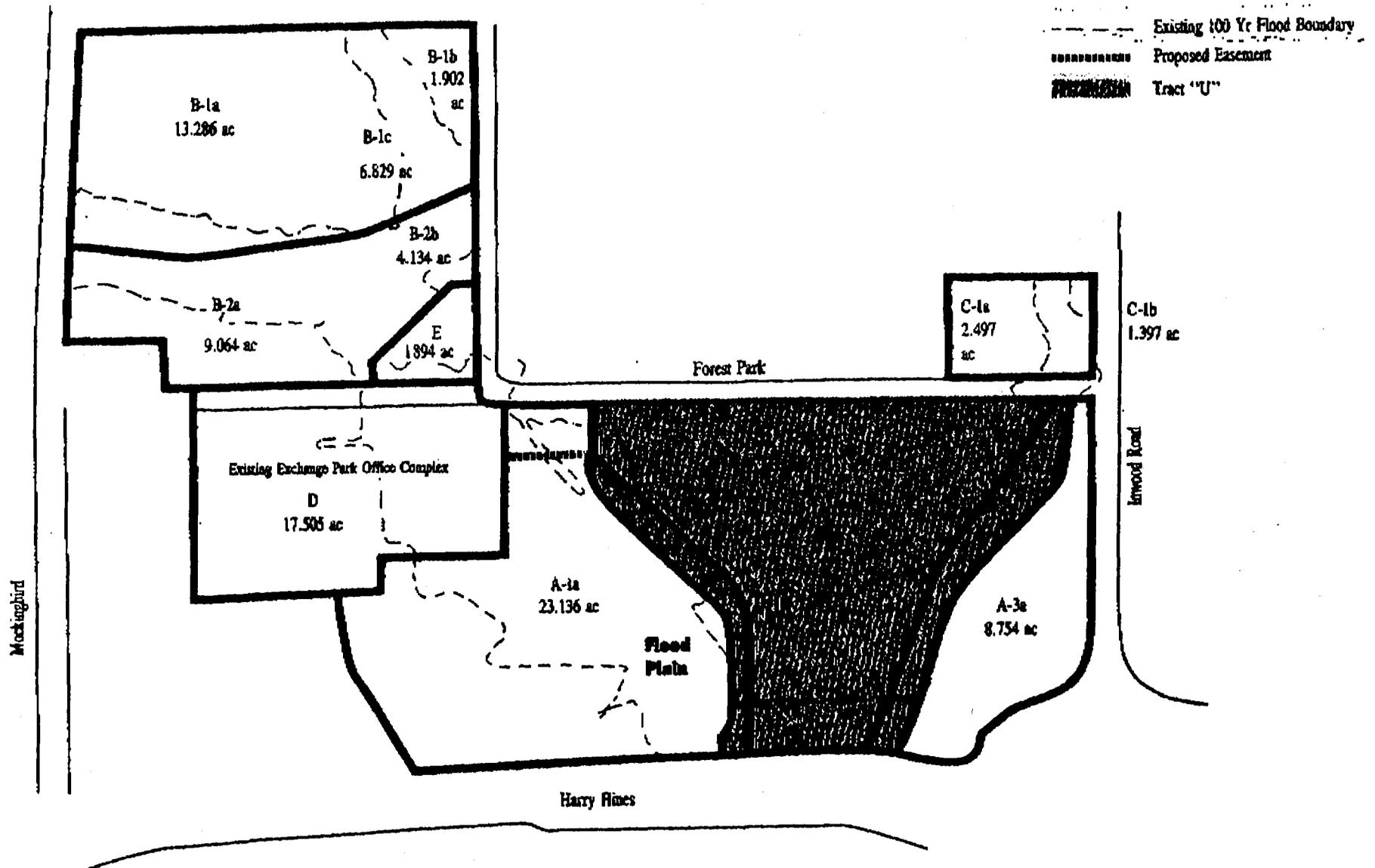


EXHIBIT B

MASTER PLANS

The Foundation and the University will each assemble a team of professionals to prepare master plans for their respective properties in the Park and on Tract "U". The teams will include consultants representing both the Foundation and the University as well as the technical staff of the University.

The purpose of the master plans will be to develop compatible land use plans for each property. The master plans will identify access and circulation to each property as well as cross easements which may be required for the benefit of property of the other party. Each property will be designated in terms of its proposed land use, intensity of development, permitted height, utility requirements, access requirements and the appropriate interconnection with other elements of the Park.

The master plans shall reflect development and design criteria which have been established for the Park and include the following:

1. The land set aside for floodplain reclamation shall serve as landscaped, permanent open spaces for the Park.
2. Pedestrian linkages shall be provided between all portions of the Park.
3. Design criteria shall be established to assure that individual buildings once developed shall be compatible with each other and provide the proper setting for their mutual development.

The Foundation and the University will jointly approach DART in an effort to persuade them that a new DART station should be planned and developed to service the Park and Tract "U".

The implementation of the master plans may include joint use of infrastructures which service the Park and Tract "U". This may apply to points of access, utility capacity, pedestrian systems, flood control, or the authority to discharge storm water into the floodplain reclamation system. It may be desirable for individual parcels within the site to be served by independent utility systems. The extent to which interconnection is elected will be at the option of each party.

All master plans are subject to revision and change over time. Both the University and the Foundation will have the opportunity to review and make recommendations regarding ongoing development plans. In order to provide some indication of the timing of the improvements, a schedule will be developed which maintains the current thinking of both parties, such schedule to be updated at reasonable intervals as development proceeds.

Creating compatible master plans is a coordinated effort. Though the University does not require the City's approval for its development,

it will participate with the Foundation at its request in the presentation of the Revised Park Master Plan to the City.

The components of the master plans which serve as a general work plan and which are to be examined during the process have been outlined on the following pages.

## Components and Goals of University Master Plan

1. Site Plan Strategy
  - a. Zoning and density limitations/opportunities
  - b. Establish FAA height envelope
  - c. Parking ratios and policy
  - d. Exploration of floodplain utilization
  - e. DART alignment and Mass Transit Program
  - f. Future role and linkages to Exchange Park
  - g. Staging of development sites
  - h. Site Concept
  - i. Master Plan sequence
  
2. Proposed UTHSCD Buildings
  - a. Definition of building program - use, floor area, height
  - b. Site geometry, modularity and vertical controls
  - c. Circulation Plan - vehicular, pedestrian, truck tunnels, and loading points
  - d. Vehicular access and egress
  - e. Parking dimensions, ratios, structural systems
  - f. Definition of exterior building materials and design criteria
  - g. Building lighting and signage
  - h. Landscape and open space criteria
  
3. Proposed Parking/Loading
  - a. Shared parking criteria
  - b. Parking ratio
  - c. Parking sizes
  - d. Percent of structured parking
  - e. Percent of at-grade parking
  - f. Loading areas (covered)
  - g. Utilization of excess parking in Exchange Park complex
  - h. Control and security of joint entrances
  
4. Traffic/Circulation
  - a. Vehicular
    - (1) Cars - Employee  
- Visitors
    - (2) Trucks
    - (3) Buses
    - (4) Vans
    - (5) Connection to DART
    - (6) Connection to existing Exchange Park complex
    - (7) Peak hour - Traffic calculations
  
  - b. Pedestrian

- (1) Paths
- (2) Covered walkways
- (3) Connection to DART

5. Floodplains

- a. Evaluate construction permitted in floodplains
- b. Floodplain treatment criteria
- c. Long-term uses of floodplains
- d. Interim uses of floodplains
- e. Retention areas
- f. Open channels
- g. Covered channels
- h. Sewer relocation (flexibility)
- i. Revisions to floodplain construction document

6. Site Engineering

- a. Sewage
  - Public
  - Private
- b. Storm drainage
  - Parcel B
  - Parcel A (Tract "U")
  - Forest Park Road
- c. Water
  - Capacity (pressure/rates)

7. Building Engineering

- a. Electric
- b. Gas
- c. Telephone/Cable T.V.
- d. Solid Waste Disposal
- e. Energy Systems

8. Landscaping

- a. Floodplains
- b. Open areas
  - Paved
  - Grass
- c. Preservation of existing trees
- d. Water elements
- e. Outdoor furniture
- f. Site illumination
- g. Signage

9. Easements

- a. Type of easements
- b. Effects on site

10. Unused Development Rights

11. Shared Infrastructure Elements

- a. Entrance from Harry Hines
- b. Future utility needs
  - (4) Bikeways (General Only)
  - (5) Connection to Exchange Park complex
  - (6) Connection to primary DART zones

5. Satisfactory title to the land, including reasonable Conditions, Covenants and Restrictions and terms for recordation and transfer of title
  6. A reasonable time-table for planning and construction of the proposed Magnetic Resonance Imaging research building
  7. The parties' best efforts to obtain immediate approval by the Texas Higher Education Coordinating Board of the MRI research building and the flood reclamation work and subsequent approval consistent with the Master and Infrastructure Plans as required
  8. The parties' best efforts to obtain all necessary Federal, State and local approvals such as easements, zoning, platting, utilities, transportation and floodplain alteration required to implement each of the above agreements
  9. Satisfactory access and bus linkage between the two U. T. Health Science Center - Dallas campus sites and St. Paul Hospital
  10. The parties' best efforts to encourage lease of space by the Dallas Biomedical Corporation from the Foundation pending development of permanent offices on adjacent Foundation property
  11. Reasonable definition of the preconditions for continuing U. T. Health Science Center - Dallas future development on the site
- b. Delegate to the Special Committee on Endowment Lands in Collin and Dallas Counties (Regent Beecherl, Chairman, Regents Hay and Ratliff) the additional task of participating in and overseeing the negotiations authorized above
- c. Contingent on satisfactory negotiation and approval of all necessary agreements as recommended above, approve the following actions:
1. Authorization of a project for floodplain reclamation of the land granted by the MacArthur Foundation at a total estimated project cost of \$2,000,000
  2. Appointment of the firm of Raymond L. Goodson, Jr., Inc., Dallas, Texas, as Project Engineer to prepare final plans and specifications for the floodplain reclamation project

3. Authorization of submission of the floodplain reclamation project to the Texas Higher Education Coordinating Board
4. Upon approval of the Coordinating Board, authorization for the Office of Facilities Planning and Construction to advertise for bids and the Executive Committee to award all contracts related to the floodplain project within the authorized project cost
5. Appropriation of \$2,000,000 from the U. T. Health Science Center - Dallas Institutional Interest Income Account for total project funding for the floodplain reclamation project
6. Authorization of a project for the creation of a Master Plan as a guide for use of the land granted by the MacArthur Foundation at a total project cost not to exceed \$470,000
7. Appointment of the firm of Cossutta and Associates, Dallas, Texas, as Planning Consultant to prepare the Master Plan for the land granted by the MacArthur Foundation
8. Appropriation not to exceed \$470,000 from the U. T. Health Science Center - Dallas Institutional Interest Income Account for total funding of the Master Plan project.

If possible, more specific details and finally negotiated documents will be mailed to the U. T. Board of Regents prior to the October Board meeting.

This item requires the concurrence of the Health Affairs and Finance and Audit Committees.

#### BACKGROUND INFORMATION

Over the last thirty years, U. T. Health Science Center - Dallas has constructed almost 3 million square feet of permanent buildings on its 60-acre campus south of the Hines-Inwood intersection. The site is nearing saturation, and unless the bird sanctuary is sacrificed, the inevitable growth of the U. T. Health Science Center - Dallas is severely limited at this location. Relief has been offered by the John D. and Catherine T. MacArthur Foundation, which owns approximately 100 acres of undeveloped land immediately north of the Hines-Inwood intersection. The Foundation has offered the U. T. Health Science Center - Dallas approximately 29 acres of this land for future campus growth, conditioned on performance of agreements to be negotiated with the Foundation. The agreements will require, as a minimum, that the U. T. Board of

Regents and the U. T. Health Science Center - Dallas will immediately (1) obtain approval to construct the proposed Magnetic Resonance Imaging (MRI) research building on this land, (2) obtain necessary approvals for and undertake floodplain reclamation on this land, (3) undertake creation of a quality Master Plan specifying future development of this land, and (4) commit to performance standards for execution of the development envisioned by the Master Plan, an Infrastructure Agreement, Conditions, Covenants and Restrictions regarding this land and the Foundation's remaining adjacent land, and cooperation in implementing these provisions.

The MacArthur Foundation commissioned the Dallas engineering firm of Raymond L. Goodson, Jr., Inc., to conduct a thorough study of floodplain reclamation on this site. Raymond L. Goodson, Jr., Inc. concluded this study in 1986 and recommended a reclamation plan to double the buildable acreage on this site. Raymond L. Goodson, Jr., Inc. is a well-respected firm of consulting engineers whose intimate knowledge of this site should enable them to conclude design of the project and preparation of bid documents promptly and economically.

Creation of a quality Master Plan will enable the U. T. Health Science Center - Dallas to achieve the most efficient use of this land for future campus growth while ensuring an aesthetic environment for its faculty and students. Early in the discussions with the MacArthur Foundation, Aldo Cossutta and Vince Ponte of the firm of Cossutta and Associates, Dallas, Texas, provided pro bono assistance by generating conceptual plans for future development of the U. T. Health Science Center - Dallas campus on Foundation land. The U. T. Health Science Center - Dallas Administration strongly recommends Cossutta and Associates as planning consultants for the Master Plan project.

The Foundation desires to grant the land before the end of the tax year. One of the conditions precedent to the grant is approval by the Texas Higher Education Coordinating Board of the MRI construction project. The last Coordinating Board meeting before the end of the year is in early December. Presentation of the proposed MRI construction project for Texas Higher Education Coordinating Board approval before January necessitates present preliminary steps to initiate the project.

The request for approval to initiate the project for construction of the proposed Magnetic Resonance Imaging research building is set forth in Item 8 on Page B&G - 38.

