

MATERIAL SUPPORTING THE AGENDA

VOLUME XLb

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

February 11, 1993
March 1, 1993
April 1, 1993

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

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

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

Yellow paper - emergency items distributed at the meeting.

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



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

Meeting No.: 867

Date: February 11, 1993

Location: Austin, Texas

BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

CALENDAR

Place: Regents' Meeting Room, Ninth Floor
Ashbel Smith Hall
201 West Seventh Street
Austin, Texas

Thursday, February 11, 1993

10:00 a.m.

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

See Pages B of R 1 - 8
Items A - O

Telephone Numbers

Office of the Board of Regents	(512) 499-4402
Chancellor Cunningham	(512) 499-4201
Executive Vice Chancellor Burck	(512) 499-4560
Executive Vice Chancellor Duncan	(512) 499-4233
Executive Vice Chancellor Mullins	(512) 499-4224

Meeting of the Board

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

Date: Thursday, February 11, 1993

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

Place: Regents' Meeting Room (Open Session) and Regents' Conference Room (Executive Session) Ninth Floor, Ashbel Smith Hall

A. CALL TO ORDER

B. APPROVAL OF MINUTES OF REGULAR MEETING HELD DECEMBER 3, 1992

C. SPECIAL ITEMS

1. U. T. Board of Regents: Proposed Election of a Member of the U. T. Board of Regents to Serve as a Member of the Board of Trustees of the Texas Growth Fund.--

RECOMMENDATION

The Executive Committee recommends that Regent Robert J. Cruikshank be elected as the representative of the U. T. Board of Regents to the Board of Trustees of the Texas Growth Fund to replace Regent Sam Barshop whose term on the Board of Regents has expired.

BACKGROUND INFORMATION

The amendment to the Texas Constitution which established the Texas Growth Fund provides that it be managed by a Board of Trustees composed of an elected representative from the U. T. Board of Regents, the Texas A&M Board of Regents, the trustees of the Teacher Retirement System, the Employees Retirement System, and the State Board of Education, and four public members appointed by the Governor.

All investments of the Fund shall be directly related to the creation, retention, or expansion of employment opportunity and economic growth in Texas. In making venture capital investments, all other material matters being equal, the Board of Trustees shall invest in technological advances that could be expected to result in the greatest increase in employment opportunity and economic growth in Texas.

2. U. T. System: Recommendation to (a) Change Operational and Administrative Structure of the Hogg Foundation for Mental Health; (b) Consider Recommendation to Board of Trustees of the Ima Hogg Foundation, Inc. to Dissolve the Ima Hogg Foundation, Inc. and Authorize Alternative Management of Funds as Endowments; and (c) Authorize Necessary Actions to Accomplish These Changes.--

In 1992, the U. T. System Auditor identified the need to review and then clarify and update the operational structures and administration of the Hogg Foundation for Mental Health and the Ima Hogg Foundation to match current practices and requirements. The Business Affairs and Audit Committee of the U. T. Board of Regents asked the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Business Affairs to study and make appropriate recommendations on management policy issues identified.

That review has been completed, and discussions concerning this matter are on-going between U. T. Austin and U. T. System Administration. Detailed recommendations will be completed and provided in advance of the February 1993 meeting. In summary, the recommendations will be substantially as follows:

- a. Clarification of the legal status of the Hogg Foundation for Mental Health as an office within U. T. Austin; remove confusion resulting from different names used for various Hogg activities by renaming the entity as the "Hogg Foundation for Mental Health Office"; and propose related changes in the administrative and reporting structures for that office
- b. Consideration of recommendation to Board of Trustees of the Ima Hogg Foundation, Inc. (an internal corporation) that Trustees consider dissolution of the Foundation, authorizing the Ima Hogg Foundation assets be held as the Ima Hogg Foundation Endowment within the Common Trust Fund for the purposes identified in documents originally establishing the internal corporation, with administration of disbursed income through the renamed Hogg entity, and authorizing the various trust funds now administered through the Ima Hogg Foundation to also be held by the U. T. Board of Regents as named endowments in the Common Trust Fund for the purposes specified in the documents establishing these trusts, with administration of disbursed income through the newly designated Hogg Office
- c. Authorization for U. T. System Executive Officers to implement the investment, accounting, disbursement, auditing, and reporting procedures necessary to accomplish these proposed operational and administrative changes.

C. SPECIAL ITEM

SUPPLEMENTAL MATERIAL

FEBRUARY 11, 1993

2. U. T. System: Recommendation to (a) Change Operational and Administrative Structure of the Hogg Foundation for Mental Health; (b) Dissolve the Ima Hogg Foundation, Inc. and Authorize Alternative Management of Assets as Endowment; and (c) Authorize Necessary Actions to Accomplish These Changes.--

RECOMMENDATION

The Chancellor concurs with the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Berdahl that the following proposed actions be approved:

- a. Clarification of the status of the Hogg Foundation for Mental Health as an office or activity within U. T. Austin; remove confusion resulting from different names used for various Hogg activities by renaming the organizational entity as the "Office of the Hogg Foundation for Mental Health"; and propose related changes in the administrative and reporting structures for that office
- b. Make recommendation to Board of Trustees of the Ima Hogg Foundation, Inc. (a non-profit Texas corporation subject to state law) that Trustees dissolve the corporation and, upon dissolution and court approval, authorize the various corporate assets to be held as the Ima Hogg Endowment to be invested in the Common Trust Fund for purposes in conformance with the donors' expressed wishes as identified in documents originally establishing the corporation, with administration of disbursed income through the renamed Hogg entity
- c. Authorization for U. T. System Executive Officers and appropriate U. T. Austin officials to implement the investment, accounting, disbursement, legal, auditing, and reporting procedures necessary to accomplish these proposed operational and administrative changes.

BACKGROUND INFORMATION

Hogg Foundation for Mental Health

The Hogg Foundation for Mental Health is an administrative entity of The University of Texas System declared as tax exempt by the Internal Revenue Service and has, since November 1, 1988, been an operating and budgetary division

of U. T. Austin, with a reporting relationship to the U. T. Board of Regents via the President of U. T. Austin and the Executive Vice Chancellor for Academic Affairs and the Chancellor.

The Hogg Foundation for Mental Health was established in 1939 and implemented in 1940 through an agreement related to a testamentary gift from the estate of Mr. Will C. Hogg as administered by his sister Miss Ima Hogg and his brother Mr. Mike Hogg. The original gift was named the "Hogg Foundation-W. C. Hogg Memorial Fund." Subsequent bequests were received from other donors, including Hogg family members. The Hogg Foundation for Mental Health performs operations associated with the distribution of income and reporting on the programs funded by income in compliance with the purposes specified by each donor. The funds are invested by the U. T. System Office of Asset Management.

Ima Hogg Foundation, Inc.

The Ima Hogg Foundation, Inc. is a Texas non-profit corporation, created by Miss Ima Hogg through Articles of Incorporation filed with the Secretary of State on June 26, 1964. Three individuals then serving on the U. T. Board of Regents were named as the members of the Board of Trustees of the Ima Hogg Foundation, Inc. Adoption of By-Laws expanded the number of trustees to nine to include all of the individuals who are members of the U. T. Board of Regents.

The Internal Revenue Service determined the Ima Hogg Foundation, Inc. to be exempt from taxation in 1970.

The Ima Hogg Foundation, Inc. accounts are currently invested by the U. T. System Office of Asset Management pursuant to an Investment Agency Agreement executed on June 14, 1990. Income from funds held or administered by the Ima Hogg Foundation, Inc. is administered by the Hogg Foundation for Mental Health for programs run by the administrative entity or disbursed as grants for the charitable purposes specified by the donor.

Explanation and Impact of Recommendations

In 1992, the U. T. System Auditor identified the need to review, clarify, and update the operational structures and administration of the Hogg Foundation for Mental Health and the Ima Hogg Foundation to match current practices and requirements. The Business Affairs and Audit Committee of the U. T. Board of Regents then asked the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Business Affairs to study and make appropriate recommendations on the management policy issues identified.

That study included extensive review of historical documents and past actions of the U. T. Board of Regents related to the Hogg Foundation for Mental Health and the Ima Hogg Foundation, Inc. as well as numerous discussions with U. T. Austin officials and other U. T. System Executive Officers. The recommended actions, if approved, provide needed additional clarification on the status of the Hogg Foundation for Mental Health and streamline its reporting and administrative structure consistent with this clarification.

- a. Clarification of status. The Hogg Foundation for Mental Health has operated for over 50 years in conformance with the wishes of the Hogg family and other donors. However, the original use of the term "foundation" to refer at times to the group of Hogg family gifts and at other

times to the office charged with administration of the programs and projects funded by the endowment has created recurring confusion when gauged by the meaning of the term today. The Hogg Foundation for Mental Health was created at a time when the identification of an entity as a "foundation" did not include today's precise legal definition or potential consequences for tax, accounting, and fiduciary issues. In an effort to avoid continuing confusion, the proposed recommendation suggests reference to the on-campus office as the Office of the Hogg Foundation for Mental Health and suggests formal reference to the group of Hogg family gifts collectively as the Hogg Foundation for Mental Health endowments.

The impact of this action necessitates abandonment of operating and administrative guidelines approved by the U. T. Board of Regents at the February 1977 meeting. Following clear identification of the office as an operating entity of U. T. Austin, new operating and administrative guidelines are to be adopted as part of the U. T. Austin Handbook of Operating Procedures, subject to approval by the Executive Vice Chancellor for Academic Affairs in accordance with the U. T. Board of Regents approval requirements. The annual operating budget for the Office of the Hogg Foundation for Mental Health is already incorporated into the U. T. Austin operating budget and approved by the Board as a part of the normal budget approval process. With the planned retirement of Dr. Wayne Holtzman, President of the Hogg Foundation for Mental Health, on August 31, 1993, U. T. Austin proposes to use the title of Executive Director rather than President.

- b. Recommended dissolution and redesignation as endowment. The multi-tiered administrative structure for the trustee Ima Hogg Foundation, Inc. funds has become cumbersome and unnecessary over time. The Ima Hogg Foundation, Inc. By-Laws are outdated and do not reflect the current operating structure of the U. T. Board of Regents or U. T. System Administration. For example, the By-Laws require that officers be elected annually and an Executive Committee of at least three trustees perform certain duties related to Ima Hogg Foundation, Inc. management. The annual election has not been consistently held since the U. T. Board of Regents now uses two year terms for officers. Additionally, the Board's current Business Affairs and Audit and Asset Management Committees perform functions analogous to the Executive Committee of the Ima Hogg Foundation, Inc.

Article Ten of the Articles of Incorporation addresses dissolution of the corporation "by lapse of time or otherwise" and authorizes transfer of assets to other charitable trustees appointed by a court with preferential consideration given to transfer of "such funds and property to the Trustees of the Hogg Foundation...if such Foundation is then functioning and operating." Dissolution of the corporation is preferable to amendment of the By-Laws and continued operation under the Foundation trustee structure as the U. T. Board of Regents effectively manages numerous other substantial "charitable trusts" as endowments without need for a separate corporate structure. Also, upon dissolution, the trust would no longer be required to make reports to the Secretary of State or file annual tax returns to the Internal Revenue Service.

If the recommendation concerning dissolution is approved, the U. T. Board of Regents, acting as the corporate Board of Trustees, will consider the recommendation during the meeting of the U. T. Board of Regents scheduled for April 1993. In other words, the corporate Board of Trustees would elect officers and consider the recommendation from the U. T. Board of Regents to dissolve. Upon dissolution in accordance with court approval, assets would be formally transferred to be held as an endowment to be invested in the Common Trust Fund with income to be distributed consistent with the donor's expressed wishes including the support of programs dealing with the mental health of children in Houston-Harris County.

- c. Authorization to accomplish changes. If approved by the U. T. Board of Regents and the Ima Hogg Foundation, Inc. Board of Trustees, U. T. System and U. T. Austin officials would be authorized to pursue approval of proposed actions in an uncontested proceeding before a district court of Travis County and to take necessary administrative actions to bring the endowment recommendations before the U. T. Board of Regents.

Further, the Regents' Rules and Regulations, Part One, Chapter VII, Section 5 will require amendment to clarify that the U. T. Board of Regents administers the Hogg Foundation for Mental Health endowments but the members of the U. T. Board of Regents do not specifically act as trustees for a foundation.

Editorial amendment to the Regents' Rules and Regulations, Part One, Chapter VII, Section 6, Subsection 6.3 will also be required to delete mention of the Ima Hogg Foundation, Inc. as an internal corporation.

The recommended changes have been reviewed and approved by the Office of General Counsel and the Charitable Trusts Section of the Office of the Attorney General.

D. RECESS FOR MEETINGS OF THE STANDING COMMITTEES AND COMMITTEE REPORTS TO THE BOARD

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

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

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

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

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

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

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

E. RECONVENE AS COMMITTEE OF THE WHOLE

F. ITEMS FOR THE RECORD

1. U. T. System: Report on Annual Guideline Distribution Amount Per Unit for the Common Trust Fund for the Fiscal Year 1993-1994.--

REPORT

The Charter of the U. T. System Common Trust Fund states that the per unit distribution amount of the Common Trust Fund shall be the lesser of (a) the per unit cash income received plus the per unit amount available in an income reserve or (b) the annual guideline amount per unit established by the U. T. Board of Regents.

In keeping with the recommendation of the Investment Advisory Committee and the Asset Management Committee, it is reported for the record that the annual guideline distribution amount per unit of the U. T. System Common Trust Fund will remain at 17.5¢ per unit for the Fiscal Year 1993-1994. This pay-out rate was established by the U. T. Board of Regents at the February 1991 meeting to be effective September 1, 1991.

2. U. T. Austin: Hattie W. Hewlett Scholarship Fund and Will C. Hogg Memorial Scholarship Fund - Clarification of Intent of Donors.--

REPORT

At the January 1968 meeting, the U. T. Board of Regents accepted a \$77,018.71 distribution from the Estate of Hattie W. Hewlett, Travis County, Texas, to establish the Hattie W. Hewlett Scholarship Fund at U. T. Austin for the use and benefit of worthy senior students of Business, Education, Home Economics, Law, and Music.

In order to clarify documentation related to the intent of the donor and in accordance with the Judgment of the 98th District Court of Travis County, Texas, dated April 10, 1967, it is requested that the record of Regental action of January 26, 1968, be amended to reflect the establishment of five scholarships as named in the Judgment and to separately fund each scholarship by dissolving the Hattie W. Hewlett Scholarship Fund and allocating its assets in equal proportions among the five scholarships as follows:

<u>Endowment</u>	<u>Amount</u>
David Glasson Hewlett Scholarship in Business in the College of Business Administration	\$15,981.35
Sarah Hewlett Radkey Scholarship in Education in the College of Education	\$15,981.34
Louise Shelley Hewlett Brame Scholarship in Human Ecology in the Department of Human Ecology, College of Natural Sciences	\$15,981.34
David Hubbard Hewlett Scholarship in Law in the School of Law	\$15,981.34
Louisa Frances Glasson Hewlett Scholarship in Music in the Department of Music, College of Fine Arts	\$15,981.34

At the January 1937 meeting, the U. T. Board of Regents reported the receipt of a \$120,000 bequest from the Estate of Will C. Hogg, Harris County, Texas, and the establishment of six memorial scholarships funded at \$20,000 each. At the November 1941 meeting, the Finance Committee of the U. T. Board of Regents recommended that the six lots of \$20,000 each be grouped into one fund for investment purposes, the six scholarships sharing equally in the net income earned on the investment assets acquired and held for the group.

Based on the November 1941 action, the six scholarships were combined to create the Will C. Hogg Memorial Scholarship Fund. The U. T. System Office of General Counsel has recently determined that in order to more accurately reflect the intent of the donor and in keeping with the original Board action of January 1937, the Will C. Hogg Scholarship Fund should be dissolved and its assets allocated equally to reestablish six scholarships as follows:

<u>Endowment</u>	<u>Amount</u>
Arthur Lefevre, Sr., Memorial Scholarship in Mathematics in the Department of Mathematics, College of Natural Sciences	\$40,034.62
Walter Benona Sharp Memorial Scholarship in Geological Sciences in the Department of Geological Sciences, College of Natural Sciences	\$40,034.63
Joseph S. Cullinan Memorial Scholarship in Geological Sciences in the Department of Geological Sciences, College of Natural Sciences	\$40,034.63
James Lockhart Autry Memorial Scholarship in Law in the School of Law	\$40,034.62
Estelle Boughton Sharp Memorial Scholarship in Human Ecology in the Department of Human Ecology, College of Natural Sciences	\$40,034.63
Ima Hogg Memorial Scholarship in Human Ecology in the Department of Human Ecology, College of Natural Sciences	\$40,034.63

These requests have been reviewed and approved by the U. T. System Office of General Counsel.