8. U. T. Health Science Center - Dallas - Magnetic Resonance Imaging Center: Request for Project Authorization; Submission to Coordinating Board; Appointment of Project Architect to Prepare Final Plans; and Appropriation Therefor.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Wildenthal that the U. T. Board of Regents:

- a. Authorize a project for the construction of a Magnetic Resonance Imaging Center for the U. T. Health Science Center - Dallas at an estimated total project cost of \$4,800,000 to be located on land granted by the John D. and Catherine T. MacArthur Foundation, Chicago, Illinois, subject to successful negotiation and requisite approval of the agreements with the John D. and Catherine T. MacArthur Foundation
- b. Authorize submission of the project to the Texas Higher Education Coordinating Board
- c. Appoint a Project Architect from the list set forth on Page B&G - 39 to prepare final plans and specifications and a detailed cost estimate to be presented to the U. T. Board of Regents at a future meeting
- d. Appropriate \$300,000 from Permanent University Fund Bond Proceeds for fees and administrative expenses through completion of final plans.

This item requires the concurrence of the Health Affairs Committee.

#### BACKGROUND INFORMATION

The construction of a building to house the Magnetic Resonance Imaging (MRI) Center has been given a high priority by the U. T. Health Science Center - Dallas since the facility is critically needed to upgrade and expand the imaging program primarily for research and teaching. A low-field whole-body MRI unit and a high-field magnet are currently housed in leased space off-campus. It is important that these units and other imaging equipment be located in a permanent structure designed for this purpose. The two whole-body magnets were purchased at a cost of over \$3,000,000 provided by local philanthropists.

The proposed Imaging Center will allow the faculty to expand and strengthen their integrated programs in teaching and research. MRI equipment requires special shielding from radiofrequency interference and magnetic field containment as well as facilities to handle and store cryogenic fluids (ultra-cold liquified gases). Faculty offices and laboratories will

also be available in this proposed facility for medical scientists at the U. T. Health Science Center - Dallas who are acknowledged leaders in the research and development of MRI diagnostic techniques.

Construction of the Imaging Center building on the land granted by the John D. and Catherine T. MacArthur Foundation is contingent upon the negotiation and approval of an agreement between the U. T. Board of Regents and the MacArthur Foundation.

See Item 7 on Page B&G - 34 related to the proposed acceptance of land from the MacArthur Foundation.

The Imaging Center was authorized by the U. T. Board of Regents in October 1985 and January 1987 as part of the Capital Improvement Program to be funded with \$3,900,000 from Permanent University Fund Bond Proceeds. Additional funding will be \$500,000 from U. T. Health Science Center - Dallas MSRDP Local Funds, and \$400,000 from U. T. Health Science Center - Dallas Institutional Interest Income Account.

List of Firms for Consideration

<u>Project Architect</u>	<u>Representative Projects</u>
Harwood K. Smith & Partners Dallas, Texas	MRI Facility, St. Paul Hospital, Dallas, Texas MRI Facility, University of Arkansas Medical Science Center, Little Rock, Arkansas MRI Facility, Brooke Army Medical Center, San Antonio, Texas Baylor University Medical Center, Dallas, Texas
Page Southerland Page Dallas, Texas	MRI Facility, Presbyterian Hospital, Dallas, Texas MRI Facility, Harris Hospital, Fort Worth, Texas MRI Facility, Humana Hospital Medical City, Dallas, Texas
3D/International Houston, Texas	Veterans Administration Hospital with MRI Facility, Houston, Texas Children's Nutrition Research Center, Houston, Texas University of Alabama Medical Center, Birmingham, Alabama UTMB-Galveston Medical Sciences and Education Building (in design)

9. U. T. Health Science Center - Dallas - Charles C. Sprague Clinical Science Building (Project No. 303-598): Request for Authorization to Increase Project Scope to Include Completion of Three Shelled-In Floors; Submission of Completion of Shelled-In Floors to Coordinating Board; Approval of Final Plans; Authorization to Advertise for Bids and Executive Committee to Award Contracts; and Additional Appropriation Therefor.--

RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Wildenthal that the U. T. Board of Regents:

- a. Authorize an increase in the scope of the Charles C. Sprague Clinical Science Building at the U. T. Health Science Center - Dallas to include the completion of three shelled-in floors at an estimated increase of \$1,808,000 in the total project cost
- b. Authorize submission of the completion of the three shelled-in floors to the Texas Higher Education Coordinating Board
- c. Approve final plans and specifications for the Charles C. Sprague Clinical Science Building including the completion of the three shelled-in floors at a revised estimated total project cost of \$14,708,000
- d. Authorize the Office of Facilities Planning and Construction to advertise for bids upon completion of final review
- e. Authorize the Executive Committee to award, within the authorized total project costs, all contracts associated with the previously authorized project and, subject to Coordinating Board approval, the increased project scope for completion of the three shelled-in floors
- f. Appropriate \$7,400,000 from Permanent University Fund Bond Proceeds, \$3,000,000 from Medical Service Research and Development Plan (MSRDP), and \$3,708,000 from the Institutional Interest Income Account for total project funding. Previous appropriations have been \$600,000 from Permanent University Fund Bond Proceeds.

This item requires the concurrence of the Finance and Audit and Health Affairs Committees.

## BACKGROUND INFORMATION

In accordance with authorization of the U. T. Board of Regents in October 1986, final plans and specifications for the Charles C. Sprague Clinical Science Building at the U. T. Health Science Center - Dallas have been prepared by the Project Architect, Harper, Kemp, Clutts and Parker, Dallas, Texas.

The project as approved by the U. T. Board of Regents in October 1986 consisted of a building containing 126,000 gross square feet of floor area on eight levels plus basement. Five levels plus basement were to be completed with the remaining three levels to be shelled-in.

The U. T. Health Science Center - Dallas requests that the scope of the project be increased to include the completion of the three shelled-in floors. Approval for the completion is due to the shortage of space for the clinical departments of Southwestern Medical School, the availability of local funds for this purpose, and the cost savings that will be realized by completing these floors at the same time the building is constructed.

The estimated construction cost of the new Clinical Science Building including the completion of the three shelled-in floors is \$11,980,000 resulting in a unit cost of \$95.08 per gross square foot.

The previously authorized project with three shelled-in floors was within the scope of the Capital Improvement Program approved by the U. T. Board of Regents in October 1985. Coordinating Board approval occurred in October 1986. Submission to the Coordinating Board to complete the shelled-in floors is required, and a contract for this portion of the work will not be awarded until the Coordinating Board approves.

10. U. T. Medical Branch - Galveston: Recommendation to Waive the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.1 (Naming of Buildings and Other Facilities) and to Name the Learning Center.--

## RECOMMENDATION

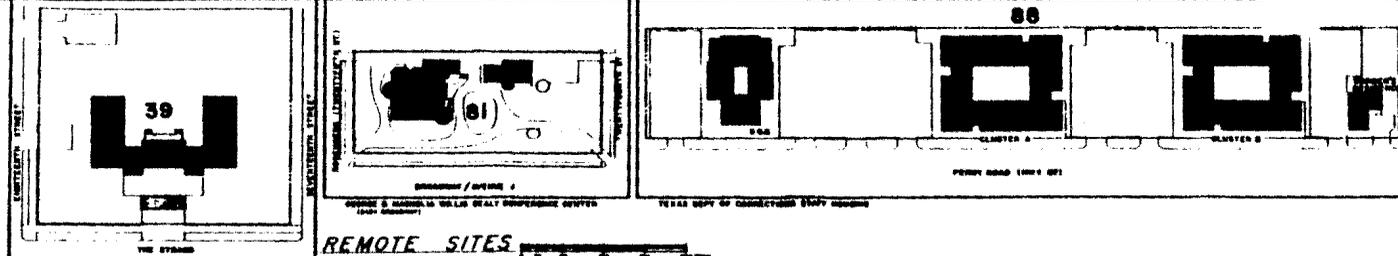
The Office of the Chancellor concurs with the recommendation of President James for an exception to the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.1, requiring that persons to be honored with the naming of a building "shall have been deceased at least five years," and to name the Learning Center at the U. T. Medical Branch - Galveston as "William C. Levin Hall."

## BACKGROUND INFORMATION

As President, Dr. Levin contributed greatly to U. T. Medical Branch - Galveston in the areas of administration, research and education, patient care, development activities and building programs. Total research funding from both private and Federal sources has increased from \$9 million in 1973-74 to

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**PARKING STRUCTURE  
2 LEVEL ADDITION**

**MAURICE EWING HALL**

**JOHN SEALY HOSP.  
NORTH ADDITION  
(LITHOTRIPTER)**

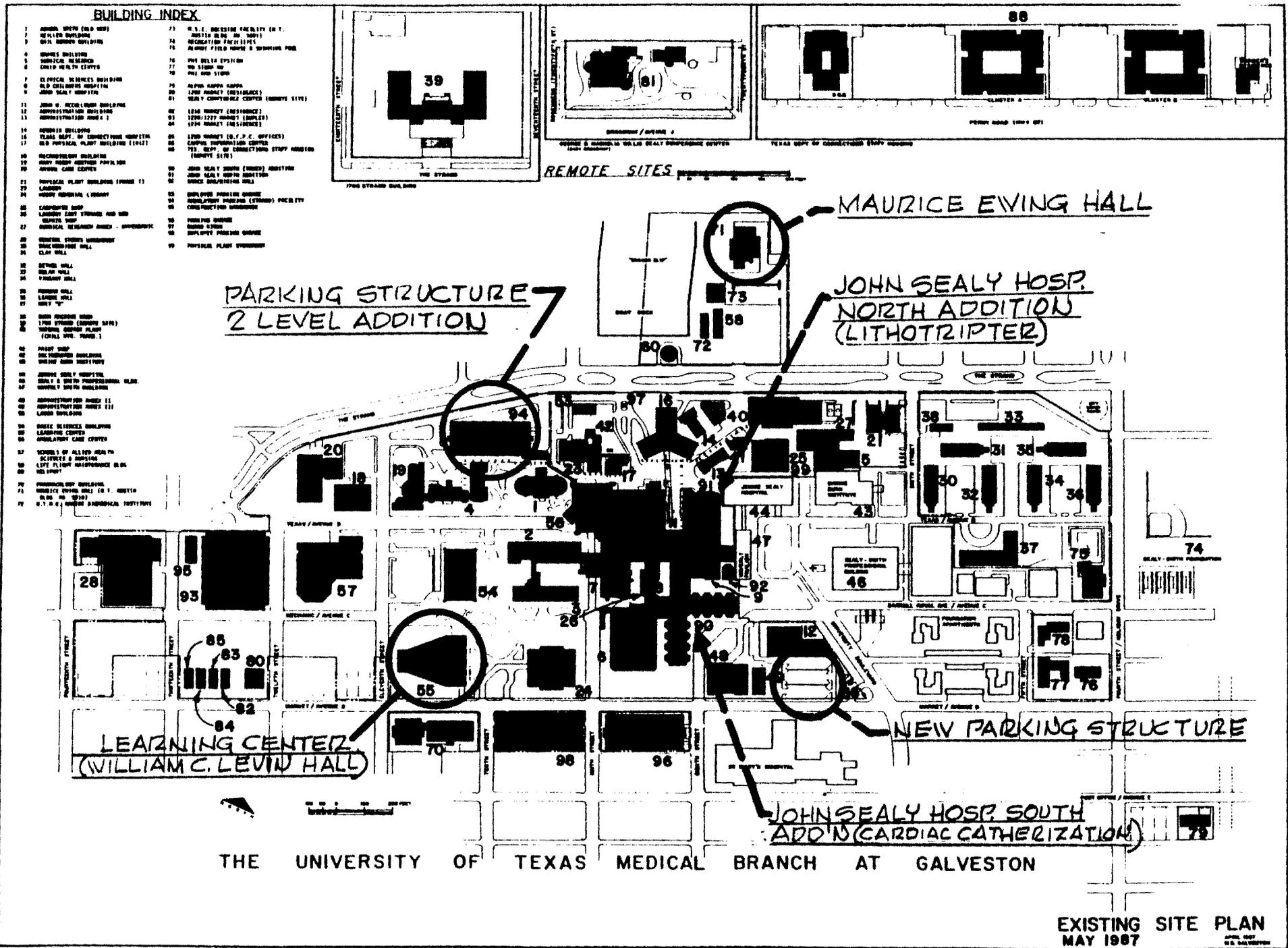
**LEARNING CENTER  
(WILLIAM C. LEVIN HALL)**

**NEW PARKING STRUCTURE**

**JOHN SEALY HOSP. SOUTH  
ADD'N (CARDIAC CATHETERIZATION)**

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

EXISTING SITE PLAN  
MAY 1987



more than \$20 million in the current fiscal year. New educational programs instituted during Dr. Levin's tenure as President include a Ph.D. in Neurosciences, M.M.S. program (Master of Medical Sciences), M.D./Ph.D. program, M.S. in Nursing and an M.A. in Allied Health Sciences.

During Dr. Levin's tenure, the quality of patient care and clinical services improved with the reorganization of hospital administration and patient care. He brought new leadership to eight clinical departments that significantly improved patient care, clinical education and clinical research, and the institution of innovative health care programs expanded the health care resources at the U. T. Medical Branch - Galveston. Dr. Levin has, in addition, successfully attracted more than \$167 million in private gifts and grants to the U. T. Medical Branch - Galveston. Ten additional chairs, twelve additional professorships and sixteen additional lectureships were funded and established, and growth in true endowments increased 400 percent.

More than 15 new facilities housing educational, research, patient care and service functions have been completed since 1974.

Dr. Levin initiated ambitious programs of excellence at the U. T. Medical Branch - Galveston. Consequently, it is appropriate for the Learning Center to be named in his honor.

11. U. T. Medical Branch - Galveston - Maurice Ewing Hall - Renovation: Request for Authorization for Expanded Project to Replace Limited Project and Appointment of Project Architect to Prepare Preliminary Plans.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President James that the U. T. Board of Regents:

- a. Authorize a project for the complete renovation of Maurice Ewing Hall at the U. T. Medical Branch - Galveston at an estimated total project cost of \$4,767,000 to replace a previously authorized project for Development of Laboratory Space for the Division of Nutrition within Maurice Ewing Hall
- b. Appoint the firm of Hightower-Alexander, Bellaire, Texas, to prepare preliminary plans and a detailed cost estimate to be presented to the U. T. Board of Regents at a future meeting.

This item requires the concurrence of the Health Affairs Committee.

## BACKGROUND INFORMATION

At the August 1986 meeting, the U. T. Board of Regents authorized a project for the renovation of approximately 5,160 square feet in the Keiller Building at the U. T. Medical Branch - Galveston to provide research laboratories for the Division of Nutrition within the Department of Preventive Medicine and Community Health. Subsequently, at the October 1986 meeting, the U. T. Board of Regents authorized the relocation of the laboratory space for the Division of Nutrition from the Keiller Building to Maurice Ewing Hall.

After the architects began working on the project, they found that the building needed extensive mechanical, electrical and plumbing work. The architects reported that it would be more expensive to remodel the building in phases rather than at one time. Consequently, the U. T. Medical Branch - Galveston Administration requests authorization for the renovation of the first, second and third floors of Maurice Ewing Hall at an estimated total project cost of \$4,767,000. Remodeling cost for this 49,327 gross square foot building is estimated at \$3,750,000 resulting in a unit price of \$76 per square foot. Necessary site utility extensions are included in this construction cost.

The U. T. Medical Branch - Galveston recommends that the project architect previously approved for the limited renovation project, Hightower-Alexander, Bellaire, Texas, be appointed as the Project Architect for the expanded project.

Project funding includes: \$1,050,000 from Permanent University Fund Bond Proceeds (\$750,000 as previously appropriated at the August 1986 U. T. Board of Regents' meeting and \$300,000 pending approval of the 1987-88 PUF Equipment Allocation); and \$3,717,000 from the U. T. Medical Branch - Galveston Plant Funds - Renewals and Replacements. The \$750,000 previously appropriated from Permanent University Fund Bond Proceeds will be adequate for fees and administrative expenses through completion of preliminary plans.

12. U. T. Medical Branch - Galveston - Remodeling of John Sealy Hospital (Old Building) - Cardiac Catheterization Unit: Request for Project Authorization; Preparation of Final Plans; Authorization to Advertise for Bids and Executive Committee to Award Contracts; and Appropriation Therefor.--

## RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President James that the U. T. Board of Regents:

- a. Authorize a project for the renovation of space in the John Sealy Hospital South Addition for a new cardiac catheterization unit as a phase of the continuing Remodeling of John Sealy Hospital (Old Building) project at the U. T. Medical Branch - Galveston at an estimated total project cost of \$8,700,000

- b. Authorize the Project Architect for the Remodeling of John Sealy Hospital, Page Southerland Page, Houston, Texas, to prepare final plans and specifications
- c. Authorize the Office of Facilities Planning and Construction to advertise for bids upon completion of final review
- d. Authorize the Executive Committee to award all contracts associated with this project within the authorized total project cost
- e. Appropriate \$8,700,000 from Sealy & Smith Foundation grant funds for total project funding.

This item requires the concurrence of the Health Affairs Committee.

#### BACKGROUND INFORMATION

The U. T. Medical Branch - Galveston has a demonstrated need for a new cardiac catheterization facility that will address an increasing level of technological sophistication, especially in interventional cardiology, as well as an increase in patient volume.

Renovation for the catheterization facility will require considerable reassignment of space on the fourth floor of the John Sealy Tower to ensure efficient patient flow between the cardiac catheterization unit and the coronary care and medical intensive care units.

The project is to be funded from a grant of \$8,700,000 from The Sealy & Smith Foundation for the John Sealy Hospital. This grant will cover the cost of equipment as well as renovations for the cardiac catheterization facility.

See Item 14 on Page L&I - 13 related to acceptance of grant from The Sealy & Smith Foundation for the John Sealy Hospital.

13. U. T. Medical Branch - Galveston - Remodeling of John Sealy Hospital (Old Building) - Lithotripter Facility and Additional Surgical Operating Rooms: Request for Project Authorization; Preparation of Final Plans; Authorization to Advertise for Bids and Executive Committee to Award Contracts; and Appropriation Therefor.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President James that the U. T. Board of Regents:

- a. Authorize a project to renovate space for a lithotripter facility and additional surgical operating rooms as a phase of the continuing Remodeling of John Sealy Hospital at the U. T. Medical Branch - Galveston at an estimated total project cost of \$2,200,000 including the purchase of equipment
- b. Authorize the Project Architect for the Remodeling of John Sealy Hospital, Page Southerland Page, Houston, Texas, to prepare final plans and specifications
- c. Authorize the Office of Facilities Planning and Construction to advertise for bids upon completion of final review
- d. Authorize the Executive Committee to award all contracts associated with the project within the authorized total project cost
- e. Appropriate \$2,200,000 from Sealy & Smith Foundation grant funds for total project funding.

This item requires the concurrence of the Health Affairs Committee.

#### BACKGROUND INFORMATION

Great interest has been generated in the medical community and the informed general public by the availability of first generation lithotripters capable of treating stones within the kidney and ureter by the application of controlled sound waves thereby avoiding the inconvenience and risk of conventional surgical treatment. The technical improvements in these machines have been great, but the U. T. Medical Branch - Galveston chose to delay acquisition until both the technology and the range of applications were further advanced.

The Siemens Company has now developed a technically advanced model which is safer and more effective and can treat stones in the gallbladder and biliary system as well as in the urinary tract. This major advance greatly increases the number of patients who will benefit from this technology. U. T. Medical Branch - Galveston has an opportunity to purchase this new model, and a Fall 1987 delivery is possible.

Space in the north corridor of the current operating suite in the north addition of John Sealy Hospital will be renovated to accommodate the lithotripter. As a part of the renovation, two additional operating rooms will be created to address the increasing surgical volume particularly involving ambulatory procedures.

See Item 14 on Page L&I - 13 related to acceptance of grant from The Sealy & Smith Foundation for the John Sealy Hospital.

14. U. T. Medical Branch - Galveston - Shriners Burns Institute - New Parking Structures (Project No. 601-670): Request for Approval of Change of Sites; Presentation of Preliminary Plans; Submission to Coordinating Board; Authorization to Prepare Final Plans; and Additional Appropriation Therefor.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President James that the U. T. Board of Regents:

- a. Approve the construction of a new five-level parking structure (approximately 500 cars) adjacent to the Administration Building and a two-level addition (approximately 200 cars) to the existing parking facility on The Strand at the U. T. Medical Branch - Galveston in lieu of the single 600-space structure previously authorized on a site adjacent to the new Shriners Burns Institute site
- b. Approve preliminary plans for the new parking structure and two-level addition, demolition, and related site work at an estimated total project cost of \$6,500,000
- c. Authorize submission of the project, as required, to the Texas Higher Education Coordinating Board
- d. 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
- e. Appropriate \$100,000 from U. T. Medical Branch - Galveston Unexpended Plant Funds for fees and administrative expenses through completion of final plans. Previous appropriations have been \$250,000 from U. T. Medical Branch - Galveston auxiliary funds and interest from prior Sealy & Smith Foundation construction grant funds.

This item requires the concurrence of the Health Affairs Committee.

## BACKGROUND INFORMATION

In June 1987, the U. T. Board of Regents authorized a project for the construction of a new 600-space parking structure at the U. T. Medical Branch - Galveston to replace an existing parking structure located on the site of the proposed new Shriners Burns Institute. The Sealy & Smith Foundation had made a commitment to purchase and donate land adjacent to the new Shriners Burns Institute site. Negotiations for the purchase of this land have not been successful, and it has been necessary to investigate alternative sites. A site adjacent to and south of the Administration Building has been selected for the construction of a new five-level facility for approximately 500 cars. This site is near the proposed Shriners Burns Institute and the John Sealy Hospital. Additional spaces will be provided by adding two levels to the existing parking structure on The Strand. This facility is near the Ambulatory Care Center and the proposed new Emergency Department and Trauma Center.

Preliminary plans and a detailed cost estimate for the construction of the new parking structure and the addition to the existing structure have been prepared by the Project Architect, Louis Lloyd Oliver and Tibor Beerman, Galveston, Texas.

In addition to the new five-level parking structure and the two-level addition to the existing structure, this project will include the demolition of the existing structure on the Shriners Burns Institute site, the replacement or modification of any existing facilities on the new site, storm drainage, utilities, sitework, landscaping, and other required improvements.

Total funding for this project will be from the proceeds of a revenue bond issue in the amount of \$6,500,000. Funds appropriated for fees and administration expenses will be refunded when the revenue bonds have been sold.

A presentation of information relating to the new Shriners Burns Institute was made to the Coordinating Board at its July 1987 meeting. Specific requests for project approval will be processed as required.

15. U. T. Health Science Center - San Antonio: Request for Authorization for Project Analysis to Study the Exhaust and Intake Air Flow System; Appointment of Consulting Architect to Prepare Project Analysis; and Appropriation Therefor.--

## RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Howe that the U. T. Board of Regents:

- a. Authorize the preparation of a Project Analysis to study the exhaust and intake air flow system at the U. T. Health Science Center - San Antonio
- b. Appoint the firm of Chumney and Associates, San Antonio, Texas, as Consulting Architect to prepare the project analysis to be presented to the U. T. Board of Regents at a future meeting

- c. Appropriate \$75,000 from U. T. Health Science Center - San Antonio Unexpended Plant Funds for fees and administrative expenses through completion of the project analysis.

#### BACKGROUND INFORMATION

With the continued development of the U. T. Health Science Center - San Antonio and the adjacent Medical Center Hospital Facility, there has been an increased air cross-over between fume hood exhausts and fresh air intakes. Consequently, possible health hazards exist.

In November 1986, the U. T. Health Science Center - San Antonio in consultation with the Office of Facilities Planning and Construction, authorized a wind tunnel study using a scale model of all campus buildings and the Medical Center Hospital to determine the extent to which such air cross-over problems could be prevented under various conditions of wind speeds and directions. Possible solutions were tested in the wind tunnel study and now a definitive engineering feasibility study is needed to determine the best methods to eliminate the possible air cross-over and to analyze the cost of each possible solution.

It is recommended that the firm of Chumney and Associates, San Antonio, Texas, be appointed as Consulting Architect because of the firm's prior experience with the U. T. Health Science Center - San Antonio complex.

16. U. T. Cancer Center - Veterinary Resources Division: Request for Approval of an Agreement with the Lower Colorado River Authority (LCRA), Austin, Texas, Concerning Property Located in Bastrop County, Texas.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President LeMaistre to approve the agreement set out on Pages B&G 50 - 52 by and between the Lower Colorado River Authority (LCRA), Austin, Texas, and the U. T. System under which the U. T. Cancer Center Veterinary Resources Division will have the right to graze cattle on the adjacent 78.153 acre tract in Bastrop County, Texas, as long as the Veterinary Resources Division is housed at its current site. The LCRA will agree to use the 78.153 acre tract only for water diversion and a drainage ditch in connection with proposed lignite mining operations in the area. The LCRA cannot use the tract for any other purposes without the permission of the U. T. System. In return, the U. T. System will grant to the LCRA a right-of-first-refusal to buy the 373.99 acre Veterinary Resources Division site at fair market value if it is ever offered for sale by the U. T. System.

## BACKGROUND INFORMATION

At its October 1986 meeting, the U. T. Board of Regents authorized Mr. James S. Wilson, Manager of Endowment Real Estate, to purchase a 78.153 acre tract of surplus Federal property in Bastrop County, Texas, for use by the U. T. Cancer Center Veterinary Resources Division for a price not to exceed \$275,000. The property was purchased at auction by the Lower Colorado River Authority (LCRA) at a bid beyond the limit authorized by the Board.

Following the auction, extensive negotiations were conducted between U. T. System officials and the LCRA which resulted in this agreement.

## AGREEMENT

THIS AGREEMENT, dated as of the \_\_\_\_ day of \_\_\_\_, 1987, between Lower Colorado River Authority, a conservation and reclamation district and an agency of the State of Texas ("LCRA"), and the University of Texas System (the "System");

### WITNESSETH:

WHEREAS, LCRA was the successful bidder for the purchase from the General Services Administration of the United States of America (the "GSA") of a parcel of land in Bastrop County, Texas constituting 78.153 acres known as a portion of Camp Swift (the "Parcel"); and

WHEREAS, LCRA desires to use the Tract in conjunction with its lignite mining operations at a future mine located on other portions of the Camp Swift property; and

WHEREAS, the System has a Cancer Research Center located near the Parcel, has leased the Parcel from the GSA in recent years and was an unsuccessful bidder for the purchase of the Parcel; and

WHEREAS, the System has requested that LCRA permit the Veterinary Resources Division of the System to continue to use the Parcel to graze its livestock; and

WHEREAS, LCRA is willing to permit such use of the Parcel by the Veterinary Resources Division of the System so long as the System maintains its Cancer research facilities on the adjacent 373.99 acre tract (the "Tract"), subject to LCRA's right to use portions of the Parcel to construct, use and maintain a water diversion and drainage ditch in connection with LCRA's existing or proposed mining operations; and

WHEREAS, in consideration of the right to use the Parcel for grazing purposes, the System is willing to grant to LCRA rights to purchase the Tract under certain circumstances as hereinafter described;

NOW, THEREFORE, in consideration of the mutual covenants, agreements, grants and consideration herein contained, the receipt and sufficiency of which are hereby acknowledged, LCRA and the System hereby agree as follows:

Section 1. LCRA's Agreement to Permit the System to Use the Parcel. LCRA hereby grants to the Veterinary Resources Division of the System the right to use the Parcel, a legal description of which is attached hereto as \*Exhibit A for grazing purposes so long as the Veterinary Resources Division maintains its existing Cancer Research Center on the Tract, subject to LCRA's retained right to use a 350-foot wide portion of the Parcel along the

\* Exhibit A not available at time of preparation of Material Supporting the Agenda.

northern boundary of the Parcel paralleling F.M. 2336 for the purposes of constructing, using and maintaining a water diversion and drainage ditch.

Section 2. Grant of Right of First Refusal. If the System should determine to sell the Tract (as more specifically described in \*Exhibit B hereto), then the System will offer to sell the Tract to LCRA at a price equal to the then fair market value thereof. If the fair market value of the Parcel and the Tract is not agreed upon by LCRA and the System, such value shall be determined by an independent appraiser agreed to by LCRA and the System. If LCRA and the System can not agree upon a single appraiser, then the price shall be average of the values determined by two independent appraisers, one of which shall be appointed by LCRA and the other of which shall be appointed by the System. Transfer of title pursuant to any such sale shall be by special warranty deed subject to all easements and servitudes of record on the date hereof.