3. U. T. Pan American: Report on Name Change of The Pan American University Foundation to The University of Texas-Pan American Foundation.--

REPORT

It is herewith reported for the record that the name of The Pan American University Foundation has been changed to The University of Texas-Pan American Foundation. A Certificate of Amendment has been issued by the Office of the Secretary of State.

4. U. T. Health Science Center - Houston: Continuation of Service of Current Members of the Board of Directors of The University of Texas System Medical Foundation, Inc.--

REPORT

At the December 1991 meeting of the U. T. Board of Regents, John C. Ribble, M.D., Ronald C. Merrell, M.D., and James D. Hefner, M.D. were appointed to terms on the Board of Directors of The University of Texas System Medical Foundation, Inc. to expire on December 31, 1992. Since the Bylaws of the Foundation state that existing directors will continue to serve until their successors "shall have been appointed and qualified" and since President Low has indicated a desire that the current directors continue in office, it is hereby noted for the record that Doctors Ribble, Merrell, and Hefner will serve as directors of this Foundation until they are replaced by a positive action by the U. T. Board of Regents.

The University of Texas System Medical Foundation, Inc. is a nonprofit corporation organized strictly for educational and scientific purposes and functions within the framework of The University of Texas Health Science Center at Houston for the purpose of training graduate medical students, referred to as house staff or residents. As part of their training, house staff are contracted with and paid a stipend plus fringe benefits for their services by local hospitals participating in the Affiliated Hospitals Residency Training Program at Houston.

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

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

- K. RECONVENE IN OPEN SESSION

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

1. Pending and/or Contemplated Litigation - Section 2(e)

U. T. Southwestern Medical Center -
Dallas: Proposed Settlement of
Medical Liability Litigation

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

a. U. T. Austin: Request for Authorization to Sell a 1.75 Acre Tract of Land in Austin, Travis County, Texas

b. U. T. Permian Basin: Request for Authorization to Sell Residence Located at 1625 Englewood, Odessa, Ector County, Texas, and to Purchase a Suitable Replacement

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

U. T. Board of Regents: Consideration of the Reorganization of the Board of Regents in Accordance with the Regents' Rules and Regulations, Part One, Chapter I, Sections 3, 4, and 5

M. SCHEDULED EVENTS

1. Board of Regents' Meetings

<u>Dates</u>	<u>Locations/Hosts</u>
April 1, 1993	U. T. Health Science Center - San Antonio
June 10, 1993	U. T. El Paso
August 12, 1993	Austin - No Host
October 8, 1993	U. T. Southwestern Medical Center - Dallas
December 2, 1993	U. T. Brownsville

2. Other Events

March 11, 1993	U. T. M.D. Anderson Cancer Center: Dedication of the Jesse H. Jones Rotary House International
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May 7, 1993	U. T. Southwestern Medical Center - Dallas: 50th Anniversary Celebration
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3. Official Commencements - 1993

May 7	U. T. Tyler
May 8	U. T. Permian Basin
	U. T. San Antonio
May 14	U. T. Public Health School - Houston
May 15-16	U. T. Arlington
May 15	U. T. Brownsville
	U. T. El Paso
May 16	U. T. Pan American
May 22	U. T. Austin
	U. T. Dallas
	U. T. Medical School - Galveston
	U. T. Nursing School - San Antonio
June 5	U. T. Southwestern Medical School - Dallas and U. T. Southwestern
	G.S.B.S. - Dallas
August 14	U. T. Allied Health Sciences School - Galveston

N. OTHER BUSINESS

O. ADJOURNMENT

1993

January 1993						
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Executive Committee

EXECUTIVE COMMITTEE
Committee Vice-Chairman Ramirez

Date: February 11, 1993
Time: Following the convening of the Board of Regents
at 10:00 a.m.
Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall

	<u>Page</u> <u>Ex.C</u>
1. U. T. System: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 93-8)	3
2. U. T. System: Recommendation to (a) Renew the All Risk Property Policy (Formerly Fire and Extended Coverage) with Arkwright Mutual Insurance Company, Waltham, Massachusetts, (b) Replace the Automobile Liability Insurance Policy with United Community Insurance Company, Northville, Michigan, (c) Continue the Comprehensive Boiler and Machinery Insurance Policy with Arkwright Mutual Insurance Company, Waltham, Massachusetts, (d) Replace the Comprehensive Crime Policy with National Union Fire Insurance Company, Pittsburgh, Pennsylvania, and (e) Renew the Directors and Officers Executive Liability and Indemnification Policy with National Union Fire Insurance Company, Pittsburgh, Pennsylvania (Exec. Com. Letter 93-7)	4
3. U. T. Austin - Texas Swimming Center: Request for Exception to the Regents' <u>Rules and Regulations</u> , Part One, Chapter VIII, Section 1, Subsection 1.1, and Approval to Name a Building (Exec. Com. Letter 93-3)	8
4. U. T. Brownsville: Request for Permission for Individual to Serve as a Member of the Council of Advisors on Education [<u>Regents' Rules and Regulations</u> , Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11)] (Exec. Com. Letter 93-4)	8
5. U. T. Southwestern Medical Center - Dallas - Aston Ambulatory Care Center - Eighth Floor Finish Out (Project No. 303-777) - Aston Ambulatory Care Center Eighth and Ninth Level Bridges (Project No. 303-692): Recommended Award of Construction Contract to Dal-Mac Construction Company, Richardson, Texas (Exec. Com. Letter 93-4)	9

6. U. T. Southwestern Medical Center - Dallas - Research Building - Phase II North Campus Expansion (Project No. 303-755): Recommended Award of Construction Contract for General Construction for Research Building NA, Support Building NG, and Expansion of Thermal Energy Plant Building NJ to Centex Bateson Construction Company, Inc., Dallas, Texas (Exec. Com. Letter 93-4) 12
7. U. T. Southwestern Medical Center - Dallas: Request for an Additional \$10,000 from the U. T. System Self-Insurance Medical Liability Plan for Final Settlement of the Kanetra Horton vs. Dallas County Hospital District, et al. Litigation Case (Exec. Com. Letter 93-6) 14
8. U. T. Medical Branch - Galveston: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 93-3) 14
9. U. T. M.D. Anderson Cancer Center - Bertner Complex (Project No. 703-772) and Clinical Services Facility (Project No. 703-773) - Phase I: Recommendation to Excuse M. A. Mortenson Company, Minneapolis, Minnesota, from an Erroneous Bid and Recommended Award of Construction Contract to the Lowest Responsible Bidder, Centex Bateson Construction Company, Inc., Dallas, Texas (Exec. Com. Letter 93-5) 15

1. U. T. System: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 93-8).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor and the Executive Vice Chancellors that the U. T. Board of Regents approve the following increases in FY 1993 Educational and General Operating Budgets for U. T. System component institutions and U. T. System Administration:

Educational and General Funds

Amount of Transfer - \$20,256,919

From: General Revenue - Transfer from State Comptroller for 3% across-the-board salary increase in accordance with H. B. 1, Article V, Section 146	\$17,896,840
Available University Funds	397,521
Estimated Patient Income	<u>1,962,558</u>
Total	<u>\$20,256,919</u>

To: Educational and General Operating Budgets for:

U. T. Arlington	\$ 1,498,269
U. T. Austin	2,819,361
U. T. Brownsville	253,185
U. T. Dallas	436,326
U. T. El Paso	476,012
U. T. Pan American	589,674
U. T. Permian Basin	116,523
U. T. San Antonio	671,000
U. T. Tyler	235,211
U. T. Southwestern Medical Center - Dallas	1,552,415
U. T. Medical Branch - Galveston	5,164,626
U. T. Health Science Center - Houston	2,992,812
U. T. Health Science Center - San Antonio	1,788,345
U. T. M.D. Anderson Cancer Center	1,048,406
U. T. Health Center - Tyler	217,233
U. T. System Offices	
System Administration	197,868
Expenses of Revenue Bearing Property	<u>199,653</u>
Total	<u>\$20,256,919</u>

BACKGROUND INFORMATION

House Bill No. 1, Article V, Section 146 of the Seventy-second Legislature authorized a 3% salary increase for each year of the 1992-1993 biennium for state employees and officials, including employees of higher education, contingent upon a finding of fact by the Comptroller of Public Accounts that sufficient revenue is available from the General Revenue Fund for this purpose. Funding for the FY 1992 salary increase was approved in two parts -- a 2% increase was effective September 1, 1991, and a 1% increase was effective August 1, 1992, for a total of 3%.

Recently the State Comptroller certified funds for the FY 1993 salary increase to become effective December 1, 1992. The amount of General Revenue required to sustain this increase for FY 1993 will be transferred from the Comptroller of Public Accounts to each U. T. System component institution's Educational and General Operating Budget. Since U. T. System Administration is funded primarily from Available University Funds, an additional \$397,521 is being requested from the Available University Fund to sustain the 3% increase for U. T. System Administration employees. The U. T. Medical Branch - Galveston is requesting an additional \$1,962,558 from Estimated Patient Income to sustain the 3% salary increase for employees paid from hospital revenues.

2. U. T. System: Recommendation to (a) Renew the All Risk Property Policy (Formerly Fire and Extended Coverage) with Arkwright Mutual Insurance Company, Waltham, Massachusetts, (b) Replace the Automobile Liability Insurance Policy with United Community Insurance Company, Northville, Michigan, (c) Continue the Comprehensive Boiler and Machinery Insurance Policy with Arkwright Mutual Insurance Company, Waltham, Massachusetts, (d) Replace the Comprehensive Crime Policy with National Union Fire Insurance Company, Pittsburgh, Pennsylvania, and (e) Renew the Directors and Officers Executive Liability and Indemnification Policy with National Union Fire Insurance Company, Pittsburgh, Pennsylvania (Exec. Com. Letter 93-7).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor and the Executive Vice Chancellor for Business Affairs that authorization be given to renew, replace, or continue U. T. Systemwide insurance policies as described below:

- a. Renew the All Risk Property Policy (formerly Fire and Extended Coverage) with Arkwright Mutual Insurance Company of Waltham, Massachusetts, for a three-year term from August 15, 1992 through August 15, 1995. Based on current property values, the annual premium will be \$275,000.
- b. Replace the U. T. Systemwide Automobile Liability Insurance Policy with the United Community Insurance Company of Northville, Michigan, from November 1, 1992 through October 31, 1993, at an annual premium of \$241,596
- c. Continue the U. T. Systemwide Comprehensive Boiler and Machinery Insurance Policy with Arkwright Mutual Insurance Company of Waltham, Massachusetts, from October 1, 1992 through October 1, 1993, at an annual premium of \$60,674
- d. Replace the U. T. Systemwide Comprehensive Crime Policy with National Union Fire Insurance Company of Pittsburgh,

Pennsylvania, from November 1, 1992 through November 1, 1993, at an annual premium of \$100,000

- e. Renew the U. T. Systemwide Directors and Officers Executive Liability and Indemnification Policy with National Union Fire Insurance Company of Pittsburgh, Pennsylvania, from September 1, 1992 through September 1, 1993, at an annual premium of \$75,000.

BACKGROUND INFORMATION

All Risk Property Policy

The U. T. System All Risk Property Policy has been provided by Arkwright Mutual Insurance Company of Waltham, Massachusetts, since 1986. A survey of the insurance market offered one possibility of a lower rate; however, the rate offered was subject to acceptance of a companion quote on the U. T. System Comprehensive Boiler and Machinery coverage. Since the combined price quote for these two coverages was considerably in excess of a similar quote from Arkwright Mutual Insurance Company, it is recommended that the All Risk Property Policy be renewed with Arkwright Mutual Insurance Company.

The renewal term for this policy is for three years beginning August 15, 1992 through August 15, 1995. All policy terms and conditions remain the same except for an increase in the limit for "Expediting Expenses" for the medical components, which was increased to \$100,000 (expediting expenses cover those expenditures resulting from a loss occurrence that must be accomplished with a minimum of downtime).

Automobile Liability Insurance Policy

As outlined in Chapter 101 of the Civil Practices and Remedies Code and Article 6252-19a of Vernon's Texas Civil Statutes, the U. T. System is authorized to purchase Motor Vehicle Liability Insurance for its officers' and employees' use and operation of vehicles owned and operated by the U. T. System. This coverage has been provided since 1970, and the policy and premium charged are subject to the rates and premium discount prescribed by the State Board of Insurance and the loss experience modifier as published by the State Insurance Services Office.

On June 22, 1992, formal bid packages were distributed to forty-six insurance agencies in the State of Texas. Three quotes were received; however, all responses were deemed unsatisfactory due to failure to comply with bid specifications. By agreement with the current insurance company, the Systemwide Automobile Liability Insurance Policy was extended through October 31, 1992, in order to allow for rebidding.

Two bids were received from the bid invitation as indicated below:

Commercial Lloyds Insurance Company Austin, Texas	\$296,206*
United Community Insurance Company Northville, Michigan	\$241,596*

* Based on FY 1991-92 experience modifier of .47

It is recommended that the U. T. Systemwide Automobile Liability Insurance Policy be replaced with the low bidder, United Community Insurance Company, with continuing limits of \$250,000 per person, \$500,000 per occurrence for bodily injury and \$100,000 property damage, and a \$2,500 per occurrence deductible.

Premiums for the policy are prorated among the component institutions based upon their individual motor vehicle fleet inventory. The FY 1991-92 premium, at a base rate of \$329,334, plus deductible payments of \$30,297, totals to date, \$359,631. (Deductible billings are received quarterly, and the above amount reflects billing through the third quarter.)

Comprehensive Boiler and Machinery Insurance Policy

Arkwright Mutual Insurance Company of Waltham, Massachusetts, has provided the Comprehensive Boiler and Machinery Insurance Policy for the U. T. System since 1981. A survey of the insurance market did not reveal the availability of a rate lower than that offered by the current insurer; however, several improvements in coverage were made to the current policy as indicated below without any change in the annual premium.

Policy Limits:

\$10,000,000 Property Damage

Improvements and Changes:

1. Limit for Expediting Expense coverage is increased to \$100,000;
2. Limit for Hazardous Substance Limitation is increased to \$100,000;
3. Limit for Ammonia Contamination coverage is increased to \$100,000;
4. Policy limit is increased to \$25,000,000 (previously \$10,000,000);
5. Extra Expense coverage is added to the policy with a limit of \$100,000; (This coverage applies to the medical school locations only.)
6. Deductible for the 36,180 KW Gas Turbine/Generator increased to \$250,000 (\$235,000 previously) for the U. T. Austin Central Power Plant;
7. Deductible for the 14,000 KW Gas Turbine/Generator increased to \$100,000 (\$91,000 previously) for the U. T. Austin Central Power Plant.

It is recommended that this policy be continued through October 15, 1993, under the terms and conditions outlined above.

Comprehensive Crime Policy

The U. T. System has acquired this coverage since 1973. Due to the high loss frequency experienced by the University, the previous carrier was unwilling to renew the policy without a significant increase in premium and deductible levels. Consequently, proposals were solicited from the available market. Quotes were received from seven insurers with the lowest proposal being submitted by National Union Fire Insurance Company of Pittsburgh, Pennsylvania. National Union Fire Insurance Company quoted an annual premium of \$100,000 with a \$50,000 per occurrence deductible. This quote represents a substantial cost increase from last year's premium of \$43,000 and per occurrence deductible of \$15,000. This cost increase

is due to the U. T. System's high loss experience exhibited over the past five years. The following is a summary of the losses experienced by the U. T. System over this five-year period:

Five-Year Loss History for U. T. System Institutions

	<u>Total Loss</u>	<u>Deductible</u>	<u>Settlement Amount</u>
1988	\$ -0-	\$ -0-	\$ -0-
1989	27,289	15,000	12,289
1990	189,000	15,000	174,000
1991	215,000	15,000	200,000
1992	<u>146,807</u>	<u>15,000</u>	<u>131,807</u>
	\$578,096	\$60,000	\$518,096

Institutions with more than 3,000 employees

\$279,289 - 3 incidents - \$ 12,289
174,000
131,807

Institutions with 3,000 or less employees

\$200,000 - 1 incident - \$200,000

Limits of liability include:

Employee Dishonesty	\$3,000,000
Forgery or Alteration	\$3,000,000
Theft, Disappearance, Destruction	\$3,000,000
Robbery and Safe Burglary	\$3,000,000
Computer Fraud	\$3,000,000

It is recommended that this policy be replaced with National Union Fire Insurance Company under the terms, conditions, and cost outlined above.