Section 3. Other Uses of the Parcel by LCRA. LCRA agrees that, so long as the Veterinary Resources Division maintains its Cancer Research Center on the Tract, it will not use the Parcel or any portion thereof for any purpose other than the water diversion and drainage ditch described in Section 1 hereof, unless the System has approved such use. The System agrees that such approval will not be unreasonably withheld so long as the intended use will have no adverse effect on the employees, programs, facilities and livestock of the Veterinary Resources Division located on the Tract.

IN WITNESS WHEREOF, LCRA and the System have duly executed this Agreement effective as of the date first above written.

LOWER COLORADO RIVER AUTHORITY

By \_\_\_\_\_  
S. David Freeman, General  
Manager

THE UNIVERSITY OF TEXAS SYSTEM

By \_\_\_\_\_

\* Exhibit B not available at time of preparation of Material Supporting the Agenda.

17. U. T. El Paso: Request for Authorization to Acquire Lots 3-20, Block 51, Alexander Addition, El Paso, El Paso County, Texas, from the Estate of James V. Laird, Geraldine L. Porter, Executrix, El Paso, Texas.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of Interim President Natalicio to authorize the acquisition of Lots 3-20, Block 51, Alexander Addition, El Paso, El Paso County, Texas, from the Estate of James V. Laird, Geraldine L. Porter, Executrix, El Paso, Texas, for the benefit of U. T. El Paso. The contract price of \$157,000 represents the valuation established by Ralph Sellers, M.A.I. The properties are to be used for parking but will be available for general institutional use as future requirements dictate. Funding for this purchase will be from existing reserves which have been set aside for this purchase in the Parking and Traffic Services account.

#### BACKGROUND INFORMATION

In 1969, the 61st Session of the Texas Legislature enacted legislation, Section 69.21 Texas Education Code, authorizing the acquisition of several blocks on the periphery of the U. T. El Paso campus. At its meeting on June 14, 1984, the U. T. Board of Regents authorized acquisition of two lots out of Block 51 which was included in the legislation for use as parking and possible general institutional facilities expansion. This purchase of the remaining eighteen lots in Block 51 will complete the long anticipated acquisition of the entire block.

The site is irregular in shape and contains a gross area of approximately 60,840 square feet. It is estimated that 75 percent of the site is a depression which ranges in depth of up to thirty feet below street level. Engineering reports estimate that approximately 30,000 cubic yards of fill material will be required to fill the site.

The most recent appraisal on the site dated September 4, 1987, estimates the current market value at \$157,000 or \$2.58 per square foot. No commissions will be paid for this transaction and it is estimated that closing costs to U. T. El Paso will be less than \$100.

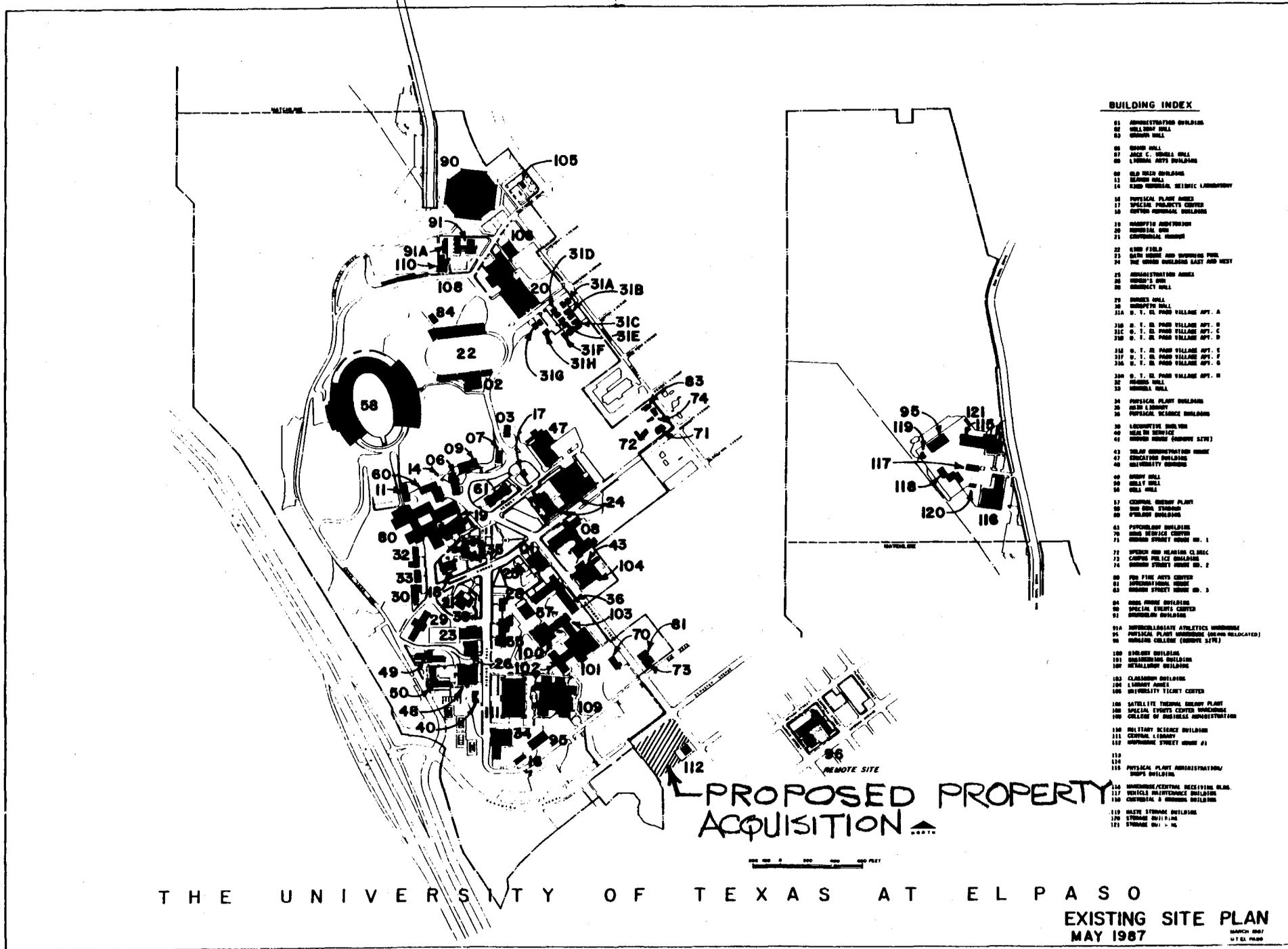
BUILDINGS AND GROUNDS COMMITTEE

SUPPLEMENTAL MATERIAL

October 9, 1987

17. U. T. El Paso: Request for Authorization to Acquire Lots 3-20, Block 51, Alexander Addition, El Paso, El Paso County, Texas, from the Estate of James V. Laird, Geraldine L. Porter, Executrix, El Paso, Texas.--

Attached is a map showing the location of this proposed acquisition.



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PROPOSED PROPERTY ACQUISITION

## Land and Investment Com.

LAND AND INVESTMENT COMMITTEE  
Committee Chairman Ratliff

Date: October 9, 1987  
Time: Following the meeting of the Buildings and  
Grounds Committee  
Place: Room 1.212, Conference Center, U. T. Dallas

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I. PERMANENT UNIVERSITY FUND

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Report on Clearance of Monies to Permanent University Fund for July and August 1987 and Report on Oil and Gas Development as of August 31, 1987.--The following reports with respect to (a) certain monies cleared to the Permanent University Fund for July and August 1987, and (b) Oil and Gas Development as of August 31, 1987, are submitted by the Executive Vice Chancellor for Asset Management:

	<u>July 1987</u>	<u>August 1987</u>	<u>Cumulative Through August of this Fiscal Year (1986-1987)</u>	<u>Cumulative Through August of Preceding Fiscal Year (1985-1986)</u>	<u>Per Cent Change</u>
Permanent University Fund					
Royalty					
Oil	\$ 4,693,496.32	\$ 4,668,148.38	\$ 50,185,443.41	\$ 80,121,809.05	-37.36%
Gas	1,923,749.97	2,052,795.33	22,842,147.89	29,173,789.80	-21.70%
Sulphur	10,000.00	10,000.00	120,000.00	214,561.84	
Water	38,661.36	94,546.63	580,691.99	700,574.69	
Brine	2,604.61	3,706.55	32,650.24	77,595.61	
Trace Minerals	0.00	0.00	0.00	0.00	
Rental					
Oil and Gas Leases	6,787.93	33,892.98	497,730.87	820,924.28	
Other	2,532.00	5,465.00	22,075.28	15,496.36	
Sale of Sand, Gravel, Etc.	1,096.00	0.00	5,919.90	38,870.30	
Gain or (Loss) on Sale of Securities	9,366,760.32	35,652,938.14	232,742,592.96	171,311,803.81	
Sub-Total	<u>16,045,688.51</u>	<u>42,521,493.01</u>	<u>307,029,252.54</u>	<u>282,475,425.74</u>	<u>8.69%</u>
Bonuses					
Oil and Gas Lease Sales	3,973,097.02	0.00	6,981,038.60	5,942,458.05	
Amendments and Extensions to Mineral Leases	0.00	10,000.00	3,706.44	229,272.01	
Total Bonuses	<u>3,973,097.02</u>	<u>10,000.00</u>	<u>6,984,745.04</u>	<u>6,171,730.06</u>	
TOTAL CLEARANCES	<u>\$20,018,785.53</u>	<u>\$42,531,493.01</u>	<u>\$314,013,997.58</u>	<u>\$288,647,155.80</u>	<u>8.79%</u>

Oil and Gas Development - August 31, 1987  
Acreage Under Lease - 676,702

Number of Producing Acres - 554,801

Number of Producing Leases - 2,223

## II. COMMON TRUST FUND

### U. T. System: Recommendation to Amend the Charter of the Common Trust Fund and to Establish the Guideline Payout Per Unit.--

#### RECOMMENDATION

The Office of the Chancellor recommends that the U. T. Board of Regents approve the following changes in Article VII of The Charter of The University of Texas System Common Trust Fund as amended by the U. T. Board of Regents on February 13, 1986:

#### ARTICLE VII

##### Distribution of Income

1. Distribution shall be made quarterly as soon as practicable after the last calendar day of November, February, May, and August of each fiscal year to the endowment and trust funds participating in the Fund during the respective quarter. The distribution amount shall be the lesser of:
  - (a) one-fourth of an annual guideline amount per unit [~~percentage~~] established by the Board of Regents [~~of a book-value-base-(originally-the-book-value-of-the Fund-at-August-31,-1985)~~] and as redetermined from time to time by the Board of Regents [~~, plus the net admissions-and-withdrawals-to-the-Fund-on-each-quarterly-entrance-date-occurring-after-the-last-period included-in-the-established-base~~]; or
  - (b) the net cash income for the quarter plus the Income Reserve Account of the Fund.

It is further recommended that the annual guideline amount per unit from the beginning of fiscal year 1988 be 16.5¢ per unit.

#### BACKGROUND INFORMATION

The proposed revision to the Charter will clarify, for budgeting and discussion purposes, the impact of changes in the guideline payout levels. Using this payout formula, the amount received by a beneficiary for each quarter within a fiscal year will remain stable unless new contributions are received for that endowment.

III. TRUST AND SPECIAL FUNDS

A. GIFTS, BEQUESTS AND ESTATES

1. U. T. System: Recommendation to Accept Gift to Establish the Nancy and Joe Payne Endowment.--

RECOMMENDATION

The Office of the Chancellor recommends the acceptance of a \$10,000 gift from Mr. and Mrs. Joe Payne, Austin, Texas, to establish the Nancy and Joe Payne Endowment at the U. T. System.

Income earned from the endowment will be for the unrestricted use of the Chancellor.

BACKGROUND INFORMATION

Mr. and Mrs. Joe Payne are members of The President's Associates at U. T. Austin and The Chancellor's Council.

2. U. T. Arlington: Recommendation to Accept Gifts to Establish the Albert S., Jr. and Allee H. Lewie Scholarship Fund.--

RECOMMENDATION

The Office of the Chancellor concurs with President Nedderman's recommendation to accept a cash gift of \$2,500 and gifts of securities composed of 100 shares Mobil Oil Corporation common stock valued at \$4,857.25, 100 shares Exxon Corporation common stock valued at \$8,787.50 and 100 shares Phillips Petroleum Corporation common stock valued at \$1,607.00 for a total of \$17,751.75 from Mr. Albert S. Lewie, Jr., Woodland Park, Colorado, to establish the Albert S., Jr. and Allee H. Lewie Scholarship Fund at U. T. Arlington.

Income earned from the endowment will be used to provide annual scholarship(s) to deserving and academically promising students enrolled in the U. T. Arlington College of Business Administration.

BACKGROUND INFORMATION

Mr. Albert S. Lewie, Jr. received his B.B.A. in 1968 and his M.B.A. in 1969 from U. T. Arlington. He served as Assistant Professor in Management in the College of Business Administration at U. T. Arlington from 1970 through 1982.

3. U. T. Austin: Recommendation to Accept Bequest to Establish the James A. Bush Scholarship Fund.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation to accept a bequest of \$525,000 and a life insurance policy valued at \$54,293.52 from the Estate of James J. Bush, Topeka, Kansas, for a total of \$579,293.52 to establish the James A. Bush Scholarship Fund at U. T. Austin.

Income earned from the endowment will be used to award scholarships at the discretion of the Dean of Students to undergraduate students needing financial assistance.

#### BACKGROUND INFORMATION

Mr. James J. Bush, deceased May 12, 1985, bequeathed the residue of his estate to U. T. Austin to establish a scholarship fund in memory of his father, Mr. James A. Bush.

4. U. T. Austin: Recommendation to Accept Gift to Establish the Mrs. Sam G. Cook Endowed Scholarship.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation to accept a \$20,000 gift from Mr. and Mrs. Sam G. Cook, Austin, Texas, to establish the Mrs. Sam G. Cook Endowed Scholarship at U. T. Austin.

Income earned from the endowment will be used to award two annual scholarships to entering freshmen displaying academic ability or financial need who have graduated from a Travis County high school.

#### BACKGROUND INFORMATION

Mrs. Sam G. Cook received a B.A. and an M.A. in bacteriology from U. T. Austin in 1934. She is a retired microbiologist for the Texas State Department of Public Health. Mr. Cook received his B.B.A from U. T. Austin in 1932 and is retired from the State Board of Control.

5. U. T. Austin: Recommendation to Accept Gift to Establish the Silky and Harry Crockett Endowed Presidential Scholarship in Intercollegiate Athletics for Women.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation to accept a \$25,000 gift from Mr. and Mrs. Harry Crockett, Smithville, Texas, to establish the Silky and Harry Crockett Endowed Presidential Scholarship in Intercollegiate Athletics for Women at U. T. Austin.

Income earned from the endowment will be used to award a scholarship to a female basketball player who has demonstrated a commitment to team work, completed her academic eligibility, and requires financial assistance to complete her degree.

#### BACKGROUND INFORMATION

Mr. Harry Crockett received his baccalaureate degree from U. T. Austin in 1926. He is a member of the U. T. Austin Longhorn Associates and The Ex-Students' Association.

6. U. T. Austin: Recommendation to Accept Gift to Establish the Gregor Cruickshank Family Endowed Scholarship in Intercollegiate Athletics for Women.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation to accept a \$10,025 gift from Mr. and Mrs. Gregor Cruickshank, Austin, Texas, to establish the Gregor Cruickshank Family Endowed Scholarship in Intercollegiate Athletics for Women at U. T. Austin.

Income earned from the endowment will be used to award a scholarship to a female athlete, preferably a basketball player, who has completed her eligibility to pursue graduate work and who displays leadership, academic, and athletic excellence.

#### BACKGROUND INFORMATION

Mr. Gregor Cruickshank is a retired Business Administrator for Meridell Achievement Center, Austin, Texas. He is a member of the U. T. Austin Longhorn Associates and The Chancellor's Council.

7. U. T. Austin: Marguerite Fairchild Centennial Professorship in the College of Fine Arts - Recommendation to Accept Additional Gift and Eligibility for Matching Funds Under The Regents' Endowed Teachers and Scholars Program for Addition to the I. D. and Marguerite Fairchild Centennial Visiting Professorship in the College of Fine Arts.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation to accept a \$20,000 gift from the I. D. and Marguerite Fairchild Foundation, Lufkin, Texas, for addition to the Marguerite Fairchild Centennial Professorship in the College of Fine Arts at U. T. Austin for a total endowment of \$176,445.41.

It is further recommended that the gift be matched under The Regents' Endowed Teachers and Scholars Program for addition to the I. D. and Marguerite Fairchild Centennial Visiting Professorship in the College of Fine Arts for a total endowment of \$70,000.

#### BACKGROUND INFORMATION

The Marguerite Fairchild Endowment Fund was established at the May 1980 meeting of the U. T. Board of Regents with a \$17,000 gift from the I. D. and Marguerite Fairchild Foundation, Lufkin, Texas. The fund was redesignated at the August 1983 meeting as the Marguerite Fairchild Centennial Professorship with additional gifts and pledges from the Foundation and various donors. The gifts and pledges qualified for matching funds under The Centennial Teachers and Scholars Program and were used to establish the I. D. and Marguerite Fairchild Centennial Visiting Professorship and the I. D. and Marguerite Fairchild Centennial Lectureship in the College of Fine Arts.

8. U. T. Austin: Isabel McCutcheon Harte Centennial Professorship in Astronomy in the College of Natural Sciences - Recommendation to Accept Additional Pledge and Redesignate as the Isabel McCutcheon Harte Centennial Chair in Astronomy and Eligibility for Matching Funds Under The Regents' Endowed Teachers and Scholars Program.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation to accept a \$400,000 pledge, payable by August 31, 1989, from Mr. Houston H. Harte, Jr., San Antonio, Texas, and Mr. Edward Harte, Corpus Christi, Texas, for addition to the Isabel McCutcheon Harte Centennial Professorship in Astronomy in the College of Natural Sciences at U. T. Austin and to redesignate as the Isabel McCutcheon Harte Centennial Chair in Astronomy.

It is further recommended that \$200,000 of the pledge be matched under The Regents' Endowed Teachers and Scholars Program and funds be used to increase the endowment to a total of \$700,000.

#### BACKGROUND INFORMATION

The Isabel McCutcheon Harte Centennial Professorship in Astronomy was established at the December 1982 meeting of the U. T. Board of Regents with a \$100,000 gift from brothers, Houston and Edward Harte. Mr. Houston Harte is Chairman of the Board of Harte-Hanks Communication, Inc. in San Antonio and a member of the McDonald Observatory and Department of Astronomy Board of Visitors at U. T. Austin. Mr. Edward Harte is Publisher of the Corpus Christi Caller - Times newspaper. Both have continued to support several endowments at the University.

See Item 3 on Page AAC - 3 related to a proposed appointment to this Chair.

9. U. T. Austin: Carl C. Maxey Annuity Trust - Report of Termination of Annuity Trust and Recommendation for Addition to the Lucy May Maxey Student Loan Fund for Nursing in the School of Nursing.--

#### REPORT AND RECOMMENDATION

The Office of the Chancellor reports that with the death of Mrs. Caroline M. Chandler on December 6, 1986, the Carl C. Maxey Annuity Trust which was accepted at the December 1972 meeting of the U. T. Board of Regents was terminated. The Office of the Chancellor concurs with President Cunningham's recommendation that in accordance with the terms of the trust agreement the trust assets with a book value of \$12,850.63 be added to the Lucy May Maxey Student Loan Fund for Nursing in the School of Nursing at U. T. Austin.

#### BACKGROUND INFORMATION

The Carl C. Maxey Unitrust and the Carl C. Maxey Annuity Trust were established at the December 1972 meeting of the U. T. Board of Regents with a gift of securities from Mr. Carl C. Maxey, Pineland, Texas. According to the terms of the unitrust, upon the death of Mr. Maxey, October 21, 1980, the Carl C. Maxey Unitrust was terminated and the proceeds were used to establish the Lucy May Maxey Student Loan Fund for Nursing at the February 1981 meeting of the Board. The Carl C. Maxey Annuity Trust was to terminate upon the death of the last named income beneficiary, Mrs. Caroline M. Chandler. The trust assets and any accruals were to be added to the loan fund established with funds from the unitrust.

Mr. Carl C. Maxey received his B.S. in Education in 1936 and an M.A. in Economics in 1938 from U. T. Austin.

10. U. T. Austin: Recommendation to Accept Royalty Interests in Concho, Dawson, Lynn, Starr and Yoakum Counties, Texas, from Mr. and Mrs. Dean Metts, Live Oak County, Texas.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Cunningham to accept a bequest of royalty interests located in Concho, Dawson, Lynn, Starr and Yoakum Counties, Texas, to the Geology Foundation at U. T. Austin. According to the Joint Will of Mr. and Mrs. Dean Metts, the Geology Foundation will receive all oil, gas, and other mineral royalties from all lands except land in Scurry and Live Oak Counties which were conveyed to members of the family.

The funds received from these royalty interests will be applied to the Geology Student Job Program which provides funding for students to work on research projects with geology faculty members.

#### BACKGROUND INFORMATION

Mr. Dean Metts, deceased in 1985, received his B.A. in Geology in 1932 from U. T. Austin and was a member of The American Association of Petroleum Geologists. Mr. Metts had previously contributed to the University Student Geological Society for geology student field trips. Oil and gas royalties received during 1986 amounted to \$359.50.

The Geology Foundation is an internal foundation of the Department of Geology as set forth in the Regents' Rules and Regulations, Part One, Chapter VII, Section 4.3, Subsection 4.33.

11. U. T. Austin: Recommendation to Accept Gift to Establish the Tobi and Tina Taub Endowed Scholarship in Intercollegiate Athletics for Women.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation to accept a \$10,000 gift from Mr. and Mrs. Albert Taub, Arlington, Texas, to establish the Tobi and Tina Taub Endowed Scholarship in Intercollegiate Athletics for Women at U. T. Austin.

Income earned from the endowment will be used to award scholarships to female athletes majoring in business administration or natural sciences who strive for excellence in education and athletics.

### BACKGROUND INFORMATION

Mr. Albert Taub received his B.S. in Civil Engineering from U. T. Austin in 1963. He and his wife are funding this Scholarship to honor their daughters, Tobi, who received a B.B.A. in Accounting in 1986, and Tina, who received a B.A. in Biology in 1987, both from U. T. Austin.

12. U. T. Medical Branch - Galveston: Recommendation to Accept Gift of Securities to Establish the Alumni Future Members Fund.--

### RECOMMENDATION

The Office of the Chancellor concurs with President James' recommendation to accept a gift of 3,700 shares of Aztec Inc. common stock valued at \$38,628 from Dr. and Mrs. C. B. Bruner, Fort Worth, Texas, to establish the Alumni Future Members Fund at the U. T. Medical Branch - Galveston.

Income earned from the endowment will be used by the Office of Development and Alumni Affairs to offer services, in the name of the UTMB School of Medicine Alumni Association, to students in the U. T. Medical School - Galveston.

### BACKGROUND INFORMATION

The fund, by providing benefits for students, will make them aware of the Alumni Association and therefore more likely to develop an interest in affiliating with the Association after graduation.

Dr. C. B. Bruner graduated from the U. T. Medical Branch - Galveston in 1955 and is currently in private practice in Fort Worth, Texas. He is a member of the U. T. Medical Branch - Galveston Development Board and the UTMB School of Medicine Alumni Association Board of Trustees.

13. U. T. Medical Branch - Galveston: Recommendation to Accept Bequest to Establish the Annie Laurie Howard Distinguished Professorship in Burn Surgery and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

### RECOMMENDATION

The Office of the Chancellor concurs with President James' recommendation to accept a bequest of \$338,964.21 from the Estate of Annie Laurie Howard, Houston, Texas, plus accumulated interest of \$12,501.34, for a total of \$351,465.55, to establish the Annie Laurie Howard Distinguished Professorship in Burn Surgery at the U. T. Medical Branch - Galveston.

It is further recommended that the actual income which will be earned on the \$338,964.21 gift be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

#### BACKGROUND INFORMATION

Ms. Howard, who taught in the Galena Park School District as well as in the Houston Independent School District, devoted her life to education. She received both a B.A. and an M.B.A. from U. T. Austin. Ms. Howard died in 1984.

14. U. T. Medical Branch - Galveston: Recommendation to Accept Grants from The Sealy & Smith Foundation for the John Sealy Hospital to Fund Remodeling of John Sealy Hospital (Old Building) and Purchase of Equipment.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President James to accept grants totaling \$10,900,000 from The Sealy & Smith Foundation for the John Sealy Hospital, Galveston, Texas, with \$8,700,000 to be used for construction of a new cardiac catheterization unit and \$2,200,000 for renovation of space and acquisition of equipment for a new lithotripter facility and additional operating rooms as a phase of the Remodeling of John Sealy Hospital (Old Building) at U. T. Medical Branch - Galveston.

#### BACKGROUND INFORMATION

Two companion agenda items for the remodeling and purchase of equipment are set out on Pages B&G 43 - 46, Items 12 and 13 .

15. U. T. Cancer Center (U. T. M.D. Anderson Hospital - Houston) - David Bruton, Jr. Chair in Neuro-Oncology: Recommendation to Redesignate as the David Bruton, Jr. Chair in Tumor Biology.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President LeMaistre's recommendation to redesignate the David Bruton, Jr. Chair in Neuro-Oncology as the David Bruton, Jr. Chair in Tumor Biology at the U. T. Cancer Center.

This redesignation is being made to describe more appropriately the nature of the Chair.

### BACKGROUND INFORMATION

The David Bruton, Jr. Professorship in Neuro-Oncology was established at the February 1983 meeting of the U. T. Board of Regents with a \$150,000 grant and \$100,000 pledge from the Trustees of The David Bruton, Jr. Charitable Trust. At the December 1984 meeting of the U. T. Board of Regents, a transfer of funds from the Anderson Clinical Professorships Account was accepted to upgrade the David Bruton, Jr. Professorship in Neuro-Oncology to the David Bruton, Jr. Chair in Neuro-Oncology to a level of \$600,000.

See Item 6 on Page HAC - 15 related to a proposed appointment to this Chair.

16. U. T. Cancer Center: Hubert L. and Olive Stringer Chair in Oncology in Honor of Sue Gribble Stringer - Recommendation to Accept a Transfer of Accumulated Earnings to Establish the Hubert L. and Olive Stringer Professorship in Medical Oncology.--

### RECOMMENDATION

The Office of the Chancellor concurs with President LeMaistre's recommendation to accept a \$200,000 transfer of accumulated earnings from the Hubert L. and Olive Stringer Chair in Oncology in Honor of Sue Gribble Stringer to establish the Hubert L. and Olive Stringer Professorship in Medical Oncology at the U. T. Cancer Center.

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

### BACKGROUND INFORMATION

The Hubert L. Stringer Professorship was established with a bequest from the Estate of Hubert L. Stringer at the July 1975 meeting of the U. T. Board of Regents. At the August 1978 meeting of the U. T. Board of Regents, the Professorship was upgraded and redesignated as the Hubert L. and Olive Stringer Chair in Oncology in Honor of Sue Gribble Stringer. At the June 1981 meeting, approval was given for all future distributions from First Wichita Falls National Bank, Wichita Falls, Texas, Trustee of the Hubert L. Stringer Trust to be divided equally between the Hubert L. and Olive Stringer Chair in Basic Science and the Hubert L. and Olive Stringer Chair in Oncology in Honor of Sue Gribble Stringer. At the October 1983 meeting of the Board, all future distributions from the Hubert L. Stringer Trust were designated to establish the Hubert L. Stringer Trust Cancer Research Fund. Earnings on the Hubert L. and Olive Stringer Chair in Oncology in Honor of Sue Gribble Stringer have accumulated to an amount sufficient to establish the Hubert L. and Olive Stringer Professorship in Medical Oncology at a level of \$200,000.