Directors and Officers Executive Liability and Indemnification Policy

The U. T. System has acquired this insurance coverage on a continuous basis since 1976. A thorough check of the limited available market for this coverage provided no indication for the U. T. System not to renew the policy with the current insurer. National Union Fire Insurance Company of Pittsburgh, Pennsylvania, continues the same coverage as the expiring policy with no change in premium. The policy coverage has a limit of \$10,000,000 per year with deductibles per occurrence of \$100,000/\$300,000.

The premium of \$75,000 is prorated among the component institutions of U. T. System based on total employee/faculty head count.

It is recommended that this policy be renewed with National Union Fire Insurance Company for the period September 1, 1992 through September 1, 1993, under the terms and conditions outlined above.

3. U. T. Austin - Texas Swimming Center: Request for Exception to the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.1, and Approval to Name a Building (Exec. Com. Letter 93-3).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Academic Affairs, and Acting President Livingston that the U. T. Board of Regents authorize an exception to the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.1, which requires that the person honored by the naming of a building "shall have been deceased for at least five years," and approve the renaming of the Texas Swimming Center at U. T. Austin as the Lee and Joe Jamail Texas Swimming Center.

BACKGROUND INFORMATION

The proposed renaming of the Texas Swimming Center is in recognition of the generous support of Mr. and Mrs. Joseph D. Jamail (Lee Hage Jamail), Houston, Texas. At the August 1992 meeting of the U. T. Board of Regents, gifts and pledges totalling \$10,000,000 from Mr. and Mrs. Jamail were accepted. Of the total gifts accepted, \$1,000,000 was designated for the construction of an outdoor swimming pool adjoining the Texas Swimming Center. The outdoor pool was authorized by the U. T. Board of Regents at the December 1992 meeting.

The Texas Swimming Center was approved by the U. T. Board of Regents in April 1972 and first opened in March 1977.

4. U. T. Brownsville: Request for Permission for Individual to Serve as a Member of the Council of Advisors on Education [Regents' Rules and Regulations, Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11)] (Exec. Com. Letter 93-4).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor and the Executive Vice Chancellor for Academic Affairs that approval be given for Dr. Juliet V. Garcia, President of U. T. Brownsville, to serve as a member of the Council of Advisors on Education.

It is further recommended that the U. T. Board of Regents find that: (1) the holding of this membership by Dr. Garcia is of benefit to the State of Texas and (2) there is no conflict between Dr. Garcia's position at U. T. Brownsville and her membership on this Council.

BACKGROUND INFORMATION

Dr. Garcia has been invited by Dr. John Brademas, President of New York University and Chair of the Council of Advisors on Education, to serve as a member of the Council. This six-member council was formed to provide consultation to the Education Transition Team for President-Elect Bill Clinton. The Council will provide perspective on key issues identified by the Education Transition Team. The Education Transition Team, chaired by Dr. Johnnetta Cole, President of Spelman College, is preparing to advise the new Secretary of Education on the overall direction to be taken and major issues that need to be addressed by the Department of Education. Dr. Garcia's appointment will begin immediately, and she will serve without compensation.

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. Southwestern Medical Center - Dallas - Aston Ambulatory Care Center - Eighth Floor Finish Out (Project No. 303-777) - Aston Ambulatory Care Center Eighth and Ninth Level Bridges (Project No. 303-692): Recommended Award of Construction Contract to Dal-Mac Construction Company, Richardson, Texas (Exec. Com. Letter 93-4).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and President Wildenthal that the U. T. Board of Regents award one construction contract for Aston Ambulatory Care Center Eighth Floor Finish Out and Aston Ambulatory Care Center Eighth and Ninth Level Bridges at U. T. Southwestern Medical Center - Dallas to the lowest responsible bidder, Dal-Mac Construction Company, Richardson, Texas, for Proposal "C" Base Bid Combined Project and Additive Alternate Bid No. 2 in the amount of \$2,568,118.

BACKGROUND INFORMATION

In accordance with authorization of the U. T. Board of Regents in October 1990 and April 1992, bids for Aston Ambulatory Care Center Eighth Floor Finish Out and Aston Ambulatory Care Center Eighth and Ninth Level Bridges at U. T. Southwestern Medical Center - Dallas were received on November 24, 1992. Contractors were invited to submit bids for each of the two projects, Proposal "A" and Proposal "B," and to submit bids on a combination of the two projects, Proposal "C." This allowed maximum economies of scale. The bid tabulation is shown on Page Ex.C - 11.

The recommended award of a single construction contract to Dal-Mac Construction Company, Richardson, Texas, is based upon its low bid for the combination of the two projects, Proposal "C." To allow for independent accounting for the two projects due to different funding sources, the cost of the two

projects is determined by dividing the contract price in the proportions established by the lowest bona fide Proposals "A" and "B" received from all bidders. Therefore, the Eighth Floor Finish Out Proposal "A" Base Bid allocation of \$2,163,321 and the Eighth and Ninth Level Bridges Proposal "B" Base Bid allocation of \$404,797 totals the Proposal "C" Base Bid Combined Proposals "A" and "B" in the amount of \$2,568,118.

The Aston Ambulatory Care Center Eighth Floor Finish Out project has an authorized total project cost of \$3,445,000 funded from the issuance of tax-exempt Revenue Financing System Parity Debt. The total project cost for Aston Ambulatory Care Center Eighth Floor Finish Out is composed of the following elements:

Proposal "A" Base Bid Allocation	\$2,163,321	
Add Alternate No. 2	0	
Construction Cost		\$2,163,321
Fees and Administrative Expenses		224,807
Furniture and Equipment		854,855
Future Work and Miscellaneous Expenses		97,070
Project Contingency		<u>104,947</u>
Total Project Cost		<u>\$3,445,000</u>

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

The U. T. Board of Regents awarded the construction contract for the Aston Ambulatory Care Center Additions and Renovations in April 1991, at an authorized total project cost of \$26,750,000. The project is scheduled to be completed in April 1993. The Aston Ambulatory Care Center Eighth and Ninth Level Bridges total project cost of \$550,000 will be funded from the Aston Ambulatory Care Center Additions and Renovations project budget for Furniture, Furnishings, and Equipment.

The total project cost for the Aston Ambulatory Care Center Eighth and Ninth Level Bridges is composed of the following elements:

Proposal "B" Base Bid Allocation	\$404,797	
Construction Cost		\$404,797
Fees and Administrative Expenses		78,431
Future Work and Administrative Expenses		10,828
Project Contingency		<u>55,944</u>
Total Project Cost		<u>\$550,000</u>

The Eighth and Ninth Level Bridges are needed to allow faculty, staff, and patients to move easily among adjacent floors of the Aston Ambulatory Care Center, Parkland Memorial Hospital, and the U. T. Southwestern Medical Center - Dallas Danciger Building. The Eighth and Ninth Level Bridges will augment existing bridges on levels four through seven. Parkland Memorial Hospital has also agreed to reimburse U. T. Southwestern Medical Center - Dallas for one-third of the total project cost of the Eighth and Ninth Level Bridges.

ASTON AMBULATORY CARE CENTER - EIGHTH FLOOR FINISH OUT AND
EIGHTH AND NINTH LEVEL BRIDGES
THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS
Bids Received on November 24, 1992

<u>BIDDER</u>	<u>Proposal "A" Base Bid Eighth Floor Finish Out</u>	<u>Add Alt. #1 20 in lieu of 25 ga. Studs</u>	<u>Add Alt. #2 243 in lieu of 308 Cal. Days</u>	<u>Proposal "B" Base Bid 8th & 9th Level Bridges</u>	<u>Proposal "C" Base Bid Combined Proposals "A" & "B"</u>	<u>Add Alt. #1 Eighth Fl. Finish Out 20 in lieu of 25 ga. Studs</u>	<u>Add Alt. #2 Eighth Fl. Finish Out 243 in lieu of 308 Cal. Days</u>
Dal-Mac Construction Company Richardson, TX	\$2,190,781	\$ 5,982	\$ -0-	\$410,028	\$2,568,118	\$ 5,982	\$ -0-
Turner Construction Company of Texas Dallas, TX	2,500,000	5,500	-0-	600,000	2,700,000	5,500	-0-
Sedalco, Inc. Fort Worth, TX	2,363,000	14,000	30,000	579,000	2,821,000	14,000	30,000
Paul Pogue, Inc. Sherman, TX	2,375,000	8,300	20,000	525,000	2,855,000	8,300	20,000
Medical Environment Development Corporation (MEDCO) Dallas, TX	2,374,810	6,000	9,043	No Bid	No Bid	No Bid	No Bid
James R. Thompson, Inc. Dallas, TX	2,320,000	9,000	10,000	No Bid	No Bid	No Bid	No Bid

6. U. T. Southwestern Medical Center - Dallas - Research Building - Phase II North Campus Expansion (Project No. 303-755): Recommended Award of Construction Contract for General Construction for Research Building NA, Support Building NG, and Expansion of Thermal Energy Plant Building NJ to Centex Bateson Construction Company, Inc., Dallas, Texas (Exec. Com. Letter 93-4).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and President Wildenthal that the U. T. Board of Regents award a construction contract for General Construction for Research Building NA, Support Building NG, and Expansion of Thermal Energy Plant Building NJ - Phase II North Campus Expansion at the U. T. Southwestern Medical Center - Dallas to the lowest responsible bidder, Centex Bateson Construction Company, Inc., Dallas, Texas, for the Base Bid in the amount of \$31,473,000.

BACKGROUND INFORMATION

In accordance with authorization of the U. T. Board of Regents in October 1992, bids for General Construction of Research Building NA, Support Building NG, and Expansion of Thermal Energy Plant Building NJ - Phase II North Campus Expansion at the U. T. Southwestern Medical Center - Dallas were received on December 17, 1992, as shown on Page Ex.C - 13.

The project for expansion of the North Campus is divided into the Intercampus Connector project and three stages of construction. Executive Committee Letter 92-14 awarded a contract for the construction of the Intercampus Connector project, and Executive Committee Letter 92-18 awarded a contract for the first stage of construction for the prepurchase of Thermal Energy Plant equipment. This second stage includes the general construction of Research Building NA with support facilities, expansion of the Thermal Energy Plant, and attendant site work.

The six levels of research space in Research Building NA will be constructed as shell space to be finished out in the third stage of construction. Request for approval of the final plans for stage three will be presented to the U. T. Board of Regents at a future date.

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

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

GENERAL CONSTRUCTION FOR
RESEARCH BUILDING NA, SUPPORT BUILDING NG AND
EXPANSION OF THE THERMAL ENERGY PLANT BUILDING NJ
PHASE II - NORTH CAMPUS EXPANSION
THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS
Bids Received on December 17, 1992

EX.C - 13

<u>BIDDER</u>	<u>BASE BID</u>	<u>Deduct Alt. #1 Delete Planting 24 Trees</u>	<u>Deduct Alt. #2 Delete Finish Out of Animal Resources Center</u>	<u>Deduct Alt. #3 Reduce Number of Concrete Paving Joints</u>
Centex Bateson Construction Company, Inc., Dallas, TX	\$31,473,000	\$6,000	\$3,049,000	\$ 1,200
Clark-Morris Company, A Division of the George Hyman Construction Company, Dallas, TX	31,550,000	5,000	2,500,000	7,000
Dal-Mac Construction Company Richardson, TX	31,990,000	6,000	3,429,000	6,000
Huber, Hunt & Nichols, Inc. Dallas, TX	31,990,000	6,000	3,350,000	8,000
HCB Contractors, Dallas, TX	32,755,000	6,000	2,670,000	3,700
Turner Construction Company of Texas, Dallas, TX	32,950,000	6,000	2,900,000	13,000
Fru-Con Construction Corporation, Ballwin, MO	34,300,000	6,165	2,970,000	27,074
Total Contract Award Base Bid Only	\$31,473,000			

7. U. T. Southwestern Medical Center - Dallas: Request for an Additional \$10,000 from the U. T. System Self-Insurance Medical Liability Plan for Final Settlement of the Kanetra Horton vs. Dallas County Hospital District, et al. Litigation Case (Exec. Com. Letter 93-6).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor and the Executive Vice Chancellor for Health Affairs that an additional \$10,000 be paid from the U. T. System Self-Insurance Medical Liability Plan ("U. T. Plan") for final settlement of the Kanetra Horton vs. Dallas County Hospital District, et al. medical liability case at the U. T. Southwestern Medical Center - Dallas.

BACKGROUND INFORMATION

At the December 1992 meeting, the U. T. Board of Regents authorized settlement of the Kanetra Horton medical liability litigation for \$350,000. The \$350,000 settlement was reached at a court-ordered mediation. Subsequent to the Board's approval, a dispute arose among the multiple defendants, and the trial court required a payment of \$360,000 by the U. T. Plan to settle the lawsuit.

8. U. T. Medical Branch - Galveston: Request for Transfer of Funds Requiring Advance Regental Approval Under Budget Rules and Procedures No. 2 (Exec. Com. Letter 93-3).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and President James that the U. T. Board of Regents approve the following transfer of funds at the U. T. Medical Branch - Galveston:

Educational and General Funds

Amount of Transfer - \$6,846,636.43

From: Unappropriated Balance - \$6,846,636.43

To: Telecommunications Systems - Maintenance and
Operations - \$6,846,636.43

BACKGROUND INFORMATION

In January 1990, the U. T. Medical Branch - Galveston processed through the General Services Commission a lease purchase agreement for a telecommunications system with BellSouth Communications Systems, Inc., Irving, Texas. This agreement

provides for a fixed interest rate of 7.65% with lease payments due annually through September 30, 1997. In anticipation of improved financing rates during the term of the agreement, a provision was included to allow the U. T. Medical Branch - Galveston to exercise an option for prepayment of the obligation based on a computation of the unamortized principal on September 30 of each year.

The U. T. Medical Branch - Galveston is herewith requesting approval to appropriate \$6,846,636.43 from Unappropriated Educational and General Funds Balances for the purpose of retiring the entire commitment this fiscal year, thus avoiding payment of substantial amounts of interest.

9. U. T. M.D. Anderson Cancer Center - Bertner Complex (Project No. 703-772) and Clinical Services Facility (Project No. 703-773) - Phase I: Recommendation to Excuse M. A. Mortenson Company, Minneapolis, Minnesota, from an Erroneous Bid and Recommended Award of Construction Contract to the Lowest Responsible Bidder, Centex Bateson Construction Company, Inc., Dallas, Texas (Exec. Com. Letter 93-5).--

RECOMMENDATION

The Executive Committee concurs in the recommendation of the Chancellor, the Executive Vice Chancellor for Health Affairs, and President LeMaistre that the U. T. Board of Regents excuse M. A. Mortenson Company, Minneapolis, Minnesota, from an erroneous bid without forfeiture of its bid bond and award a construction contract for the Bertner Complex and Clinical Services Facility - Phase I at U. T. M.D. Anderson Cancer Center to the lowest responsible bidder, Centex Bateson Construction Company, Inc., Dallas, Texas, for Proposal "C" and Additive Alternate Nos. 1 and 2 in the amount of \$54,992,000.

BACKGROUND INFORMATION

In accordance with authorization of the U. T. Board of Regents in October 1992, bids for the construction of the Bertner Complex and Clinical Services Facility - Phase I at U. T. M.D. Anderson Cancer Center were received on December 23, 1992, as shown on Pages Ex.C 17 - 18.