See Item 7 on Page HAC - 16 related to a proposed appointment to this Professorship.

B. REAL ESTATE MATTERS

1. U. T. Arlington: Estate of Mary Elizabeth Earle Aucutt (C. J. and Clara Earle Student Scholarship and/or Loan Fund) - Recommendation for Oil and Gas Lease Covering 146.75 Acres in Montague County, Texas, to Encore Energy, Inc., Dallas, Texas.--

RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Nedderman that the U. T. Board of Regents authorize an oil and gas lease on 146.75 acres in Montague County, Texas, to Encore Energy, Inc., Dallas, Texas. This 1/7 of a 1/6 interest in 146.75 acres is held in trust for U. T. Arlington for the C. J. and Clara Earle Student Scholarship and/or Loan Fund. The proposed two-year lease provides for a 1/8 royalty and a \$21.00 per acre bonus for a total of \$73.38. Proceeds from the lease will be added to the C. J. and Clara Earle Student Scholarship and/or Loan Fund at U. T. Arlington.

BACKGROUND INFORMATION

This mineral interest was a gift from Mrs. Mary Elizabeth Earle Aucutt to establish the C. J. and Clara Earle Student Scholarship and/or Loan Fund at U. T. Arlington and was accepted by the U. T. Board of Regents at its December 1985 meeting.

2. U. T. Arlington: Robert Leroy Endowed Scholarship Fund - Recommendation for Oil and Gas Lease Covering 2.24 Acres in Gaines County, Texas, to John E. Hansen & Associates, Midland, Texas, on Behalf of Union Oil Company of California.--

RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Nedderman that the U. T. Board of Regents authorize an oil and gas lease on 2.24 acres out of a 1/72 interest in 160.85 mineral acres being the SE/4 of Section 330, CCSD and RGNG, Block G, Gaines County, Texas, to John E. Hansen & Associates, Midland, Texas, on behalf of Union Oil Company of California. This mineral interest is held in trust for the Robert Leroy Endowed Scholarship Fund for U. T. Arlington. The proposed three-year paid-up oil and gas lease provides for a 1/4 royalty and a bonus of \$102 per acre or \$228.48. Proceeds from this lease will be added to the Robert Leroy Endowed Scholarship Fund at U. T. Arlington.

## BACKGROUND INFORMATION

The Robert Leroy Endowed Scholarship Fund was established by a gift of cash, securities and mineral/royalty interests from the Robert Leroy Foundation, Arlington, Texas, and accepted by the U. T. Board of Regents at its June 1986 meeting.

3. U. T. Austin: Balcones Research Center - Report on the Termination of the Ground Lease Agreement on a Tract of Land Located at the Intersection of U. S. 183 and Braker Lane, Austin, Travis County, Texas, with The Southland Corporation, Dallas, Texas.--

### Report

At its meeting on February 13, 1986, the U. T. Board of Regents authorized the Office of Asset Management to lease over 2 acres located at Highway 183 and Braker Lane to The Southland Corporation, Dallas, Texas, for a 7-Eleven Store. On June 11, 1987, the Board concurred with two revisions to the original lease agreement; a decrease in rent and an extension of the date by which The Southland Corporation had to obtain building permits.

On July 29, 1987, Southland exercised its option to terminate the lease due to its inability to secure the permits necessary for the project. Southland officials also gave the following additional reasons for cancellation:

- a. Delays from the City of Austin approving the site plan
- b. Delays from the Highway Department delineating the amount of land necessary for the expansion of Highway 183
- c. Extraordinary development expenses in excess of \$100,000 to obtain water and wastewater service
- d. The recent leveraged buy-out of The Southland Corporation closed down all development operations for an indefinite period of time.

The Office of Asset Management is working on a new lease for the property and plans to submit it to the Board for consideration in the near future.

4. U. T. Austin: Archer M. Huntington Museum Fund - Recommendation for Oil and Gas Lease Covering 279.3 Acres in Galveston County, Texas, to Robert E. McKinley, Inc., Houston, Texas.--

### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Cunningham that the U. T. Board of Regents authorize an oil and gas lease on 279.3 acres out of the H. B. Littlefield Survey and S. C. Bundick League, Galveston County,

Texas, to Robert E. McKinley, Inc., Houston, Texas. This mineral interest is held in trust as part of the Archer M. Huntington Museum Fund for U. T. Austin. The proposed three-year lease provides for a 1/5 royalty, a \$75 per net acre bonus of \$20,947.50 and a \$10 per net acre rental. Proceeds from this lease will be added to the Archer M. Huntington Museum Fund for support of the Archer M. Huntington Art Gallery.

#### BACKGROUND INFORMATION

The Archer M. Huntington Museum Fund at U. T. Austin was created by a gift from Mr. Huntington in 1927 of approximately 4,297 acres of land in the Samuel C. Bundick League and the H. B. Littlefield Survey, Galveston County, Texas.

5. U. T. Austin: Eva Stevenson Woods Endowed Presidential Scholarship Fund - Recommendation to Grant Pipeline Right-of-Way in Reagan County, Texas, to Union Texas Products Corporation, Houston, Texas.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President Cunningham to grant a pipeline right-of-way to Union Texas Products Corporation, Houston, Texas. The proposed four-inch pipeline on 21.23 rods is on a 1/3 surface and mineral interest in 645.1 acres which is held in trust by U. T. Austin for the Eva Stevenson Woods Endowed Presidential Scholarship Fund, being all of Section 26, Block C, L & S.V.RR. Company Survey A-300, Reagan County, Texas. The terms of the pipeline right-of-way provide \$400 for the right-of-way and \$84.92 for damages based on \$4.00 per rod. Proceeds for the right-of-way will be added to the Eva Stevenson Woods Endowed Presidential Scholarship Fund to provide scholarships for students at U. T. Austin.

#### BACKGROUND INFORMATION

A surface and mineral interest of 2,580.4 acres was accepted by the U. T. Board of Regents at its July 1980 meeting under the terms of the Will of Eva Stevenson Woods, deceased, of San Antonio, Texas. The charges for this pipeline were calculated using the approved schedule for the West Texas lands.

6. U. T. Medical Branch - Galveston: Agnes Thelma Anderson Fund - Recommendation for Oil and Gas Lease Covering 53.745 Acres in Liberty County, Texas, to Murff Bledsoe, Inc., Houston, Texas.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President James that the U. T. Board of Regents authorize an oil and gas lease on 53.745 acres being a 3/8 interest

in 143.32 acres in the Maysville Addition, Liberty County, Texas, to Murff Bledsoe, Inc., Houston, Texas. This mineral interest is held in trust for the U. T. Medical Branch - Galveston for the Agnes Thelma Anderson Fund. The proposed three-year lease provides for a 1/5 royalty, a \$10 per acre rental and a \$50 per acre bonus of \$2,687.25 with a two-year option for a \$50 per net mineral acre rental. Proceeds from this lease will be added to the Agnes Thelma Anderson Fund for the U. T. Medical Branch - Galveston.

#### BACKGROUND INFORMATION

This mineral interest was acquired through a bequest from the Estate of Agnes Thelma Anderson and was accepted by the U. T. Board of Regents at its July 1973 meeting.

7. U. T. Medical Branch - Galveston: Sivert Brown Fund - Recommendation for Oil and Gas Lease Covering 15 Acres in Brazoria County, Texas, to Robert B. Harp Oil and Gas Properties, Houston, Texas.--

#### RECOMMENDATION

The Office of the Chancellor concurs with the recommendation of President James that the U. T. Board of Regents authorize an oil and gas lease on 15 acres out of the John Cummings League, Abstract 57, Brazoria County, Texas, being known as Lot 16, Magill Subdivision, a subdivision of a tract of 169.35 acres which is out of the northeast part of Lot 4 of the partition of the John Cummings League, to Robert B. Harp Oil and Gas Properties, Houston, Texas. This mineral interest is held in trust for the Sivert Brown Fund for the U. T. Medical Branch - Galveston. The proposed paid-up three-year lease provides for a 1/4 royalty, and a \$10 per acre rental with a bonus of \$100 per acre or \$1800. Proceeds from this lease will be added to the Sivert Brown Fund for the U. T. Medical Branch - Galveston.

#### BACKGROUND INFORMATION

This property was acquired from the Estate of Sivert Brown in 1934 in settlement of an account due John Sealy Hospital. The surface and a 1/32 non-participating royalty interest were sold in 1960.

IV. INTELLECTUAL PROPERTY

1. U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part Two, Chapter V, Subsection 2.4 (Intellectual Property Policy).--

RECOMMENDATION

The Office of the Chancellor recommends that the Regents' Rules and Regulations, Part Two, Chapter V, Subsection 2.4 (Intellectual Property Policy) be amended as set out below in congressional style.

Amend Subdivision 2.42 as follows:

- 2.422 This policy shall apply to intellectual property [~~creations~~] of all types[7] (including any invention, discovery, trade secret, technology, scientific or technological development, or computer software) regardless of whether subject to protection under the patent, trademark or copyright laws. This policy shall not apply to [~~patentable, except for~~] faculty [~~or staff~~] authored written or visual work, except computer software, produced in the author's professional field, which property shall be owned by the creator; nor shall the policy apply to intellectual property [~~that is not~~] produced [~~either~~] as a work for hire in the performance of a contract with the System or as a part of an employee's assigned [~~the regular~~] work responsibilities, which property shall be owned by the Board [~~of the author~~].

Amend Subdivision 2.44 as follows:

- 2.441 Intellectual [~~The intellectual~~] property that is unrelated to the individual's employment responsibility, has been developed as a result of the individual's efforts on his or her own time, with no System support or use of System's facilities.
- 2.442 Intellectual [~~The intellectual~~] property that is related to the individual's employment responsibility, or has resulted either from activities performed by the individual on System time, or with support by State funds, or from using System facilities.
- 2.443 Intellectual [~~The intellectual~~] property that has resulted from research supported by a grant or contract with the Federal Government or an agency thereof, a nonprofit or for profit nongovernmental entity or by a private gift to the System.

Amend Subdivision 2.45 as follows:

- 2.452 Intellectual property either related to the individual's employment responsibility, or resulting from activities performed on System time, or with support by State funds, or from using System facilities shall be subject to ownership by the Board.  
(See 2.442.)
- 2.4521 Before intellectual property covered by Section 2.422 is disclosed either to the public or for commercial purposes, and before publishing same, the [a] creator shall submit such [e] intellectual property [that-the-creator-believes-may-be-patentable-and-which (a)-relates-to-the-individual's-employment-responsibility,-or-(b)-results-from-activities-done-on-System-time,-or (c)-is-created-with-support-by-State funds,-or-(d)-is-created-using-System facilities,-shall-be-submitted] to the Institutional Patent Committee for determination of the System's interest. A component institution may establish guidelines in its Handbook of Operating Procedures for submitting different categories of intellectual property to its Institutional Patent Committee, and procedures to be followed by the Institutional Patent Committee in reviewing and evaluating such submissions. Such guidelines and procedures shall be consistent with this policy and shall be subject to approval as a part of the institutional Handbook.  
In those instances, however, where delay would jeopardize obtaining the appropriate protection for the property, the creator may, with the approval of the Chairman of the Institutional Patent Committee and the chief administrative officer, file a patent application or take other steps to obtain available protection prior to the Committee and administrative review provided in the following two subsections. If the request is granted, the creator may proceed with the filing of a patent application or other available protective measures pending the determination of the System's interest; provided, however, that the creator shall be reimbursed for expenses in filing the patent application or taking other steps to obtain protection if the decision of the System is to assert and exploit its interests. The Chairman of the Institutional Patent Committee shall notify the System Intellectual Property Office of any such application.

2.4523 If the System decides to patent or seek other available protection for intellectual property in which it decides to assert and exploit its interest, it shall proceed either through its own efforts or those of an appropriate private firm or attorney to obtain protection and manage the intellectual property. Under appropriate circumstances, and with the consent of the General Counsel and the approval of the Attorney General, component institutions may arrange to have services to obtain protection for intellectual property performed by a local outside attorney on a case-by-case basis. It shall be mandatory for all employees, academic and nonacademic, to assign the rights to intellectual property and patents to the Board when such creations fall within Paragraph 2.452. In those instances where the System licenses rights in intellectual property to third parties, the ~~[The-division-of royalties-or-other-income,-after]~~ costs of licensing and obtaining a patent or other protection for the property on behalf of the Board shall ~~[have] first be [been] recaptured[7]~~ from any royalties received by the System, and the remainder of such royalty income (including license fees, prepaid royalties and minimum royalties) shall be divided as follows:

50% to creator

50% to System.

With the prior approval of the Board as an agenda item, a component institution may include provisions in its Handbook of Operating Procedures to adjust the allocation of royalties set forth herein, but in no event shall the creator receive more than 50% or less than 25% of such proceeds. The division of royalties ~~[and-other-income]~~ from patents or other intellectual property managed by an intellectual property management concern will be controlled by the terms of the System's agreement with such concern, as approved by the Board. Any other deviation from this rule requires the prior approval of the Board.

2.453 Intellectual property resulting from research supported by a grant or contract with the Federal Government, or an agency thereof, with a nonprofit or for profit nongovernmental entity, or by a private gift or grant to the System shall be subject to ownership by the Board. (See 2.443.)

Add new subdivisions 2.46, 2.47, and 2.48 as follows:

2.46 Equity Interests.

2.461 In agreements with business entities relating to rights in intellectual property owned by the Board, the System may receive equity interests as partial or total compensation for the rights conveyed.

2.462 Consistent with Section 51.92, Education Code, and subject to review and approval by the chief administrative officer of the component institution, the Office of the Chancellor and the Board, employees of the System who conceive, create, discover, invent or develop intellectual property may hold an equity interest in a business entity that has an agreement with the System relating to the research, development, licensing or exploitation of that intellectual property.

2.463 The System may negotiate, but shall not be obligated to negotiate, an equity interest on behalf of any employee as a part of an agreement between the System and a business entity relating to intellectual property conceived, created, discovered, invented or developed by the employee and owned by the Board.