The bid proposal for the project was organized so that contractors could bid on Proposal "A" for the Bertner Complex, on Proposal "B" for the Clinical Services Facility, and on Proposal "C" for the combined buildings. It was thought that the combination might result in savings through economies of scale achieved by a reduction in overhead costs and by quantity procurement of materials. However, on the chance that a low bid for Proposal "A" combined with a low bid for Proposal "B" might result in an overall cost less than the low bid for Proposal "C," the bid documents were structured so that contracts could be awarded to two separate contractors. Analysis of the bids following the bid opening showed that the bid of the M. A. Mortenson Company, Minneapolis, Minnesota, for Proposal "A" combined with the bid of Manhattan Construction Company, Houston, Texas, for Proposal "B" was indeed less than Centex Bateson's bid for Proposal "C."

Further analysis of the bids indicated that Mortenson might have made an error in its bid for Proposal "A." This was made evident by the fact that Mortenson was approximately \$4.4 million lower than any other bidder for Proposal "A" but was approximately \$1.3 million higher than the lowest bidder for the combined buildings in Proposal "C." Mortenson was asked by telephone if it might have made an error in its bid for Proposal "A." Within about five minutes after the question was asked, Mortenson responded that it had indeed made a clerical error in its bid for Proposal "A." Mortenson followed up by providing copies of its bid calculations to prove how the error had been made and asked that it be excused from its bid for Proposal "A."

The error occurred when the price for purchased concrete materials, \$5,204,341, was transferred from a work sheet and entered into a computer spreadsheet as \$520,341. This resulted in an error of \$4,684,000 in Mortenson's bid for Proposal "A." The described clerical error has been proven to the satisfaction of Mr. Kristoferson, Director of the Office of Facilities Planning and Construction, and Mr. Hanke, counsel in the Office of General Counsel.

Legal precedent establishes that an error of the nature made in Mortenson's bid justifies excusing the bidder from its error without forfeiture of its bid bond. Accordingly, the lowest responsible bid for the project was submitted by Centex Bateson Construction Company, Inc., Dallas, Texas, in the amount of \$54,992,000 for Proposal "C" and Additive Alternate Nos. 1 and 2.

Funding for the total project cost of Phase I in the amount of \$82,605,000 has been previously appropriated from U. T. M.D. Anderson Cancer Center Educational and General Funds.

The scope of the Phase I project includes preconstruction activities, site preparation, and construction of the foundation, superstructure, exterior walls, and glass and roof for both the Bertner Complex and the Clinical Services Facility. Elevators, stairs, a transformer vault, and the mechanical upgrade for the Gimbel Building are also included. Bids for Phase II to complete the Bertner Complex and Clinical Services Facility will be received at a future date, and a recommendation for contract award will be presented to the U. T. Board of Regents for separate consideration.

The completed Bertner Complex will contain a total of 779,400 gross square feet and include the Bertner Patient Care Tower and the Bertner Research Building at a total project cost of \$206.2 million. The Clinical Services Facility totals 174,085 gross square feet at a total project cost of \$42.4 million.

This project has been included in the FY 1991 Capital Improvement Plan, the FY 1993 Capital Budget, and was approved by the Texas Higher Education Coordinating Board in October 1992. Total project funding is from the following sources:

U. T. M.D. Anderson Cancer Center Revenue Bonds	\$ 65,400,000
Philanthropy	100,595,000
U. T. M.D. Anderson Cancer Center Educational and General Fund Balances	<u>82,605,000</u>
Total	<u>\$248,600,000</u>

BERTNER COMPLEX AND CLINICAL SERVICES FACILITY
 CONSTRUCTION PHASE I
 THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER
 Bids Received on December 23, 1992

<u>BIDDER</u>	<u>Proposal "A"</u> <u>Bertner</u> <u>Complex -</u> <u>Phase I</u>	<u>Add</u> <u>Alt. #1</u> <u>Elevators</u>	<u>Proposal "B"</u> <u>Clinical</u> <u>Services</u> <u>Facility -</u> <u>Phase I</u>	<u>Add</u> <u>Alt. #2</u> <u>Elevators</u>	<u>Proposal "C"</u> <u>Combined</u> <u>Proposals</u> <u>"A" and "B"</u>	<u>Add</u> <u>Alt. #1</u> <u>Elevators</u>	<u>Add</u> <u>Alt. #2</u> <u>Elevators</u>
Centex Bateson Construction Company, Inc., Dallas, TX	No Bid	No Bid	No Bid	No Bid	\$50,272,000	\$3,993,000	\$ 727,000
Clark-Morris Company, A Division of the George Hyman Construction Company, Dallas, TX	\$44,972,000	\$3,950,000	\$7,900,000	\$795,000	50,972,000	3,950,000	795,000
M. A. Mortenson Company Minneapolis, MN	40,580,000	3,911,371	No Bid	No Bid	51,550,000	3,911,371	701,657
Huber, Hunt & Nichols, Inc., Dallas, TX	No Bid	No Bid	No Bid	No Bid	52,175,000	3,624,000	689,000
Manhattan Construction Company, Houston, TX	46,511,000	3,939,000	6,131,000	712,000	51,950,000	3,939,000	712,000
Charter Builders, Inc., Dallas, TX	No Bid	No Bid	No Bid	No Bid	52,415,000	4,238,000	743,000

BERTNER COMPLEX AND CLINICAL SERVICES FACILITY
 CONSTRUCTION PHASE I
 THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER
 Bids Received on December 23, 1992

<u>BIDDER</u>	<u>Proposal "A"</u> Bertner Complex - Phase I	<u>Add</u> Alt. #1 Elevators	<u>Proposal "B"</u> Clinical Services Facility - Phase I	<u>Add</u> Alt. #2 Elevators	<u>Proposal "C"</u> Combined Proposals "A" and "B"	<u>Add</u> Alt. #1 Elevators	<u>Add</u> Alt. #2 Elevators
Turner Construction Company of Texas Houston, TX	No Bid	No Bid	No Bid	No Bid	\$53,249,000	\$3,815,000	\$ 708,000
H. A. Lott, Inc. Houston, TX	No Bid	No Bid	No Bid	No Bid	53,000,000	4,100,000	750,000
Morganti Texas, Inc. Houston, TX	No Bid	No Bid	No Bid	No Bid	53,650,000	4,244,000	740,000
Dal-Mac Construction Company Richardson, TX	\$50,150,000	\$4,250,000	\$6,890,000	\$720,000	54,500,000	4,250,000	720,000
W. S. Bellows Construction Corporation Houston, TX	No Bid	No Bid	No Bid	No Bid	55,490,000	4,140,000	7,774,000

Business Affairs & Audit Committee

BUSINESS AFFAIRS AND AUDIT COMMITTEE
Committee Chairman Loeffler

Date: February 11, 1993

Time: Following the meeting of the Executive Committee

Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall

	<u>Page</u> <u>BAAC</u>
1. U. T. System: Recommendation to Approve <u>Chancellor's Docket No. 68</u>	2
2. U. T. System: Recommendation to Amend (a) Policies and Procedures for Disci- pline and Dismissal of Employees and (b) Grievance Policy and Procedures	2

1. U. T. System: Recommendation to Approve Chancellor's Docket No. 68.--

RECOMMENDATION

It is recommended that Chancellor's Docket No. 68 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. System: Recommendation to Amend (a) Policies and Procedures for Discipline and Dismissal of Employees and (b) Grievance Policy and Procedures.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Executive Vice Chancellor for Business Affairs that the U. T. Board of Regents amend Regental policies as set forth below in congressional style:

- a. Amend Section III, Item E of the U. T. System "Policies and Procedures for Discipline and Dismissal of Employees" as follows:

III. DISCIPLINE AND DISMISSAL POLICIES AND PROCEDURES

. . .

E. Imposing the Disciplinary Penalty

1. Notice

Upon completing the predisciplinary hearing procedures and obtaining the approval of the appropriate department head or administrative equivalent, the supervisor shall inform the employee in writing of the following:

- (a) whether the disciplinary penalty is demotion, suspension without pay or dismissal;
- (b) the effective date of demotion, suspension or dismissal;
- (c) a specific period for a suspension without pay, not to exceed one (1) month [~~five-(5)-working-days~~];

.

- b. Amend Section III, Item 2 of the U. T. System "Grievance Policy and Procedures" as follows:

III. PROCEDURE FOR BRINGING A GRIEVANCE

. . . .

2. If the complaint is not satisfactorily resolved by the supervisor or administrative equivalent within five (5) working days, the employee may present the complaint in writing within five (5) working days to the appropriate department head or administrative equivalent for consideration and action. A written decision will be mailed to the employee within five (5) working days of receipt of the complaint.

. . . .

BACKGROUND INFORMATION

The proposed amendment to the "Policies and Procedures for Discipline and Dismissal of Employees" authorizes suspensions without pay for a specific period of time not to exceed one month. Under the prior provision, suspensions were limited to five days and did not provide an adequate range of disciplinary action short of dismissal.

The proposed amendment to the "Grievance Policy and Procedures" is intended to clarify the time limits for appeal of complaints not resolved by the supervisor.

At the April 1989 meeting, the U. T. Board of Regents adopted uniform "Policies and Procedures for Discipline and Dismissal and Grievances of Employees" to comply with court decisions and to bring uniformity to the procedures at the U. T. System component institutions. In order to clarify the intent of the policies and procedures, the U. T. Board of Regents amended the Policies and Procedures at the October 1989 meeting to separate them into two policies. The two policies were last amended at the June 1991 meeting.

Academic Affairs Committee

ACADEMIC AFFAIRS COMMITTEE
Regent Holmes

Date: February 11, 1993
Time: Following the meeting of the Business Affairs and
Audit Committee
Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall

	<u>Page</u> <u>AAC</u>
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2. U. T. Austin: Proposed Appointment to the Charles and Sarah Seay Regents Professorship in Developmental Psychology in the College of Liberal Arts Effective September 1, 1993	9
3. U. T. Austin: Request for Authorization to Establish a Master of Arts Degree in Post-Soviet and East European Studies and to Submit the Proposed Degree Program to the Coordinating Board for Approval (Catalog Change)	9
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10. U. T. Pan American: Recommendation to Approve Changes in Residence Hall Room and Board Rates and Meal Plan Rates Effective with the Fall Semester 1993 (Catalog Change) 22
11. U. T. San Antonio: Request for Authorization to Establish a Bachelor of Arts Degree in Philosophy and to Submit the Proposed Degree Program to the Coordinating Board for Approval (Catalog Change) 24
12. U. T. Tyler: Recommendation for Approval of Proposed Revisions to Constitution of the Student Association 26

1. U. T. Arlington: Recommendation for Approval of a Proposed Agreement with Oslo Business School, Oslo, Norway, and Request for Authorization to Execute Agreement.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Amacher that approval be given to the proposed agreement set out on Pages AAC 4 - 8 between U. T. Arlington and the Oslo Business School, Oslo, Norway.

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

BACKGROUND INFORMATION

The proposed agreement is designed to promote cooperation and exchange which will enhance the academic interchange between U. T. Arlington and Oslo Business School. The goals of the general agreement are:

- a. Exchange of faculty
- b. Exchange of students
- c. Development of collaborative research projects
- d. Exchange of publications, such as books, academic journals, studies, and other research information generated by either party as a result of joint efforts.

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



**AGREEMENT
BY AND BETWEEN
OSLO BUSINESS SCHOOL
and
THE UNIVERSITY OF TEXAS AT ARLINGTON**

This agreement is made and entered into by and between the Oslo Business School, hereinafter referred to as OBS, and the The University of Texas at Arlington hereafter referred to as UTA. The parties hereto agree as follows:

I. Philosophical Intent.

The primary objective of this agreement is the development of cooperative efforts between OBS and UTA, which will enhance the academic interchange between the two institutions.

Recognizing the importance of mutual collaboration and the contributions to society made by institutions of higher education, the parties desire to promote this international exchange between the faculty and students of the two institutions as well as the exchange of academic and research information.

Specific projects in an area of educational interest will be selected as a result of coordination by OBS and UTA at the appropriate administrative level in each institution. As these projects are developed, each will require a specific written Memorandum of Understanding made in advance setting forth the terms and conditions thereof and executed by both institutions.

II. Definitions.

- a) "Home Institution" shall be defined as a party to this agreement which under the terms of this agreement send its faculty member(s) or student(s) to the other party (institution) for the purposes of study and/or research.
- b) "Host Institution" shall be defined as a party to this agreement which under the terms of this agreement accepts the visiting faculty member(s) or student(s) from the other party for study and/or research.

III. Exchange of Faculty Members.

- a) Following receipt of written credentials and proposed activities, a party may submit a letter of invitation to a faculty member(s) of the other party hereto outlining the proposed terms and conditions under which the visit is to take place. No such visit shall exceed one (1) academic year as that period is defined by the host institution.
- b) Negotiations between the parties hereto concerning such proposed visit shall include consideration of the method and source of funding for the expenses of the visiting faculty member or members. Also, they will include the type of assistance or facilities which the faculty members will require from the host institution and whether the visiting faculty member will collaborate with the faculty or researchers from the host institution.
- c) A decision to grant or deny a request shall be at the sole discretion of the host institution.

IV. Exchange of Students.

a) Residential Student Exchange Program.

1. Students of either institution who desire to study at the other institution in degree programs, at the undergraduate or graduate level, must meet all admission standards of the host institution and receive all required approval from the home institution. It will be the responsibility of the home institution to obtain an application from the student for study at the host institution and to formally recommend each student for the study desired. Each student accepted by the host institution will be expected to participate in the host institution at the same level of competency as any other student of the host institution who is a foreign national.
2. The host institution will make the final decision as to the acceptance of the student in each case, according to its admission policies governing foreign students, and will notify the home institution in writing of acceptance or rejection. The home institution will notify the students of this decision.
3. The home institution shall have no responsibility for the expenses of a visiting student except as otherwise committed to the student. The host institution will consider the provision of waiver of all or part of tuition fees, where the appropriate fees have already been paid at the home institution, on a reciprocal basis, and will use its best efforts to assist in locating housing and related matters, as well as assistance in the establishment of contacts in the degree program.

Exchange students shall be entitled to all services normally extended to students at the host institution.

4. In the event academic or other problems arise during the course of a residential student exchange, the host institution will immediately notify the home institution of the nature of the problem and the action which it proposes to take. The home institution shall then attempt to resolve the problem through contact with the student. If the problem cannot be resolved in this manner, the host institution may then take appropriate action through its established procedures.

V. Joint Research Projects.

Proposed joint research projects shall be evaluated to determine the mutual benefit to each institution. In the evaluation of a proposal, consideration shall be given to the qualifications of the participating faculty members and the proposed location of the research activity. Where an initial decision is made to approve a joint research project, the institutions shall attempt to obtain extramural funding before final approval of the project. The terms and conditions of each joint research project shall be mutually agreed to in writing before the beginning of the project and shall include agreement as to publications and other intellectual property rights.

VI. General Provisions.

- a) All publications, research grants or other joint projects which results from collaborative efforts shall recognize the efforts of both institutions and shall give recognition to this Agreement therein. Likewise, this Agreement must also be mentioned in all courses and formal presentations which result

from collaboration under the terms hereof.

b) Both parties agree to exchange publications, such as books, academic journals, studies and other research information which is generated by either party as a result of joint efforts under this agreement.

c) This agreement shall take effect when executed by the parties and shall terminate on June, 30 1995. The agreement shall be automatically renewed for additional one (1) year periods unless either party provides the other notice no later than sixty (60) days prior to the expiration of the preceding term that it wishes to terminate this Agreement. If either party fails to follow the terms and conditions of this Agreement as set forth herein, the other party has the right to terminate this Agreement immediately upon written notice to the other.

IN WITNESS WHEREOF the parties hereto have executed two copies of this instrument in the presence of two witnesses whose signatures also appear below.

THE UNIVERSITY OF TEXAS
AT ARLINGTON

OSLO BUSINESS SCHOOL

.....

.....
Kenneth L. Anderson
.....
Dean, Undergraduate Programs

Date:

Date: 09.29.92

2. U. T. Austin: Proposed Appointment to the Charles and Sarah Seay Regents Professorship in Developmental Psychology in the College of Liberal Arts Effective September 1, 1993.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that Dr. Judith H. Langlois, Professor in the Department of Psychology, be appointed as initial holder of the Charles and Sarah Seay Regents Professorship in Developmental Psychology in the College of Liberal Arts at U. T. Austin effective September 1, 1993.