2.464 Dividend income and income from the sale or disposition of equity interests held by the Board pursuant to agreements relating to intellectual property shall belong to the System and shall be distributed in accordance with the provisions of Section 2.50 below.

2.465 Dividend income and income from the sale or disposition of an equity interest held by a System employee pursuant to an agreement between the System and a business entity relating to rights in intellectual property conceived, created, discovered, invented or developed by such employee shall belong to the employee.

2.47 Business Participation.

2.471 Any System employee who conceives, creates, discovers, invents or develops intellectual property shall not serve as a member of the board of directors or other governing board or as an officer or an employee (other than as a consultant) of a business entity that has an agreement with the System relating to the research, development, licensing, or exploitation of that intellectual property without prior

review and approval by the chief administrative officer of the component institution, the Office of the Chancellor and the Board as an agenda item.

2.472 When requested and authorized by the Board, an employee may serve on behalf of the Board as a member of the board of directors or other governing board of a business entity that has an agreement with the System relating to the research, development, licensing or exploitation of intellectual property.

2.48 Reporting.

2.481 Any employee covered by Section 2.462, 2.471, or 2.472 shall report in writing to the chief administrative officer of the component institution, or to such other person as may be designated by the chief administrative officer, the name of any business entity as referred to therein in which the person has an interest or for which the person serves as a director, officer or employee and shall be responsible for submitting a revised written report upon any change in the interest or position held by such person in such business entity. These reports shall be accumulated in the office of the chief administrative officer or designee and then forwarded to the appropriate Executive Vice Chancellor by September 1 of each year so that the Office of the Chancellor may file a report with the Board at its October meeting. After the report has been approved by the Board, the Office of the Chancellor shall prepare the report to the Governor and the Legislature required by Section 51.912(c), Education Code.

Renumber Subdivision 2.46 as 2.49 and amend as follows:

2.49 Approval of Agreements Relating to Rights In Intellectual Property.

2.491 Agreements relating to rights in intellectual property shall ordinarily be approved by the Board on the institutional docket following review by the Office of General Counsel and approval by the administration of the component institution and the Office of the Chancellor.

2.492 Any agreement altering substantially the basic intellectual property policy of the System as set out in the preceding sections and other policies and guidelines that may be adopted by the Board shall have the advance approval of the chief administrative officer, the Office of the Chancellor, and the Board as an agenda item.

Renumber Subdivision 2.47 as 2.50 and amend as follows:

2.50 Income from Intellectual Property. The portion of the net income the System retains from royalties and any [~~royalty-or~~] other intellectual property-related income shall be used first to defray the expenses, if any, of the System Intellectual Property Office and thereafter, as approved by the Board, for research purposes at the component institutions where the income providing creation originated. At the option of a component institution, such income may be accumulated in an endowment fund administered by the Office of Asset Management with the income to be distributed to the component institution for such purposes as may be approved by the Board.

Renumber Subdivision 2.48 as 2.51.

Add a new Subdivision 2.52 to read as follows:

2.52 Unless otherwise required by law or the Regents' Rules and Regulations, each intellectual property agreement approved hereunder shall be construed in accordance with the Intellectual Property Policy in existence as of its approval date.

#### BACKGROUND INFORMATION

Revisions to the Basic Intellectual Property Policy are required in order to comply with legislation passed by the 70th Legislature and signed by Governor Clements.

H. B. 1401 requires the Commissioner of Higher Education to perform the ministerial duty of reviewing the intellectual property policies of institutions of higher education to determine whether such policies address, as a minimum standard, the following matters:

1. Disclosure of scientific and technological developments, including inventions, discoveries, trade secrets, and computer software.
2. Institutional review of scientific and technological disclosures, including consideration of ownership and appropriate legal protection.
3. Guidelines for licensing scientific and technological developments.
4. Clear identification of ownership and licensing responsibilities for each class of intellectual property.
5. Royalty participation by inventors and the institution.
6. Equity and management participation on the part of the inventor or inventors in business entities that utilize technology created at the institution of higher education.

All of the required matters are adequately addressed by the U. T. System Intellectual Property Policy except:

1. Disclosure of scientific and technological developments, including inventions, discoveries, trade secrets and computer software, whether or not patentable.
2. Clear identification of ownership and licensing responsibilities for each class of intellectual property.
3. Equity and management participation on the part of the inventor or inventors in business entities that utilize technology created within the U. T. System.

The first point is addressed by the proposed amendments to Paragraph 2.422 and Subparagraph 2.4521. As amended, Paragraph 2.422 defines intellectual property to which the policy applies. Subparagraph 2.4521 extends the creator's obligation to disclose intellectual property to the Institutional Patent Committee prior to publication or disclosure for commercial purposes irrespective of whether the creator believes the subject matter may be patentable.

The second point is addressed by the proposed amendments to Paragraphs 2.452 and 2.453, which more clearly identify the classes of intellectual property covered by those paragraphs.

The third point is addressed by the newly added Paragraphs 2.461 through 2.465, 2.471 and 2.481, which establish criteria under which equity and management participation on the part of inventors will be reviewed by the U. T. Board of Regents. These criteria are also consistent with the provisions of H. B. 1402 regarding circumstances under which U. T. System employees who create intellectual property may be permitted to hold equity or management positions in business entities having agreements with U. T. System which relate to the research, development, licensing or exploitation of such property. Subdivision 2.48 is newly added to require compliance by U. T. System employees with the reporting requirements imposed by H. B. 1402.

The proposed amendments to Paragraphs 2.441 through 2.443 clarify the three classifications of intellectual property created by employees with respect to the source of research support. Subparagraph 2.4521 permits each component institution to develop various guidelines and procedures for submitting certain categories of intellectual property to the Intellectual Property Committee instead of all categories.

The proposed amendments to Subparagraph 2.4523 and Subdivision 2.50 define the division of income between the creator and U. T. System in a manner consistent with the newly added provisions concerning equity ownership and Subparagraph 2.4523 specifically includes licensing fees, prepaid royalties and minimum royalties within the "royalty income" to be divided with researchers.

Paragraph 2.471 makes it clear that a consultant is not to be considered a U. T. System employee for purposes of obtaining approval to serve as an employee of a business entity having an agreement with U. T. System regarding rights in intellectual property created by the consultant.

Paragraph 2.472 tracks the language of House Bill 1402, Section 2(a)(2), regarding the U. T. Board of Regents' right to request an individual to serve on its behalf on the governing board of a business entity having an agreement with U. T. System that relates to intellectual property.

Paragraph 2.491 is added to clarify the approval procedure for agreements relating to intellectual property rights which comply with the Regents' Rules and Regulations and approved guidelines.

Subdivision 2.52 is newly added to make clear that, unless otherwise required by law or the Regents' Rules and Regulations, each intellectual property agreement will be construed in accordance with the intellectual property policy in existence as of its approval date.

2. U. T. Austin: Recommendation for Approval of Patent License Agreement with Nova Automation, Inc., Austin, Texas, for Technology Relating to Layered Part Generation Using Laser Sintering.--

#### RECOMMENDATION

The Office of the Chancellor concurs with President Cunningham's recommendation that the U. T. Board of Regents approve the Patent License Agreement set out on Pages L&I 28 - 41 between U. T. Austin and Nova Automation, Inc., Austin, Texas, for technology relating to layered part generation using laser sintering.

#### BACKGROUND INFORMATION

Nova Automation, Inc. is a new corporation located in Austin, Texas, and registered to do business in the State of Texas. The principal shareholders are Mr. Harold D. Blair, President of Nova Graphics International Corporation, a firm in Austin, Texas, and Paul F. McClure, Ph.D., a private consultant, registered professional engineer, and part-time Senior Lecturer at the U. T. Austin College of Engineering. Under the agreement, Nova Automation, Inc. will receive an exclusive license under patent and technology rights arising from the work of Mr. Carl Robert Deckard, a doctoral candidate in the College of Engineering. Mr. Deckard has been a student in the College of Engineering since entering as a freshman in 1980. He holds both a B.S. and M.S. degree in Mechanical Engineering from U. T. Austin.

The terms and conditions of the proposed agreement are consistent with the U. T. System Intellectual Property Policy, but the agreement is submitted for consideration by the U. T. Board of Regents as an agenda item because of the equity participation by the inventor, Mr. Deckard, and the relationship that exists between U. T. Austin, Dr. McClure, and Mr. Deckard.

In return for the rights granted, the U. T. Board of Regents will receive a 15% share of the common stock in Nova Automation, Inc. and a 4% royalty on sales of licensed products. Mr. Deckard will receive a 15% share of the common stock of

Nova Automation, Inc. in his own name, pursuant to paragraph 2.462 of the Regents' Rules and Regulations, and will share in the U. T. Board of Regents' royalty pursuant to subparagraph 2.4523. It is expected that Mr. Deckard will become an employee or officer of Nova Automation, Inc. upon graduation from U. T. Austin in 1988.

The primary term of the license is 17 years, or the life of the patent(s), whichever last occurs. The license is terminable by the U. T. Board of Regents if Nova Automation, Inc. fails to provide evidence that it has commercialized the licensed process, or if the company fails to raise \$300,000 in capital financing within one year from the effective date of the agreement, or if Nova Automation, Inc. becomes bankrupt or is in breach of any material obligation under the agreement.

Nova Automation, Inc. agrees to hold harmless and indemnify the U. T. Board of Regents, U. T. System, U. T. Austin and their officers, employees or agents from all causes of action arising out of the exercise of its rights granted under the license agreement.

PATENT LICENSE AGREEMENT

THIS AGREEMENT is made by and between the BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM ("BOARD"), an agency of the State of Texas, whose address is 201 West 7th Street, Austin, Texas 78701, on behalf of its component, The University of Texas at Austin, ("UNIVERSITY") and NOVA AUTOMATION, INC. ("LICENSEE"), a Texas corporation, having an office at 1515 Capital of Texas Highway South, Austin, Texas, 78746.

W I T N E S S E T H:

Whereas BOARD owns certain PATENT RIGHTS relating to methods and apparatus for Layered Part Generation Using Laser Sintering; and

Whereas BOARD also owns certain unpatented technology for Layered Part Generation Using Laser Sintering; and

Whereas BOARD wishes to have LICENSED SUBJECT MATTER developed and used for the benefit of the inventor, UNIVERSITY, and the public as outlined in the Intellectual Property Policy and Guidelines promulgated by the aforementioned BOARD; and

Whereas LICENSEE wishes to obtain a license subject to pre-existing rights or licenses, if any, under BOARD'S PATENT RIGHTS or unpatented technology; and

Whereas BOARD wishes to grant a license to LICENSEE, subject to the terms and conditions stated herein;

NOW, THEREFORE, in consideration of the mutual covenants and premises herein contained, the parties hereto agree as follows:

## I. EFFECTIVE DATE

This agreement shall be effective October 9, 1987, subject to approval by BOARD.

## II. DEFINITIONS

As used in this Agreement, the following terms shall have the meanings indicated:

2.1 LICENSED SUBJECT MATTER shall mean all information contained in either PATENT RIGHTS or TECHNOLOGY RIGHTS.

2.2 PATENT RIGHTS shall mean BOARD'S rights in information covered at any time by United States Patent Application Serial Number 920,580, filed October 17, 1986, and any division, continuation, continuation-in-part, reissue or re-examination thereof, and any letters patent that may be issued thereon, or any foreign counterpart thereof.

2.3 TECHNOLOGY RIGHTS shall mean unpatented technology, technical information, design data, and other information owned by BOARD which relates to methods and/or apparatus for layered part generation using laser sintering to the extent necessary for practicing the inventions or discoveries covered by PATENT RIGHTS. TECHNOLOGY RIGHTS shall include without limitation all information, know-how, process, procedures, methods, protocols, formulas, techniques, software, designs, drawings, data and other valuable technical information not in the public domain at the time of disclosure by BOARD to LICENSEE.

2.4 SALE shall mean any transfer or disposition to a party other than LICENSEE or a sublicensee hereunder of LICENSED SUBJECT MATTER in exchange for value received.

2.5 NET SALES shall mean LICENSEE's gross receipts from SALE(S) of products covered by LICENSED SUBJECT MATTER, less any deduction for commissions, trade discounts, returns, freight, taxes or government tariffs.

### III. WARRANTY; SUPERIOR RIGHTS

3.1 Except for the rights, if any, of the Government of the United States, as referenced in paragraph 3.2 below, BOARD represents and warrants that it is the owner of the entire right, title, and interest in and to PATENT RIGHTS and TECHNOLOGY RIGHTS, that it has the sole right to grant licenses under LICENSED SUBJECT MATTER and that it has not granted licenses thereunder to any other person or entity.

3.2 LICENSEE understands that the PATENT RIGHTS and TECHNOLOGY RIGHTS licensed hereunder may have been developed under a funding agreement with the Government of the United States of America and that the Government may have certain rights relative thereto. This Agreement is explicitly made subject to the Government's rights, if any, under any such agreement. To the extent that there is a conflict between any such funding agreement, and this Agreement, the terms of such funding agreement shall prevail.

### IV. LICENSE

4.1 BOARD hereby grants to LICENSEE an exclusive, worldwide royalty-bearing license (except as provided under Paragraph 3.2 and 4.4 hereof) to make, have made, use or sell LICENSED SUBJECT MATTER.

4.2 LICENSEE shall have the right to grant sublicenses consistent with this Agreement, provided that LICENSEE shall be responsible for the operations of its sublicensee(s) relevant to this Agreement as if such operations were carried out by LICENSEE. However, LICENSEE shall not be obligated to make royalty payments to BOARD on income from its sublicenses until the receipt by LICENSEE of such royalty payments from its sublicensee(s). Any sublicense granted hereunder shall, by its terms, not extend beyond the term of this Agreement. If this Agreement is earlier terminated pursuant to paragraph 7.2, all sublicenses then in effect shall revert to BOARD as licensor, and BOARD shall have no further obligation to account to LICENSEE for royalties received thereunder; however, any such royalties from sublicenses applicable to the period prior to termination shall belong to LICENSEE. LICENSEE further agrees to deliver to UNIVERSITY a true and correct copy of each sublicense granted by LICENSEE, and any modification or termination thereof, within thirty (30) days after execution, modification, or termination, as applicable. BOARD shall have the right of consent to the terms and conditions of any sublicense; however, such consent shall not be unreasonably withheld. BOARD shall exercise its right of consent within sixty (60) days of receipt by UNIVERSITY or BOARD of any proposed sublicense. Upon termination of this Agreement, any and all existing sublicense rights granted by LICENSEE shall automatically revert to BOARD.