BACKGROUND INFORMATION

Dr. Langlois joined the U. T. Austin faculty in 1973 and is internationally recognized for her work in developmental psychology. During her tenure at U. T. Austin, she has served as Associate Dean of the College of Liberal Arts and on a wide variety of university, college and departmental committees. She has authored or coauthored several books and numerous book chapters and articles. Dr. Langlois is a Fellow of the American Psychological Association, a reviewer or editor for more than a dozen scholarly journals, and a proposal reviewer for various public and private grant agencies.

The Charles and Sarah Seay Regents Professorship in Developmental Psychology was established by the U. T. Board of Regents at the April 1990 meeting.

3. U. T. Austin: Request for Authorization to Establish a Master of Arts Degree in Post-Soviet and East European Studies and to Submit the Proposed Degree Program to the Coordinating Board for Approval (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that authorization be granted to establish a Master of Arts degree in Post-Soviet and East European Studies at U. T. Austin and to submit the proposal to the Texas Higher Education Coordinating Board for approval. The proposed M.A. degree program is consistent with U. T. Austin's approved Table of Programs and institutional plans for offering quality degree programs to meet student needs. A description of the degree program is given in the Background Information of this agenda item.

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

BACKGROUND INFORMATION

Program Description

The proposed Master of Arts degree in Post-Soviet and East European Studies program is a 36 semester credit hour interdisciplinary degree with an option of either 6 hours of master's thesis or 3 hours of master's report. Students will be required to complete a new core course specifically designed for this program and will be required to achieve language proficiency. Student programs will be individually tailored from courses in anthropology, architecture, art history, comparative literature, economics, geography, government, history, law, linguistics, literature, oriental languages, philosophy, radio-TV-film, and sociology. The program will be administered by the Center for Soviet and East European Studies under the College of Liberal Arts.

Student Need-Demand

A growing national need exists for individuals with training in Post-Soviet and East European studies. Trade with the republics of the former Soviet Union is expected to grow substantially. Governmental ties with those republics will increase. Many of the students who complete the program will likely enter government and business jobs, while others will use the master's degree as a step toward a doctoral degree in a particular discipline.

Only 8 to 10 students per year are expected to be enrolled in this interdisciplinary program. This small number will be a relatively low percentage of the qualified applicants. The University of Michigan, Ann Arbor, Michigan, and Indiana University, Bloomington, Indiana, regularly receive over 100 applications a year for 12 to 20 spaces in their programs.

Program Quality

The program builds on a set of strong graduate programs in various disciplines. The Center for Soviet and East European Studies and its faculty are nationally recognized for the quality of the scholarly work done in the Center. Specific procedures have been established for evaluating the program, including self-studies and peer reviews by colleagues at other institutions.

Program Cost

No new faculty will be required to implement the program. Presently some 45 faculty members representing six different colleges are associated with the Center for Soviet and East European Studies. These faculty, teaching courses already in the course inventory, provide the base for this interdisciplinary program. One new seminar course and one conference course will be added to the inventory. These courses can be taught by rearranging schedules and slightly adjusting the frequency with which other courses are taught. Consequently, no additional costs will be incurred by offering the proposed program.

Summary

U. T. Austin proposes to establish the M.A. in Post-Soviet and East European Studies which will offer advanced scholarly training for those qualified students who seek an integrated,

interdisciplinary knowledge of the language, history, society, and culture of the Post-Soviet and East European area of the world.

A copy of the proposal is on file in the U. T. System Office of Academic Affairs.

4. U. T. Austin: Recommendation to Approve Voluntary Student Services Fees Effective with the Fall Semester 1993 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that the U. T. Board of Regents approve Voluntary Student Services Fees at U. T. Austin to be effective with the Fall Semester 1993 as set out below. Current and proposed fees are listed for comparative purposes.

	1992-93		1993-94	
	Academic Year	Actual Fee Spring Semester	Academic Year	Proposed Fee Spring Semester
Athletics	\$57.00	\$28.50	\$57.00	\$28.50
Department of Theatre and Dance	12.00	6.00	12.00	6.00
Performing Arts	25.00	12.50	25.00	12.50
TSP Package	39.50	33.00	*	*
<u>Cactus</u> Yearbook	30.00	30.00	35.00	35.00
<u>Utmost</u> Magazine	12.50	6.25	*	*
Official Directory	3.00	**	3.00	**
<u>Peregrinus</u> Yearbook	25.00	25.00	25.00	25.00
<u>Analecta</u> Literary Journal	5.00	5.00	5.00	5.00
Locker/Basket and Shower (per semester)	6.00***	6.00	6.00***	6.00

*TSP Package and Utmost Magazine have been discontinued.

**Not offered.

***Represents Fall Semester charge only.

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

BACKGROUND INFORMATION

In accordance with Sections 54.513 and 54.514 of the Texas Education Code, the proposed amounts for Voluntary Student Services Fees have been recommended to Acting President Livingston by the Student Services Fees Committee at U. T. Austin. The recommended fees represent an increase for the Cactus Yearbook. All other voluntary fees will remain at the 1992-93 level. The Student Publications Package and Utmost Magazine have been discontinued, and the name of the

fee for the Drama Department has been changed to reflect the department's name change to the Department of Theatre and Dance.

5. U. T. Austin: Recommendation for Approval of a Proposed Agreement of Academic Cooperation with the Universite Moulay Ismail, Meknes, Morocco, and Request for Authorization to Execute Agreement.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that approval be given to the proposed agreement of academic cooperation set out on Pages AAC 13 - 17 between U. T. Austin and the Universite Moulay Ismail, Meknes, Morocco.

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

BACKGROUND INFORMATION

The proposed agreement is designed to promote cooperation and exchange which will enhance the academic interchange between U. T. Austin and the Universite Moulay Ismail. The goals of the general agreement are:

- a. Exchange of students
- b. Joint and/or individual faculty research activities
- c. Participation in seminars and academic meetings
- d. Exchange of academic and scholarly material
- e. Special short-term academic programs.

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

**AN AGREEMENT OF ACADEMIC COOPERATION
BETWEEN THE UNIVERSITE MOULAY ISMAIL, MEKNES, MOROCCO
AND THE UNIVERSITY OF TEXAS AT AUSTIN**

The Universite Moulay Ismail at Meknes, Morocco, (hereafter referred to as "UMI") and The University of Texas at Austin, for and on behalf of the Center for Middle Eastern Studies (hereafter referred to as "UT Austin"), in order to develop academic and cultural interchange between the faculty and students of the two institutions through mutual assistance in their areas of interest and to benefit both institutions, agree as follows:

PART I: SCOPE OF COOPERATION

The areas of cooperation include, subject to mutual consent, any program offered by "UMI" and "CMES" that both parties feel contributes to the fostering and development of the cooperative relationship between the two universities in matters relating broadly to the Middle East and other academic affairs. Each party will provide assistance in relation to exchange of students, research collaboration, and faculty development as deemed beneficial by the two universities.

PART II: AREAS OF COOPERATION

A. PROGRAMS

Assistance and cooperation shall be carried out through such activities or programs as:

1. Exchange of students
2. Joint and/or individual faculty research activities
3. Participation in seminars and academic meetings
4. Exchange of academic and scholarly material
5. Special short-term academic programs

B. PROGRAM COORDINATORS

The program coordinators shall be Dr. Driss Ouaouicha, Ph.D., UT Austin, and Dean of the Faculte des Lettres et des Sciences Humaines at "UMI," and Dr. Robert K. Holz, Director of "CMES."

PART III: FINANCIAL SUPPORT

The scope of the activities under this agreement shall be determined by the funds regularly available at both institutions for the types of collaboration undertaken and by such other financial assistance as may be obtained by either institution from external sources. The terms of student exchange and other collaboration and the necessary budget for each specific program and activity that is implemented under the terms of this agreement shall be mutually discussed and agreed upon in writing by both parties prior to the initiation of the particular program or activity, and the terms of such programs and activities shall be negotiated on an annual basis.

PART IV: STUDENT EXCHANGE PROGRAM

A. PURPOSE

A primary purpose of this agreement is to make possible and institute the exchange of students, both undergraduate and graduate, between the two institutions on a continuing basis.

B. DEFINITIONS

In this agreement, unless the content will otherwise imply, exchange shall mean the opportunity for students from either university to work at the other institution based on the availability of funding and the needs and interests of the students involved in the exchange. Exchange students shall mean students participating in the exchange implemented herein; home institution shall mean the university in which the student plans to graduate; and host institution shall mean the university that has agreed to receive the exchange students from the home institution.

C. NUMBERS

While it is difficult to give exact numbers at this date, we foresee beginning in the fall semester, 1993, the exchange of at least one student from each home institution, with that number increasing from two to four students in the following years, subject to available funding. The program will be reviewed at the end of each academic year and adjusted as necessary to deal with any imbalances that develop in the exchange.

D. SELECTION OF PARTICIPANTS

It shall be the responsibility of the home institution to screen applicants from its university in this exchange. As early as possible before each academic year or semester, each institution will send to the other, the applications for as many exchange students as there are places and funding available. The host institution will reserve the right to make final adjustments on the admissibility of each student nominated for the exchange.

The following guidelines apply to all exchange students:

- 1) The exchange students may apply to any academic program offered at the host institution as full-time, non-degree seeking students at a level (undergraduate or graduate) determined by the host institution. The host institution reserves the right to exclude students from restricted enrollment programs. Any academic credit earned at the host institution may be transferred back to the home institution in accordance with rules and procedures determined by the latter.
- 2) The exchange students must complete at least one continuous year of study at the home institution before the exchange period.

- 3) Upon completion of the year, semester, or summer at the host institution, the exchange students must return to the home institution unless an extension of stay has been approved by both universities.
- 4) The exchange students are subject to and must abide by all the rules and regulations of the host institution.

E. RESPONSIBILITIES OF THE UNIVERSITE MOULAY ISMAIL

"UMI" will agree to accept the prescribed number of "CMES" exchange students, to enroll them as full-time, non-degree seeking students for one or two regular semesters of the academic year or for the summer session. "UMI" will provide the appropriate counselling and other assistance to "CMES" exchange students and will assist to the degree possible in finding housing in "UMI" residential dormitories or an appropriate alternative.

F. RESPONSIBILITIES OF THE CENTER FOR MIDDLE EASTERN STUDIES

"CMES" will agree to accept the prescribed number of "UMI" exchange students, to enroll them as full-time, non-degree seeking students for one or two semesters of the academic year or for the summer session. "CMES" will provide the appropriate counselling and other assistance to "UMI" exchange students and will assist them in finding housing in residence halls or an appropriate alternative.

G. EXCHANGE STUDENT RESPONSIBILITIES

Each exchange student will register at and pay tuition and other required fees to the home institution. Exchange students will not be required to pay tuition and other fees to the host institution. The host institution will assist in providing documents needed for the visa or other documentation of the host institution country. The participating students will be responsible for the following:

- 1) Room and board expenses
- 2) Transportation to and from the host institution
- 3) Medical insurance and/or medical expenses
- 4) Textbooks and other supplies
- 5) Passport and visa costs
- 6) All personal expenses
- 7) All other debts incurred during the course of the period abroad.

PART V: FACULTY EXCHANGE PROGRAM

In order to assist faculty members from both institutions in the development of teaching strategies and to promote research and scholarly development, exchange of faculty members shall be made on an occasional basis and as funding is available. These

academic exchanges may be for a year, a semester, a summer, or shorter period of time.

A. FUNDING

The funding of all faculty exchanges shall be the responsibility of the home institution, except in those instances when the host institution has a particular academic need and the funding is available to support a need for a faculty exchange.

B. EXCHANGE FACULTY RESPONSIBILITIES

Each exchange faculty member shall be responsible for:

- 1) In-country living expenses
- 2) Transportation to and from the host institution
- 3) Medical insurance and/or other medical expenses
- 4) Passport and visa costs
- 5) All personal expenses
- 6) All debts incurred during the course of the period abroad.

PART VI: RENEWAL, TERMINATION AND AMENDMENT

This agreement shall remain in force for a period of five (5) years from the date of the last signature, with the understanding that it may be terminated by either party giving notice to the other party in writing no later than the end of March in any year. Termination shall be without penalty. The agreement may be extended by mutual consent of the two parties.

This agreement may be amended by the exchange of letters between the two institutions. Upon execution of such letters by the authorized representatives of the two institutions and approval in writing by the Executive Vice Chancellor for Academic Affairs of the University of Texas System, such amendments will become part of this agreement.

Agreement of Academic Cooperation
UT Austin/UMI
Page Five of Five

EXECUTED by the Board of Regents of The University of Texas System and The Universite Moulay Ismail on the day and year first below written, in duplicate copies, each of which shall be deemed an original.

THE UNIVERSITY OF TEXAS
AT AUSTIN

THE UNIVERSITE OF MOULAY ISMAIL

BY: _____

BY: _____

TITLE: President

TITLE: _____

FORM APPROVED:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

Office of General Counsel

BY:

James P. Duncan
Executive Vice Chancellor
for Academic Affairs

CERTIFICATE OF APPROVAL

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

Executive Secretary, Board of Regents
The University of Texas System

6. U. T. Brownsville: Recommendation to Approve an Increase in the Compulsory Student Services Fee Effective with the Fall Semester 1993 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Garcia that the U. T. Board of Regents approve an increase in the Compulsory Student Services Fee at U. T. Brownsville from \$7.00 per semester credit hour with a maximum fee of \$90.00 per semester or summer session to \$8.25 per semester credit hour with a maximum fee of \$99.00 per semester or summer session to be effective with the Fall Semester 1993.

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

BACKGROUND INFORMATION

Section 54.503 of the Texas Education Code authorizes a maximum compulsory student services fee of \$150 per semester or summer session, although an increase in excess of 10% of the current fee at any institution requires a favorable vote in a general student election or by the student government.

The proposed increase in the maximum fee from \$90.00 to \$99.00 per semester or summer session is within the 10% limit. The change in the per semester credit hour rate from \$7.00 to \$8.25 will allow the maximum rate to be reached for students taking 12 or more semester credit hours. The U. T. Brownsville Student Fee Advisory Committee will have been consulted in approving the fee recommendation prior to the February 1993 U. T. Board of Regents' meeting. Income from the fee increase will allow U. T. Brownsville to continue to meet the increasing costs for current services.

7. U. T. Brownsville: Recommendation to Establish Differential Tuition Rates for Graduate Programs Effective with the Fall Semester 1993 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Garcia that the U. T. Board of Regents approve the establishment of differential graduate tuition rates for all graduate programs at U. T. Brownsville. The proposed differential graduate tuition is \$36.00 per semester credit hour for resident students and \$174.00 per semester credit hour or \$12.00 above the cost of education established by the Texas Higher Education Coordinating Board, whichever is higher, for nonresident students effective with the Fall Semester 1993.

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

BACKGROUND INFORMATION

Section 54.008 of the Texas Education Code provides that governing boards of institutions of higher education may set differential tuition rates for graduate programs in an institution provided that such rates are at least equal to the minimum rates established by statute and not more than double the statutory rate.

Section 54.0512(b) of the Texas Education Code provides for resident tuition to be the greater of \$100 per semester or twelve-week summer session or \$26 per semester credit hour in 1993-94. For nonresidents, the Texas Education Code provides for the Texas Higher Education Coordinating Board to determine the cost of education which constitutes the tuition rate to be charged for nonresident and foreign students. That rate will be \$162 per semester credit hour for 1993-94.

Graduate programs at U. T. Brownsville include the Master of Arts in Interdisciplinary Studies with majors in English, History, or Spanish; the Master of Science in Interdisciplinary Studies with a major in Biology; Master of Business Administration; Master of Education with a major in Elementary Education; and several graduate-level certification programs, including Counseling, Educational Administration, Elementary Education, Reading, Supervision, and Bilingual Education.

The U. T. Brownsville Administration will have consulted with graduate students regarding the proposed increases prior to the February 1993 U. T. Board of Regents' meeting. The additional funds will be used to meet the higher costs associated with offering graduate programs, for faculty and student support, and for other academic support programs. Specific allocations of differential tuition funds will include provisions for needed financial assistance and will be subject to approval by the U. T. Board of Regents through the annual operating budget or docketing procedures, as appropriate.

8. U. T. Dallas: Recommendation to Establish an Internal Foundation for the School of Management; Request to Add the Internal Foundation to the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3 (Internal Foundations); and Recommendation to Establish the Management School Foundation Advisory Council.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Rutford that the U. T. Board of Regents approve the following actions relative to establishing an internal foundation at U. T. Dallas:

- a. Approve the resolution set out on Page AAC - 21 creating the Management School Foundation as an

internal foundation to benefit the School of Management in accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3

- b. Authorize the Executive Secretary to the U. T. Board of Regents to add the Foundation to the list of approved internal foundations set out in the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3, Subdivision 4.33
- c. Establish the Management School Foundation Advisory Council pursuant to the Regents' Rules and Regulations, Part One, Chapter VII, Section 3 with the understanding that nominees to the Management School Foundation Advisory Council will be submitted for approval at a future meeting.

BACKGROUND INFORMATION

The UTD Management School Foundation (Foundation) was incorporated in 1980 as a privately incorporated nonprofit organization to solicit funds on behalf of the School of Management at U. T. Dallas. This approach has served the institution well in the intervening years; however, it is recognized that the benefit of an internal foundation will provide enhanced visibility for the department and fund raising capabilities while providing consistent internal control over fund raising efforts. Mutual termination of the Foundation has been agreed to by the Foundation board members and the U. T. Dallas Administration, and the Foundation will be dissolved with assets transferred to U. T. Dallas in early 1993.

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 U. T. Board of Regents.

Upon approval, recommendations for appointment of nominees to membership on the Advisory Council for the Management School Foundation will be prepared in accordance with the Regents' Rules and Regulations for consideration by the U. T. Board of Regents at a future date.

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 Management of The University of Texas at Dallas, in addition to 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 Management School Foundation of The University of Texas at Dallas.

AND FURTHER, That the purpose of said Foundation shall be to foster the understanding and development of programs of the School of Management of The University of Texas at Dallas 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.

AND FINALLY, That all donations to and assets of the Foundation shall be accepted and managed subject to the following conditions:

1. The unrestricted funds of the Foundation shall be devoted to the enrichment of the programs of the School of Management of The University of Texas at Dallas and such special funds as may be established from time to time and shall not be used for the ordinary operating expenses of the School of Management.
2. A donation to the Foundation may be made for a specific purpose as specified by the donor or may be given as unrestricted funds. Gifts which meet or exceed the minimum requirements of the Board of Regents may be presented for acceptance by the Board as permanently endowed funds for support of the School of Management of The University of Texas at Dallas.
3. The Board of Regents shall hold, manage, control, sell, exchange, lease, convey, mortgage or otherwise encumber, invest or reinvest, and generally shall have the 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 the trust and all expenditures incurred in furthering the purposes of the trust.
4. Neither any donation to the Management School 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 to 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 through the Executive Vice Chancellor for Academic Affairs to the Chancellor and by the Chancellor to the Board of Regents of The University of Texas System.

9. U. T. Pan American: Recommendation to Approve an Increase in the Compulsory Student Services Fee Effective with the Fall Semester 1993 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nevarez that the U. T. Board of Regents approve an increase in the Compulsory Student Services Fee at U. T. Pan American from \$8.47 per semester credit hour with a maximum fee of \$108.90 per semester or summer session to \$9.98 per semester credit hour with a maximum fee of \$119.76 per semester or summer session to be effective with the Fall Semester 1993.

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

BACKGROUND INFORMATION

Section 54.503 of the Texas Education Code authorizes a maximum compulsory student services fee of \$150 per semester or summer session, although an increase in excess of 10% of the current fee at any institution requires a favorable vote in a general student election or by the student government.

The proposed increase of \$10.86 from \$108.90 to \$119.76 per semester or summer session is within the 10% limit. The change in the per semester credit hour rate from \$8.47 to \$9.98 will allow the maximum rate to be reached for students taking 12 or more semester credit hours. The increase in the compulsory student services fee has been approved and recommended by the U. T. Pan American Student Fee Advisory Committee. The income from the fee increase will allow U. T. Pan American to continue to maintain services at the level they are currently providing.

10. U. T. Pan American: Recommendation to Approve Changes in Residence Hall Room and Board Rates and Meal Plan Rates Effective with the Fall Semester 1993 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nevarez that the U. T. Board of Regents approve changes in Residence Hall room and board rates and meal plan rates at U. T. Pan American effective with the Fall Semester 1993 as set out on Page AAC - 23.

	<u>1991-92</u> <u>Approved</u> <u>Rates</u>	<u>1992-93</u> <u>Adjusted</u> <u>Rates*</u>	<u>1993-94</u> <u>Proposed</u> <u>Rates</u>
<u>Room and Board Rates per Semester</u>			
Room and 14 Meal Plan	\$1,160.00	\$ N/A	\$ N/A
Room and 15 Meal Plan	1,219.00	N/A	N/A
Room and 20 Meal Plan	1,278.00	N/A	N/A
Room (Board Plan Required)	N/A	628.00	660.00
Private Room - Single Occupancy (Board Plan Required)	N/A	1,256.00	1,008.00
Board Plan (Declining Balance)	N/A	300.00	300.00

Room and Board Rates (Summer Session)

Room and 20 Meal Plan	491.00	N/A	N/A
Room (Board Plan Required)	N/A	258.00	271.00
Board Plan (Declining Balance)	N/A	100.00	100.00

Room and Board--Other Fees

Installment Payment Fee	5.00	5.00	5.00
Delinquent Installment Fee	5.00	5.00	5.00
Damage Deposit	50.00	50.00	50.00

Meals Only Rates per Semester

14 Meal Plan	532.00	N/A	N/A
15 Meal Plan	591.00	N/A	N/A
20 Meal Plan	650.00	N/A	N/A

Meals Only Rates (Summer Session)

20 Meal Plan	\$ 258.00	\$ N/A	\$ N/A
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Meals Only--Other Fees

Installment Payment Fee	5.00	N/A	N/A
Delinquent Installment Fee	5.00	N/A	N/A
Change of Meal Plan Service Charge	3.00	N/A	N/A

*The 1992-93 Adjusted Rates reflect changes in the contract with the food service contractor for the 1992-93 academic year wherein the board rates were separated from the room and board rates and changed to a required board plan with a purchased meal voucher of at least \$300 per semester or \$100 per summer session.

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

BACKGROUND INFORMATION

The U. T. Board of Regents last approved increases in the room and board and meal plan rates for U. T. Pan American at its February 1991 meeting with the rates to be effective for 1991-92. For 1992-93, the food service contractor changed its meal plan to require only that residents purchase a meal voucher for a minimum of \$300 per semester or \$100 per summer session.

The basic room charges for 1991-92, without meal costs, were \$628 per semester and \$258 per summer session. These rates were not changed for 1992-93. The proposed increases in the room rates for 1993-94 are approximately 5%. In addition, students who in the past wanted a private (single occupancy) room were charged \$1,256, two times the base rate for a student in a multiple occupancy room. The 1993-94 proposed rates include a recommendation that the single occupancy rate be reduced to \$1,008.

11. U. T. San Antonio: Request for Authorization to Establish a Bachelor of Arts Degree in Philosophy and to Submit the Proposed Degree Program to the Coordinating Board for Approval (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Kirkpatrick that authorization be granted to establish a Bachelor of Arts degree in Philosophy at U. T. San Antonio and to submit the proposal to the Texas Higher Education Coordinating Board for approval. In addition, the Coordinating Board will be asked to update the U. T. San Antonio Table of Programs which reflects that this area of study is appropriate to U. T. San Antonio's role and mission although such a program is not now offered. A description of the degree program is given in the Background Information of this agenda item.

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

BACKGROUND INFORMATION

Program Description

The proposed Bachelor of Arts degree in Philosophy will require that students complete 30 semester credit hours in Philosophy courses including 18 hours in specified core courses. A 12-hour minor or support area will also be required. It is anticipated that most students will choose a humanities minor. A total of 120 hours is required for the bachelor's degree. At the present time, students interested in the study of philosophy are limited to the interdisciplinary Bachelor of Arts in Humanities program which includes required courses in philosophy.

The proposed program will be administered by the Division of English, Classics, and Philosophy. No new administrative structure will be created.

Program Need/Student Demand

U. T. San Antonio projects that 12 students will major in Philosophy in the first year, and the number will increase to 36 by the fifth year. Like other liberal arts majors, philosophy majors may enter post-baccalaureate professional schools such as law and business or accept a wide variety of employment opportunities.

The ability to provide a major in philosophy will also allow U. T. San Antonio to strengthen course offerings for non-majors. The presence of philosophy majors in the philosophy courses helps to raise the standards in those courses and facilitates the retention of philosophy faculty. Nearly all comprehensive American universities offer a bachelor's degree in philosophy.

Program Quality

U. T. San Antonio has five full-time tenure-track faculty in philosophy, all of whom have the Ph.D. degree. In addition, the university currently has two part-time philosophy faculty one of whom has a Ph.D. as well. All but one of the proposed philosophy courses in the proposed program have previously been taught by the faculty in support of the interdisciplinary B.A. in Humanities. Hence, the courses are already well developed to support a quality program.

Program Cost

Additional costs of the proposed B.A. program in Philosophy are minimal. The existing divisional structure can easily administer the proposed degree program. No new tenure-track faculty will be required in the first five-year period. However, at least one part-time lecturer or teaching associate will be needed to teach some of the service courses. Eventually some increase is anticipated in the number of upper-division courses offered, but course work now being offered will allow the program to be implemented immediately. The library will be strengthened to support the current courses and the interdisciplinary humanities program. No strengthening beyond that which is already planned will be required to support the major.

Summary

U. T. San Antonio proposes to establish the B.A. in Philosophy. Most of the courses required for this major already exist, and consequently, the additional cost of the program is minimal. The existing number of faculty teaching philosophy is adequate to initiate the program with an eventual need for one additional part-time faculty member.

A copy of the proposal is on file in the U. T. System Office of Academic Affairs.

12. U. T. Tyler: Recommendation for Approval of Proposed Revisions to Constitution of the Student Association.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Hamm that approval be given to proposed revisions to the Constitution of the Student Association of U. T. Tyler set out on Pages AAC 27 - 40 in congressional style.

BACKGROUND INFORMATION

Proposed minor revision to Article I of the Constitution of the U. T. Tyler Student Association updates terminology to reference the "Chief Student Affairs Officer" rather than the "Dean of Student Services." The proposed revisions to Article IV of the Constitution encourage continuity and development of student leadership by requiring two semester's experience in student government as a prerequisite for eligibility to hold the offices of President or Vice President of the Student Association and by authorizing these officers to hold office for two terms. Currently, there is no requirement for previous membership in the Student Association for eligibility to hold executive office, and there is a limitation of one term as President or Vice President. Editorial correction is made to Article V of the Constitution to clarify that composition of the student fee advisory committee will be consistent with State law.

The proposed substantive revisions were approved by more than two-thirds of the students voting in a campus wide election held in November 1991.

The Constitution was first approved by the U. T. Board of Regents at the February 1984 meeting and has not been amended. The proposed revisions have been reviewed and approved by the Office of General Counsel and have received the institutional approvals required by the Regents' Rules and Regulations, Part One, Chapter VI, Section 5, Subsection 5.12 concerning amendment of student constitutions.

The Constitution of the
STUDENT ASSOCIATION
of
The University of Texas at Tyler

STATEMENT OF PURPOSE

It is the primary purpose of the Student Government of The University of Texas at Tyler, hereafter known as the Student Association, to represent the corporate Student Body and to provide a unified voice in student dealings with individuals and agencies outside of that body. In its advisory capacity, the Student Association will operate within the laws of the State of Texas, the Rules and Regulations of the Board of Regents of The University of Texas System, and the procedures established by The University of Texas at Tyler. The activities of the Student Association include, but are not limited to, the following:

1. Representing those ideals, goals, and programs which are of general Student Body interest to the administration and to other groups within and without the University structure.
2. Serving as a forum for the presentation of student interests and desires, determining which of these represent the opinions of a majority of the Student Body, and then acting to further the accomplishment of these goals.
3. Enhancing the intellectual life of the University, through providing opportunities for students to expose themselves to the widest possible range of contemporary thought and opinion.
4. Working with the administration and faculty toward providing adequate student services programs to meet the students' needs.

5. Advising the University administration of student opinion.

ARTICLE I

STUDENT ASSOCIATION

Section 1. Composition

The Student Association of The University of Texas at Tyler shall be composed of three representatives elected from each school, along with the President, Vice President, Secretary, and Treasurer of the Student Body elected at large.

Section 2. Term of Office

Terms of office for all representatives shall be from the first day of May until the last day of April the following year. Vacancies occurring in the Student Association shall be filled in accordance with Article VII of this Constitution.

Section 3. Assumption of Office

A term of office shall be from the meeting in which one takes office immediately following one's election until such time as that office is vacated either constitutionally, by resignation, or by removal from office.

Section 4. Other Representation

The President and Vice President of the Student Body of The University of Texas at Tyler shall serve on the Student Association.

Section 5. Presiding Officer

The President of the Student Body shall preside over all meetings of the Student Association and may vote in the event of a tie vote. The Vice President of the Student Body shall preside over all meetings and/or portions of meetings in the absence of the President.

Section 6. Quorum

One-half plus one of the current membership of the Student Association shall constitute a quorum. The presence of three-fourths of the current membership of the Student Association shall be necessary to vote on proposed amendments to this Constitution.

Section 7. Meetings

The Student Association shall hold a regular meeting twice a month during September, October, November, February, March, April, and once a month during December, January, and May. During each summer session, the Student Association shall hold one regular meeting.

Section 8. Advisors

The Chief Student Affairs Officer [~~Dean-of-Student-Services~~] shall be the advisor of the Student Association. One additional advisor may be approved by the President of the University upon recommendation of the Student Association.

ARTICLE II

EXECUTIVE FUNCTION

Section 1. Executive Officers

The executive officers of the Student Association shall be a President, a Vice President, a Secretary, a Treasurer, and a Parliamentarian, who shall fulfill the qualifications set forth in Article IV of this Constitution.

Section 2. Election of President, Vice President, Secretary, and Treasurer

The President, Vice President, Secretary, and Treasurer of the Student Association shall be chosen by an at-large election of

the entire Student Body to be conducted in conjunction with the election of student representatives in the spring of each year.

Section 3. Selection of Other Executive Officers

The Parliamentarian shall be appointed by the President.

Section 4. Term of Office

The term of office for all officers shall be from the first day of May until the last day of April the following year.

ARTICLE III

FUNCTIONS AND POWERS

Section 1. Legislative Power

The legislative power of the Student Body shall be vested in the Student Association and shall be the highest level of elected student government of The University of Texas at Tyler.

Section 2. Powers and Responsibilities of the Student Association

The Student Association shall have the power and responsibility to:

- (1) Be the official representative of the Student Body.
- (2) Express its opinions concerning any topic that is of interest to the Student Body, discuss any questions or matters within the scope of this Constitution, and make recommendations to any individual or group, or both, on any such matters or questions.
- (3) Propose or enact legislation on any matter or question that rests entirely in the Student Body with

the exception of those functions and powers reserved to the Student Judicial Board in Article IV of this Constitution.

- (4) Make recommendations to the President of the Student Body concerning student appointments.

Section 3. Voting by Proxy

Voting by proxy on matters before the Student Association, or other bodies set forth in this Constitution, shall not be allowed.

Section 4. Parliamentary Authority

Unless otherwise prescribed in this Constitution of the Student Association of The University of Texas at Tyler, Robert's Rules of Order Newly Revised shall serve as the official rules of procedure.

Section 5. Powers and Responsibilities of the President

The executive powers shall be vested in a President. The President shall have the power and responsibility to:

- (1) Preside at all meetings of the Student Association.
- (2) Recommend legislation to the Student Association.
- (3) Execute all approved legislation passed by the Student Association.
- (4) Execute and enforce all decisions rendered by the Student Judicial Board.
- (5) Make all appointments to all Student Association Committees which include student members.
- (6) Unless otherwise prescribed in this Constitution, set the agenda for all Student Association meetings.
- (7) Exercise the option of voting in the case of a tie vote.