4.3 BOARD specifically retains the right for itself and its component institutions to:

- (a) Publish the general scientific findings from research related to LICENSED SUBJECT MATTER; and

(b) Use any information contained in LICENSED SUBJECT MATTER for research, teaching, and other educational purposes.

4.4 BOARD through UNIVERSITY shall have the right at any time after the date of this Agreement, to terminate the license granted herein if LICENSEE within ninety days after written notice from BOARD of termination fails to provide written evidence that it has commercialized or is actively attempting to commercialize LICENSED SUBJECT MATTER. LICENSEE further agrees to use its best efforts to produce and demonstrate a working commercial prototype adapted to practice LICENSED SUBJECT MATTER within eighteen (18) months from the date of this Agreement.

4.5 With respect to any foreign operations of LICENSEE, BOARD shall have the right at any time after December 31, 1997 to terminate the license granted herein in any foreign national political jurisdiction if LICENSEE, within one hundred eighty (180) days after written notice from BOARD of such intended termination, fails to provide written evidence to BOARD that it has commercialized or is actively attempting to commercialize LICENSED SUBJECT MATTER in that foreign jurisdiction.

4.6 Evidence provided by LICENSEE that it has an ongoing and active research, development, manufacturing, marketing or licensing program as appropriate, directed toward production and sale of products within LICENSED SUBJECT MATTER shall be deemed satisfactory evidence of such an attempt to commercialize.

4.7 The exercise of the license granted to LICENSEE under this Agreement shall be conditioned on the issuance of stock to BOARD as required by paragraph 6.1.

#### V. PAYMENTS AND REPORTS

5.1 Within one (1) year following execution of this Agreement LICENSEE will reimburse BOARD for reasonable attorneys' fees and expenses incurred by BOARD in preparing, filing and prosecuting patent application serial number 920,580, filed October 17, 1986, up to a maximum of Fifteen Thousand (\$15,000.00) Dollars. BOARD shall control the preparation and prosecution of all patent applications directed to inventions covered by this license, and BOARD shall decide whether or not to file patent applications in the United States and shall notify LICENSEE of such decision. LICENSEE shall also reimburse BOARD for the reasonable costs of all additional U. S. filings if LICENSEE elects to include claimed subject matter of such U. S. patent application(s) within the scope of the license. LICENSEE may, however, credit one half of sums paid to BOARD hereunder for reimbursement of fees and expenses for the additional U. S. patent applications against royalties due to BOARD under Paragraph 5.2 below. Such credit shall be in addition to the waiver provided under Paragraph 5.2. LICENSEE shall have the right to elect whether or not to file foreign patent applications and LICENSEE will pay all fees and expenses associated with the filing, prosecution and maintenance of such foreign applications with no credit against royalties.

5.2 LICENSEE will pay BOARD a running royalty in the amount of four percent (4%) of LICENSEE'S NET SALES. BOARD hereby agrees to waive one half the amount of royalty otherwise due on LICENSEE'S first \$300,000 of NET SALES provided that LICENSEE has otherwise fully complied with this agreement at the time such royalty is due.

5.3 Any UNIVERSITY research sponsored by LICENSEE shall be negotiated with BOARD in accordance with the usual research agreement procedures.

5.4 LICENSEE will, in exchange for the rights granted hereunder, within one (1) year from the date of the execution of this Agreement, demonstrate to the satisfaction of BOARD that it has raised Three Hundred Thousand Dollars (\$300,000) in capital financing. If LICENSEE fails to demonstrate timely to the BOARD'S satisfaction that it has raised the requisite capital, BOARD shall have the right to terminate this Agreement.

5.5 If any sublicenses are granted by LICENSEE pursuant to paragraph 4.2, BOARD will receive a percentage of the gross receipts received by LICENSEE from any sublicensees in an amount of not less than four percent (4%) nor more than fifty percent (50%), the exact percentage of gross receipts to be negotiated in a timely fashion between BOARD and LICENSEE at the time BOARD exercises its right of consent to the sublicensee under paragraph 4.2. Among the factors to be taken into consideration in negotiating the sublicense fee will be (a) whether LICENSEE merely functions as a broker; (b) whether LICENSEE manufactures the licensed products to be sold by the sublicensee; (c) the extent of

LICENSEE's investment in developing the sublicensed product.

5.6 Within sixty (60) days after March 31, June 30, September 30, and December 31, LICENSEE shall deliver to BOARD a true and accurate report, giving such particulars of the business conducted by LICENSEE and its sublicensees, if any exist, during the preceding three (3) calendar months as are pertinent to an account for payments hereunder. Such report shall include at least (a) the quantities of LICENSED SUBJECT MATTER that it has produced; (b) the total SALES, (c) the NET SALES, (d) the calculation of royalties on NET SALES; and (e) the total royalties so computed and due BOARD. Simultaneously with the delivery of each such report, LICENSEE shall pay to BOARD the amount, if any, due for the period of such report. If no payments are due, it shall be so reported. At LICENSEE's request and for good cause shown, BOARD may in its discretion permit LICENSEE to defer payment of current royalties due BOARD until the next quarterly reporting period.

5.7 Upon the request of BOARD, but not more often than once per calendar year, LICENSEE shall deliver to BOARD a written report as to LICENSEE's efforts and accomplishment during the preceding year in commercializing LICENSED SUBJECT MATTER and its commercialization plans for the upcoming year.

5.8 All amounts payable hereunder by LICENSEE shall be payable in United States funds without deductions of any kind other than those permitted under this Agreement. Royalty checks shall be made payable to BOARD OF REGENTS, The University of Texas System and shall be mailed to the Office of Asset Management, 210 West Sixth Street, Austin, Texas 78701.

## VI. COMMON STOCK; EQUITY OWNERSHIP

6.1 In consideration of the rights granted to LICENSEE by BOARD in this Agreement, LICENSEE agrees to issue 15% of its authorized common stock to BOARD and 15% of its authorized common stock to Carl Robert Deckard, inventor of the licensed technology. Such shares shall be fully paid and non-assessable.

6.2 BOARD shall have the right to name directors on the board of directors of LICENSEE in proportion to the number of shares held by BOARD relative to the total number of issued shares, provided, that BOARD shall always have the right to elect at least one seat on LICENSEE's board of directors.

## VII. TERM AND TERMINATION

7.1 Subject to the provisions of Paragraph 7.2, the Term of this Agreement shall extend from the Effective Date set forth above for a term of seventeen (17) years or until the expiration date of all patents under PATENT RIGHTS, whichever occurs last.

7.2 The license and right to sublicense granted by BOARD to LICENSEE in this Agreement will earlier terminate:

(a) Automatically if LICENSEE shall become bankrupt or insolvent and/or if the business of LICENSEE shall be placed in the hands of a receiver, assignee, or trustee, whether by voluntary act of LICENSEE or otherwise and all rights of LICENSEE shall immediately revert to BOARD and all rights of any sublicensees shall survive, but the obligations of such

sublicensees will automatically accrue to the benefit of BOARD;

(b) If either party hereto shall breach or default on any material obligation under this Agreement. However, termination of the Agreement shall be avoided if, within ninety (90) days after receipt of written notice of breach or default, the party in default cures the breach and notifies the other party in writing of the manner of such cure.

(c) Under the provisions of Paragraph 4.4 if invoked.

(d) Under the provisions of Paragraph 4.5 if invoked.

(e) Under the provisions of Paragraph 5.4 if invoked.

7.3 Upon termination of this Agreement for any cause, nothing herein shall be construed to release either party of any obligation matured prior to the effective date of such termination, and LICENSEE may, with BOARD'S written consent, after the effective date of such termination, sell any LICENSED SUBJECT MATTER in the possession of LICENSEE, its agents or bailees at the date of termination, provided that it pays BOARD royalties thereon as provided in this Agreement when sold.

#### VIII. INFRINGEMENT

8.1 LICENSEE shall have the obligation to enforce any patent licensed hereunder against substantial infringement by third parties. If LICENSEE elects to bring suit for infringement, then the running royalty will apply to all amounts recovered by LICENSEE, excluding LICENSEE's legal expenses. If LICENSEE elects not to bring suit and thereafter BOARD elects to bring suit, LICENSEE must join in the suit and must share fifty percent (50%)

of the expenses in order for LICENSEE to maintain its exclusive license under this agreement. If BOARD elects to bring suit, BOARD shall control the suit and LICENSEE shall receive fifty percent (50%) of any net recovery to BOARD after legal expenses.

8.2 In any suit or dispute involving alleged patent infringement, the parties to this Agreement shall cooperate fully including making available all relevant personnel, records, papers, information, samples, specimens, and the like which are in their possession.

#### IX. ASSIGNMENT

This Agreement may not be assigned by either party hereto without the prior written consent of the other party hereto which consent shall not be unreasonably withheld.

#### X. PATENT MARKING

LICENSEE agrees to mark permanently and legibly all products and documentation manufactured or sold by it under this Agreement with such patent notice as may be permitted or required under Title 35, United States Code.

#### XI. INDEMNIFICATION

LICENSEE shall hold harmless and indemnify BOARD, UNIVERSITY, their Regents, officers, employees and agents from and against any claims, demands, or causes of action whatsoever, caused by, arising out of, or resulting from the exercise or practice of the license granted hereunder by LICENSEE or its officers, employees, agents or representatives, including without limitation those arising on account of any injury or death of persons or damage to property.

## XII. USE OF BOARD AND COMPONENT'S NAME

LICENSEE shall not use the name of UNIVERSITY, SYSTEM, or BOARD for commercial purposes (other than providing disclosure to potential investors to the extent required by law) without the express written consent of the Office of General Counsel for The University of Texas System or another individual designated by the Office of the Chancellor, which consent shall not be unreasonably withheld.

## XIII. CONFIDENTIAL INFORMATION

13.1 BOARD and LICENSEE each agree that all information contained in documents marked "confidential" which are forwarded to one by the other shall be received in strict confidence, used only for the purposes of this Agreement, and not disclosed by the recipient (except as required by law or by court order), its' agents or employees without the prior written consent of the other unless such information (a) was in the public domain at the time of disclosure, (b) later became part of the public domain through no act or omission of the recipient, its' employees, agents, successors or assigns, (c) was lawfully disclosed to the recipient party by third party having the right to disclose it, (d) was already known by the recipient at the time of disclosure, (e) was independently developed, or (f) is required to be submitted to a government agency pursuant to any preexisting obligation.

13.2 Each party's obligation of confidence hereunder shall be fulfilled by using at least the same degree of care with the other party's confidential information it used to protect its own confidential information. This obligation shall exist while this agreement is in force and for a period of three (3) years thereafter.

XIV. GENERAL

14.1 This Agreement constitutes the entire and only agreement between the parties for LICENSED SUBJECT MATTER and all other prior negotiations, representations, agreements, and understandings are superseded hereby. No agreements altering or supplementing the terms hereof may be made except by means of a written document signed by the duly authorized representatives of the parties hereto.

14.2 Any notice required by this Agreement shall be given by prepaid, first class, certified mail, return receipt requested, addressed in the case of BOARD to:

BOARD OF REGENTS  
The University of Texas System  
201 West 7th Street  
Austin, Texas 78701  
ATTENTION: System Intellectual Property  
Office

or in the case of LICENSEE to:

NOVA AUTOMATION, INC.  
1515 Capital of Texas Highway S.  
Austin, Texas 78746

or such other addresses as may be given from time to time under the terms of this notice provision.

14.3 This Agreement shall be construed and enforced in accordance with the laws of the United States of America and of the State of Texas.

14.4 Failure of either party hereto to enforce a right under this Agreement shall not act as a waiver of that right or the ability to later assert that right relative to the particular situation involved.

14.5 Headings included herein are for convenience only and shall not be used to construe this Agreement.

14.6 If any provision of this Agreement shall be found by a court to be void, invalid or unenforceable, the same shall be reformed to comply with applicable law or stricken if not so conformable, so as not to affect the validity or enforceability of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute this AGREEMENT.

ATTEST:

BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM

By \_\_\_\_\_  
Arthur H. Dilly  
Executive Secretary

By \_\_\_\_\_  
Michael E. Patrick  
Executive Vice Chancellor

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

By \_\_\_\_\_  
Michael H. Corley  
Office of General Counsel

By \_\_\_\_\_  
William H. Cunningham  
President, THE UNIVERSITY OF  
TEXAS AT AUSTIN

NOVA AUTOMATION, INC.

By \_\_\_\_\_  
President

# Executive Session of the Board

BOARD OF REGENTS  
EXECUTIVE SESSION  
Pursuant to Vernon's Texas Civil Statutes  
Article 6252-17, Sections 2(e), (f) and (g)

Date: October 9, 1987

Time: 11:30 a.m. The Board will convene in Open Session and immediately recess to Executive Session. The Open Session will reconvene immediately following the Executive Session (estimated to be 1:00 p.m.) and continue through adjournment.

Place: Room 1.304, Conference Center, U. T. Dallas

1. Pending and/or Contemplated Litigation - Section 2(e)  
U. T. Cancer Center: Proposed Settlement of Medical Malpractice Litigation
2. Land Acquisition, Purchase, Exchange, Lease or Value of Real Property and Negotiated Contracts for Prospective Gifts or Donations - Section 2(f)  
U. T. Austin: Consideration of Negotiated Lease for Certain Real Property in Travis County, Texas
3. Personnel Matters [Section 2(g)] Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees  
U. T. System: Consideration of Personnel Aspects of the 1987-88 Operating Budgets, Including Auxiliary Enterprises, Grants and Government Contracts, Designated Funds, Restricted Current Funds and Medical Service, Research and Development Programs