Section 6. Powers and Responsibilities of the Vice President

The Vice President shall have the power and responsibility to:

- (1) Assist the President in the execution of his/her duties.
- (2) Perform the duties of the President in the case of his/her absence, including exercise of the option of voting in the case of a tie vote.
- (3) Become President, if the office of the President shall become vacant, for the remainder of the term of office in accordance with Article IV of this Constitution.
- (4) Serve as chairperson of the Student Association Student Life Committee, and as liaison to the Faculty Senate.

Section 7. Secretary of the Student Association

The Secretary of the Student Association shall:

- (1) Serve as chairperson of the Student Communications Committee.
- (2) Maintain a record of all proceedings of the Student Association.
- (3) Assist the President and Vice President in the execution of their duties.
- (4) Manage all correspondence of the Student Association.

Section 8. Treasurer of the Student Association

The Treasurer of the Student Association shall:

- (1) Serve as chairperson of the Student Fee Advisory Committee.
- (2) Maintain the financial records of the Student Association.
- (3) Publish in the official University of Texas at Tyler newspaper by January 1 and June 1 of each year a

financial statement which shall include a complete record of all financial transactions of the Student Association, and any other information the Student Association may designate.

Section 9. Parliamentarian of the Student Association

The Parliamentarian of the Student Association shall:

- (1) Be an elected member of the Student Association.
- (2) Render all decisions regarding parliamentary procedure in accordance with Article II, Section 3, of this Constitution.
- (3) Assist the President and Vice President in the execution of their duties.
- (4) Serve as chairperson of the Rules Committee.

Section 10. Executive Committee

The Executive Committee shall consist of the President, Vice President, Secretary, Treasurer, and Parliamentarian.

ARTICLE IV

QUALIFICATIONS AND ELECTIONS

Section 1. General Qualifications

No person shall be a candidate for or hold office in the Student Association under the authority of this Constitution unless he/she shall:

- (1) Be enrolled for a minimum of nine hours on the undergraduate level or six hours on the graduate level during the fall and spring semesters.
- (2) Be in good academic standing.
- (3) Be a regularly enrolled student in the school from which he/she was elected and remain a member of his/her constituency in order to continue membership in the Student Association.

- (4) Be a candidate or hold an office from only one school per election.
- (5) Be a candidate or hold the office of President or Vice President unless he/she shall have two semesters as Student Association representative or executive officer.

Section 2. Term of Office for President and Vice President
The President and Vice President may be elected for two terms [~~only-one-term~~] in the same office. A term shall consist of one year. The completion of an unexpired term does not render one ineligible for term election in that office.

Section 3. Voting

No person shall be entitled to vote in an election held under the authority of this Constitution unless he/she is a regularly enrolled member of the Student Body at the time of this election.

Section 4. Elections

- (1) All elections provided for in this Constitution shall be administered by the Rules Committee.
- (2) To be elected President or Vice President of the Student Body, a candidate must receive forty percent of the votes cast for that office in a general Student Body election. If no candidate received the required forty percent, or if there is a tie, there will be a run-off between the top two candidates. If two candidates receive at least forty percent and neither receives a majority, there will be a run-off between these two candidates.
- (3) Write-in balloting shall not be accepted in any run-off election.

- (4) All other elections shall be decided by a plurality of votes cast, provided that in the event of a tie vote, a run-off election shall be held.
- (5) Special elections may be called by the Student Association by a two-thirds vote of the membership of the Student Association.

Section 5. Office Hours

All officers are expected to maintain reasonable office hours.

ARTICLE V

STANDING COMMITTEES

Section 1.

The standing committees of the Student Association are the Student Life Committee, the Rules Committee, the Student Fee Advisory Committee, and the Student Communications Committee.

Section 2. Composition

Each of the standing committees shall be composed of five members of the Student Body, except for the Student Fee Advisory Committee which shall be composed as required by State law. The inclusion of at least one undergraduate and graduate member per committee shall be encouraged.

Section 3. Chairperson

- (1) The chairperson of the Rules Committee shall be the Parliamentarian, who is appointed by the President of the Student Association.
- (2) No person shall be chairperson of more than one standing committee.
- (3) The chairperson of each committee shall have the right to include items on the agenda of the Student Association meetings.

- (4) The chairperson of each committee shall be a member of the Student Association.

Section 4. Committee Responsibilities

- (1) The Student Life Committee shall be responsible for coordinating all student activities. It shall also serve as the means of communication between the students and faculty.
- (2) The Student Communications Committee shall be responsible for all communications between the Student Association and the Student Body.
- (3) The Rules Committee shall establish election procedures and administer the conduct of all elections within the framework of this Constitution. It shall also deal with matters relating to student organizations.
- (4) The Student Fee Advisory Committee may make recommendations to the administration concerning the preparation of the Student Services budgets, the expenditure of Student Association funds, and other various student fees.

ARTICLE VI

STUDENT JUDICIAL BOARD

Section 1. Composition

The Student Judicial Board shall be composed of five (5) full-time students who do not sit on the Student Association, or hold any other elected or appointed student office on campus. Of the five (5) members, there shall be at least one undergraduate and one graduate member, the remaining members to be selected from either group.

Section 2. Term of Office

Members of the Student Judicial Board shall serve for the duration of their current academic degree programs at The University of Texas at Tyler. When a member is not enrolled as a full-time student in a fall or spring semester, membership on the Student Judicial Board is terminated.

Section 3. Presiding Officer

The presiding officer of the Student Judicial Board shall be the Chairman, and he/she shall be elected by the members of that body for his/her term of office.

Section 4. Selection Process

All members of the Student Judicial Board shall be selected by the Executive Committee and approved by a simple majority of the Student Association.

Section 5. Constitutional Interpretation

The Student Judicial Board shall arbitrate over matters of interpretation of this Constitution and acts of the Student Association. Any member of the Student Association may petition the Student Judicial Board concerning any matter heretofore mentioned. The Student Judicial Board shall decide by simple majority of its members whether to hear a case and shall by a four-fifths majority render a decision that shall be final and binding upon all concerned parties.

Section 6.

The Student Judicial Board shall act in any other such matters as directed by the President of The University of Texas at Tyler.

ARTICLE VII
VACATING AN OFFICE

Section 1. Removal from Office

- (1) Any person serving in any office or on any committee or board under the provisions of this Constitution may upon petition by the Executive Committee or by one-fourth of the Student Association be removed from office upon approval of two-thirds of the entire Student Association.
- (2) If at any time a person serving under the provisions of this Constitution can no longer meet the minimum requirements outlined for the office in this Constitution, that office automatically becomes vacant.
- (3) Names of members who have missed three consecutive scheduled meetings or missed a total of four scheduled meetings in a semester will be placed before the Executive Committee of the Student Association for evaluation and possible dismissal from office.

Section 2. Succession

If for any reason the office of President should become vacant, the Vice President shall become President. In the event that the Vice President cannot, or chooses not to, serve as President, a special election shall be held under the provisions of Section 3 of this article.

Section 3. Special Elections

Upon a vacancy occurring in any elected office, a special election shall be held to fill that vacancy within ninety (90) days of the vacancy occurring or at the next general election, whichever comes first. Persons elected in special elections shall serve until the next regularly scheduled election for that office.

Section 4. Student Judicial Board Vacancies

Vacancies on the Student Judicial Board shall be filled as specified in Article VI of this Constitution.

ARTICLE VIII

RATIFICATION AND AMENDMENT

Section 1. Student Association-Initiated Amendment

Any member of the Student Association may propose amendments to this Constitution. The proposed amendment must lie on the table for thirty (30) days, after which the Student Association must vote on the proposed amendment. If three-fourths of the total membership of the Student Association favors the amendment, it must be submitted to the Student Body for approval or disapproval.

Section 2. Student Body-Initiated Amendment

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

Section 3. Ratification

Amendments to this Constitution shall become effective after ratification by a two-thirds majority of students voting on said amendments in an election, after certification by the Chairman of the Rules Committee that such amendments have been duly ratified, and after approval by the Board of Regents of The University of Texas System through its prescribed procedures.

Section 4. Permanent Copy

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

Section 5. Deletion and Substitution

Amendments by deletion and substitution are allowed.

Section 6. Retroactive

No proposed amendment or Act of the Student Association shall have retroactive application which would affect officers or organizations currently named in this Constitution.

Section 7.

All provisions of this Article shall be conducted in accordance with all other provisions set forth in this Constitution.

Health Affairs Committee

HEALTH AFFAIRS COMMITTEE
Regent Temple

Date: February 11, 1993
Time: Following the meeting of the Academic Affairs
Committee
Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall

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1. U. T. Southwestern Medical Center - Dallas: Proposed Appointments to Endowed Academic Positions Effective as Indicated.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that the following initial appointments to endowed academic positions at the U. T. Southwestern Medical Center - Dallas be effective as indicated:

<u>Name of Proposed Appointee</u>	<u>Endowed Academic Position</u>
Robert A. Wiebe, M.D. Professor of Pediatrics	The Sarah M. and Charles E. Seay Distinguished Chair in Pediatric Medicine; effective immediately See Item <u>42</u> on Page <u>AMC - 38</u> for establishment of this Chair.
William B. Neaves, Ph.D. Dean, U. T. Southwestern Medical School - Dallas and Professor of Cell Biology	Doris and Bryan Wildenthal Professorship; effective immediately for a five-year appointment See Item <u>43</u> on Page <u>AMC - 39</u> for establishment of this Professorship.
George R. Buchanan, M.D. Professor of Pediatrics and Director of Pediatric Hematology-Oncology	Children's Cancer Fund Distinguished Professorship in Pediatric Oncology and Hematology; effective immediately See Item <u>38</u> on Page <u>AMC - 35</u> for establishment of this Professorship.
Barton A. Kamen, M.D., Ph.D. Professor of Pediatrics and Pharmacology	Carl B. & Florence E. King Foundation Distinguished Chair in Pediatric Oncology Research; effective immediately See Item <u>35</u> on Page <u>AMC - 32</u> for establishment of this Chair.
George H. McCracken, Jr., M.D. Professor of Pediatrics	Sarah M. and Charles E. Seay Chair in Pediatric Infectious Diseases; effective immediately See Item <u>41</u> on Page <u>AMC - 37</u> for establishment of this Chair.

Name of Proposed Appointee

Endowed Academic Position

John D. Rutherford, M.D.
Professor of Internal
Medicine

Gail Griffiths Hill Chair
in Cardiology; established
October 1984, redesignated
December 1992; effective
January 18, 1993.

BACKGROUND INFORMATION

Dr. Wiebe received his medical degree from Tulane University School of Medicine and completed an internship and residency at Triplet General Hospital in Honolulu, Hawaii. Subsequently, he served as Professor and Vice Chairman of the Department of Pediatrics at the University of Hawaii School of Medicine, where he received numerous outstanding teacher awards. He joined the faculty of the U. T. Southwestern Medical School - Dallas in 1991 as Professor of Pediatrics, Director of Pediatric Emergency Medicine, and Director of the Pediatric Emergency Referral Center at Children's Medical Center of Dallas.

Dr. Neaves is a graduate of Harvard Medical School and a distinguished cell biologist and teacher. He was appointed to the faculty at the U. T. Southwestern Medical School - Dallas in 1973. In 1989, following several years' service as Dean of the U. T. Southwestern G.S.B.S. - Dallas, he was appointed Dean of the U. T. Southwestern Medical School - Dallas.

Dr. Buchanan completed his medical degree at the University of Chicago School of Medicine. Recruited from Harvard Medical School in 1977, he serves as Professor of Pediatrics and Director of Pediatric Hematology-Oncology at the U. T. Southwestern Medical School - Dallas.

Dr. Kamen completed the M.D./Ph.D. program at Case Western Reserve University and served an internship and residency at Yale University School of Medicine before being recruited to the U. T. Southwestern Medical School - Dallas, where he is a Professor of Pediatrics and Pharmacology.

Dr. McCracken completed his medical degree at Cornell University Medical College. Subsequently, he was a Chief Resident in Pediatrics at the U. T. Southwestern Medical School - Dallas followed by two years of work at the National Institutes of Health. He returned to Dallas to join the faculty of the U. T. Southwestern Medical School - Dallas in 1968 and attained the rank of full Professor in 1976. His work has enhanced the understanding of antimicrobial chemotherapy in children as well as bacterial meningitis in infants and children.

Dr. Rutherford joined the faculty at the U. T. Southwestern Medical School - Dallas as Professor of Internal Medicine in January 1993. He is a distinguished cardiologist and investigator who has co-directed the clinical cardiology service and the Samuel A. Levine Cardiac Unit at Brigham and Women's Hospital in Boston, Massachusetts.

2. U. T. Southwestern Medical Center - Dallas: Recommendation to Approve Changes in Parking Permit Fees Effective September 1, 1993 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that the U. T. Board of Regents approve changes in annual parking permit fees at the U. T. Southwestern Medical Center - Dallas effective September 1, 1993, as set out below:

<u>Parking Permit Fee</u>	<u>Current</u>	<u>Proposed</u>
Faculty	\$150 - \$350	\$180 - \$700
Volunteer Faculty	5	5
Classified Employees	40 - 75	45 - 90
Students	30	35

Annual parking permit fees are prorated if purchased for less than one year.

No parking permit fees are charged for permanently disabled persons or disabled veterans as defined by Articles 6675a-5e and 6675a-5e.1 of Vernon's Texas Civil Statutes.

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

BACKGROUND INFORMATION

The U. T. Southwestern Medical Center - Dallas parking permit fees were last approved in February 1992. The range in fees for faculty reflects the difference between premium parking, such as named reserved spaces, and general faculty parking. The range for classified employees is the difference between covered parking and more remote, open lot parking. The modest increase for students is the first increase in several years. It is anticipated that this fee increase will facilitate the building of additional parking facilities.

3. U. T. Medical Branch - Galveston: Recommendation to Name Room in Maurice Ewing Hall (Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, Naming of Facilities Other Than Buildings).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that Room 1.104, a large seminar room, located in Maurice Ewing Hall at the U. T. Medical Branch - Galveston be named the Don Micks Suite. 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 room is in honor of Dr. Don Micks who joined the faculty at the U. T. Medical Branch - Galveston in 1949 and was appointed Chairman of the Department of Preventive Medicine and Community Health in 1966, a position he held until his retirement in 1985. Dr. Micks is a distinguished researcher, instructor, and administrator whose accomplishments have been recognized around the world. The naming of the room is a fitting manner in which to honor his dedication and service to The University of Texas System and the U. T. Medical Branch - Galveston.

4. U. T. Medical Branch - Galveston (U. T. Nursing School - Galveston): Recommendation for Approval to Establish a Master's Degree in Nurse-Midwifery and to Submit the Proposal to the Coordinating Board for Approval (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that approval be granted to establish a Master's degree track in Nurse-Midwifery in the U. T. Nursing School - Galveston at the U. T. Medical Branch - Galveston. Upon approval by the U. T. Board of Regents, the proposal will be submitted to the Texas Higher Education Coordinating Board for approval.

BACKGROUND INFORMATION

The proposed University of Texas Collaborative Nurse-Midwifery Education Program (UT-NEP) is to be a joint effort between the U. T. Medical Branch - Galveston and the U. T. Health Science Center - Houston. The proposed program is patterned after the existing format for the Primary Care Nursing major in terms of required core courses, thesis requirements, and credit hour allocation. Consequently, since the program will be integrated into the current masters program, it will require only the addition of clinical midwifery courses. Upon completion of the program requirements, students will be awarded a Master of Science degree in Nursing by the U. T. Nursing School - Galveston and will be eligible to take the national certification exam of the American College of Nurse-Midwives.

There is a shortage of physicians providing obstetrical care in rural Texas and other medically underserved areas. Nurse-midwives have played a major role in providing prenatal care and deliveries for low-risk pregnancies, especially in these medically underserved areas. Nationally, there are 4,500 practicing Certified Nurse-Midwives (CNMs), and the need is estimated at 10,000 by the year 2000. UT-NEP will target

recruitment and retention of students from diverse ethnic and cultural populations, with the goal of increasing the number of health-care professionals from minority and other at-risk populations.

Federal funding for full implementation of the program for approximately eight to twenty students per year is being sought through the Department of Health and Human Services, Public Health Service, Division of Nursing. If federal funding is not forthcoming, the program will be conducted on a limited basis with a maximum of eight students admitted every other year utilizing existing nurse midwifery and Obstetrics-Gynecology medical faculty with institutional sharing of equipment, supplies, and secretarial resources provided by current funds. The proposed limited program will require one additional faculty member whose cost will be shared by the U. T. Nursing School - Galveston and two departments in the U. T. Medical School - Galveston using current unallocated funds. Library resources to support the program are strong, and no additional special equipment is needed. Establishment of this program will increase the number of CNMs, thereby increasing access to primary health care for women through the reproductive cycle, particularly those from medically underserved areas in Texas.

Upon approval by the Coordinating Board, the next appropriate catalog published at the U. T. Medical Branch - Galveston will be amended to reflect this action.

A copy of the proposal is on file in the Office of Health Affairs.

5. U. T. Medical Branch - Galveston: Recommendation to Approve an Increase in the Compulsory Student Services Fee Effective with the Fall Semester 1993 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that the U. T. Board of Regents approve an increase in the Compulsory Student Services Fee at the U. T. Medical Branch - Galveston effective with the Fall Semester 1993 as follows:

U. T. Medical School - Galveston

	<u>Current Fee</u>	<u>Proposed Fee</u>
Year 1	\$132.00	\$145.00
Year 2	198.00	218.00
Year 3	198.00	218.00
Year 4	198.00	218.00

U. T. G.S.B.S. - Galveston, U. T. Allied Health Sciences School - Galveston, and U. T. Nursing School - Galveston

Increase from \$5.50 per credit hour with a maximum charge per semester of \$66 to \$6.00 per credit hour with a maximum charge per semester of \$72.

Upon Regental approval, the Minute Order will reflect that the next catalog published by the U. T. Medical Branch - Galveston will be amended to conform to this action.

BACKGROUND INFORMATION

Compulsory Student Services Fees for the U. T. Medical Branch - Galveston are levied in accordance with Section 54.503 of the Texas Education Code. The proposed increases are in accordance with the relevant provisions of that statute and are supported by the students. The increase is requested in order to provide adequate funding for student activities.

6. U. T. Health Science Center - Houston: Recommendation to Approve an Increase in the Compulsory Student Services Fee Effective with the Fall Semester 1993 (Catalog Change).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Low that the U. T. Board of Regents approve an increase in the Compulsory Student Services Fee at the U. T. Health Science Center - Houston from \$220 per year to a minimum of \$275 per year and a maximum of \$310 per year. This increase is to be effective with the Fall Semester 1993.

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

BACKGROUND INFORMATION

Compulsory Student Services Fees for the U. T. Health Science Center - Houston are levied in accordance with Section 54.503 of the Texas Education Code. The proposed increase is in accordance with the relevant provisions of that statute and has been recommended by the Student Intercouncil. At the June 1986 meeting, the U. T. Board of Regents granted authority for the U. T. Health Science Center - Houston to increase the Student Services Fee from \$190 per year to the current \$220 per year. The proposed increase is directly related to additional costs associated with the day-to-day operation of the Student Health Service, the recreational facility and the addition of a shuttle service for students.

7. U. T. Health Science Center - San Antonio: Proposed Appointment to the John J. Hinchey, M.D. Chair in Orthopaedics Effective Immediately.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Howe that James D. Heckman, M.D., be appointed as initial holder of the John J. Hinchey, M.D. Chair in Orthopaedics at the U. T. Health Science Center - San Antonio effective immediately.

BACKGROUND INFORMATION

Dr. Heckman is Professor and Chairman of the Department of Orthopaedics at the U. T. Medical School - San Antonio. He is well respected in the field of orthopaedic surgery and for his stature in academic medicine. His scientific presentations are widely sought after for national and regional meetings. He has provided superb leadership to the Department of Orthopaedics with his success being measured in teaching, research and clinical care achievements during his tenure.

The John J. Hinchey, M.D. Chair in Orthopaedics was originally established by the U. T. Board of Regents as the John J. Hinchey Professorship in Orthopaedics at the April 1988 meeting and it was redesignated as the John J. Hinchey, M.D. Chair in Orthopaedics at the October 1992 meeting.

**Facilities, Planning & Construction
Committee**

FACILITIES PLANNING AND CONSTRUCTION COMMITTEE
Regent Rapoport

Date: February 11, 1993
Time: Following the meeting of the Health Affairs Committee
Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall

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1. U. T. Arlington: Request for Authorization to Appoint Project Architect for Professional Services Relative to the Americans with Disabilities Act; Authorization to Approve Final Plans, Secure Coordinating Board Approval, Advertise for Bids and Award Contracts; and Appropriation Therefor.--

RECOMMENDATION

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

- a. Appoint the firm of James C. Lancaster & Associates, Inc., Grapevine, Texas, as Project Architect for professional services relative to compliance with the Americans with Disabilities Act (ADA) on the campus of U. T. Arlington at an estimated total project cost of \$4,486,758
- b. Delegate to U. T. System Administration the authority to approve final plans, submit for Coordinating Board approval, advertise for bids, and award construction contracts for dollar limits exceeding the institution's authority with actions to be presented to the U. T. Board of Regents for ratification through the institutional docket
- c. Appropriate \$217,937 from General Use Fee Balances to cover the professional fees for these services.

BACKGROUND INFORMATION

U. T. Arlington has previously retained the professional services of the architectural firm of James C. Lancaster & Associates, Inc. to conduct a facilities study and self-evaluation plan for U. T. Arlington as required by the Americans with Disabilities Act (ADA). It is now requested that the architects be authorized to prepare the necessary plans and specifications to request competitive bids from contractors to make the necessary modifications to existing campus buildings, accessible routes, parking lots, loading zones, and ramps to comply with ADA, prior to the January 26, 1995, deadline for completion of architectural barrier removals. The estimated total project cost, including architectural fees, is \$4,486,758. No single building retrofit is estimated to exceed \$300,000, but it may be advisable to combine work in several buildings to gain economies of scale.

Funding for these retrofit projects will be determined at a later date and will be evaluated based upon priority, legislative appropriations, available balances, and bonding capacity. Approval of this request will amend the Capital Improvement Plan and Capital Budget accordingly.

2. U. T. Pan American - Engineering Building (Project No. 901-795): Presentation of Project Analysis and Requested Endorsement to Use Conceptual Design in Fund Campaign.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nevarez that the U. T. Board of Regents endorse the use of the conceptual design for the Engineering Building in the U. T. Pan American Fund Campaign previously approved by the U. T. Board of Regents.

BACKGROUND INFORMATION

In October 1991, authorization was granted by the U. T. Board of Regents to establish programs leading to a Bachelor of Science in Electrical Engineering, a Bachelor of Science in Mechanical Engineering, and a Bachelor of Science in Manufacturing Engineering and to create a Department of Engineering within the College of Arts and Sciences at U. T. Pan American. Final approval by the Texas Higher Education Coordinating Board occurred in April 1992. To facilitate initiation of this program, the Texas Legislature appropriated \$1,196,000 for the 1990-1991 biennium and \$1,909,965 for the 1992-1993 biennium.

To complement this legislative funding, U. T. Pan American has launched a fund raising campaign directed primarily at building and equipping an engineering building. That campaign was approved by the U. T. Board of Regents in December 1990. The Capital Improvement Plan adopted by the U. T. Board of Regents in June 1991 included an Engineering Building at U. T. Pan American to be funded from gifts and grants. A small engineering startup building is under construction in the physical plant area of the campus with local funds.

At the June 1992 meeting, the U. T. Board of Regents appointed the firm of JonesKell, San Antonio, Texas, as Project Architect to prepare a detailed project analysis and conceptual design with cost estimate for the Engineering Building. President Nevarez and the Project Architect will present the conceptual design to the U. T. Board of Regents for consideration at the February 1993 meeting.

3. U. T. Southwestern Medical Center - Dallas - Aston Ambulatory Care Center - Additions and Renovations (Project No. 303-692): Request for Approval of Plaque Inscription.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that the U. T. Board of Regents approve the inscription set

out below for a plaque to be placed on the Aston Ambulatory Care Center - Additions and Renovations at U. T. Southwestern Medical Center - Dallas. The inscription follows the standard pattern approved by the U. T. Board of Regents in June 1979.

JAMES W. ASTON
AMBULATORY CARE CENTER
ADDITIONS AND RENOVATIONS
1991

BOARD OF REGENTS

Louis A. Beecherl, Jr., Chairman	Hans Mark
Sam Barshop, Vice-Chairman	Chancellor, The University of Texas System
Bill Roden, Vice-Chairman	Kern Wildenthal
Jack S. Blanton	President, The University of Texas Southwestern
Robert J. Cruikshank	Medical Center at Dallas
Tom Loeffler	
W. A. "Tex" Moncrief, Jr.	HKS, Inc.
Mario E. Ramirez, M.D.	Project Architect
Shannon H. Ratliff	Lee Lewis Construction, Inc. Contractor

BACKGROUND INFORMATION

A construction contract for the Aston Ambulatory Care Center - Additions and Renovations at U. T. Southwestern Medical Center - Dallas was awarded by the U. T. Board of Regents at the April 1991 meeting.

Asset Management Committee

ASSET MANAGEMENT COMMITTEE
Committee Chairman Cruikshank

Date: February 11, 1993
Time: Following the meeting of the Facilities Planning
and Construction Committee
Place: Regents' Meeting Room, Ninth Floor, Ashbel Smith Hall

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AMC

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U. T. AUSTIN

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I. PERMANENT UNIVERSITY FUND

INVESTMENT MATTER

Report on Clearance of Monies to the Permanent University Fund for November and December 1992 and Report on Oil and Gas Development as of December 31, 1992.--The following reports with respect to (a) certain monies cleared to the Permanent University Fund for November and December 1992 and (b) Oil and Gas Development as of December 31, 1992, are submitted by the Executive Vice Chancellor for Business Affairs:

	November 1992	December 1992	Cumulative Through December of this Fiscal Year (1992-1993)	Cumulative Through December of Preceding Fiscal Year (1991-1992)	Per Cent Change
Permanent University Fund					
Royalty					
Oil	\$4,119,992.59	\$4,112,221.51	\$16,868,437.51	\$16,531,731.36	2.04%
Gas	1,375,153.55	1,614,809.59	5,631,598.52	4,556,654.52	23.59%
Sulphur	0.00	0.00	0.00	0.00	--
Water	61,976.50	34,689.23	270,748.57	189,351.67	42.99%
Brine	3,335.44	4,369.38	24,851.30	20,394.07	21.86%
Trace Minerals	0.00	0.00	0.00	0.00	--
Rental					
Oil and Gas Lease	152,944.31	10,556.13	299,676.91	263,914.35	13.55%
Other	0.00	200.00	(4,812.30)	3,847.70	-225.07%
Sale of Sand, Gravel, Etc.	0.00	0.00	0.00	0.00	--
Total University Lands Receipts Before Bonuses	5,713,402.39	5,776,845.84	23,090,500.51	21,565,893.67	7.07%
Bonuses					
Oil and Gas Lease Sales	0.00	0.00	69,887.70	0.00	--
Amendments and Extensions to Mineral Leases	10.00	0.00	10.00	0.00	--
Total University Lands Receipts	5,713,412.39	5,776,845.84	23,160,398.21	21,565,893.67	7.39%
Gain or (Loss) on Sale of Securities	11,531,409.04	3,876,094.02	22,332,596.20	7,889,528.35	183.07%
TOTAL CLEARANCES	\$17,244,821.43	\$9,652,939.86	\$45,492,994.41	\$29,455,422.02	54.45%

Oil and Gas Development - December 31, 1992

Acreage Under Lease - 667,465

Number of Producing Acres - 531,016

Number of Producing Leases - 2,481

II. TRUST AND SPECIAL FUNDS

Gifts, Bequests and Estates

1. U. T. System: Recommendation to Accept Grant to Establish The Nancy Lee and Perry R. Bass Chancellor's Excellence Fund.--

RECOMMENDATION

The Chancellor recommends that a \$500,000 grant, payable by July 1, 1993, from the Sid W. Richardson Foundation, Fort Worth, Texas, be accepted to establish an endowment at the U. T. System to be named The Nancy Lee and Perry R. Bass Chancellor's Excellence Fund.

Income earned from the endowment will be used to supplement the salary of the Chancellor of the U. T. System.

BACKGROUND INFORMATION

The Sid W. Richardson Foundation, Fort Worth, Texas, was founded in 1947 by the late Mr. Sid W. Richardson. The Foundation supports programs involved with the arts, humanities, civic and public affairs, education, health, and social services. Mr. Perry R. Bass, an oilman and investor, and a nephew of Mr. Richardson, is President and Director of the Sid W. Richardson Foundation and Perry R. Bass, Inc., Fort Worth, Texas. Mrs. Perry R. (Nancy Lee) Bass is Vice President and Director of the Sid W. Richardson Foundation and the Bass Foundation, Fort Worth, Texas. She received a B.A. in English in 1937 from U. T. Austin, was named a Distinguished Alumna of U. T. Austin in 1978, and is a member of the U. T. Austin Development Board. The Sid W. Richardson Foundation and Mr. and Mrs. Bass are generous supporters of the U. T. System and its component institutions.

2. U. T. Arlington: Recommendation to Accept Gift to Establish The Dallas Pan American Round Table 1 Faculty Exchange Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Amacher that a \$10,000 gift from The Dallas Pan American Round Table 1, Dallas, Texas, be accepted to establish an endowment at U. T. Arlington to be named The Dallas Pan American Round Table 1 Faculty Exchange Program.

Income earned from the endowment will be used to begin an international academic exchange program with a Hispanic Third World School of Nursing.

BACKGROUND INFORMATION

This contribution from The Dallas Pan American Round Table 1, Dallas, Texas, will enable the School of Nursing at U. T. Arlington to expand its international focus. Interest earned on the endowment during the 1992-93 school year will be used to assist a nurse from the Dominican Republic to study nursing at U. T. Arlington.

3. U. T. Arlington: Recommendation to Accept Bequest from the Estate of Sandra Myres, Arlington, Texas.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Amacher that a bequest consisting of files, books, pictures, prints, and related items valued at approximately \$30,600 from the Estate of Sandra Myres, Arlington, Texas, be accepted for the Special Collections in the U. T. Arlington Library at U. T. Arlington.

BACKGROUND INFORMATION

Dr. Sandra Myres, Arlington, Texas, was a professor of history at U. T. Arlington prior to her death. An additional bequest of real property located in Arlington, Texas, was declined by U. T. Arlington by Disclaimer executed May 14, 1992, due to the fact that the property was not feasible for housing visiting scholars as Dr. Myres had stipulated in her Will.

4. U. T. Austin: Recommendation to Accept Gift to Establish The Rita Willner Atlas Student Endowment Fund in the School of Nursing and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$60,000 gift, comprised of 750 shares of Philip Morris Companies common stock valued at \$59,578.13 and \$421.87 cash, from Mr. Morris Atlas, McAllen, Texas, be accepted to establish The Rita Willner Atlas Student Endowment Fund in the School of Nursing at U. T. Austin.

It is further recommended that \$30,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$90,000.

Income earned from the endowment will be used to provide support for undergraduate and graduate students in the School of Nursing. Recipients of the awards will be designated as Rita Willner Atlas Scholars or Rita Willner Atlas Fellows, depending on their undergraduate or graduate status.

BACKGROUND INFORMATION

Mr. Morris Atlas, McAllen, Texas, on behalf of his family, is funding this endowment in honor of his wife, Mrs. Rita Willner Atlas. Mrs. Atlas became aware of the need for scholarship funds while serving as a member of the U. T. Austin School of Nursing Foundation Advisory Council. Mr. Atlas received his B.B.A. in 1949 and his LL.B. in 1950 from U. T. Austin. Mr. and Mrs. Atlas are members of The President's Associates, The Chancellor's Council, and the Littlefield Society.

5. U. T. Austin: Recommendation to Accept Gift and Pledge to Establish the Bergen Brunswig Corporation Endowed Presidential Scholarship in Pharmacy and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$9,000 gift and a \$16,000 pledge, payable by August 31, 1994, from the Bergen Brunswig Corporation, Orange, California, for a total of \$25,000 be accepted to establish the Bergen Brunswig Corporation Endowed Presidential Scholarship in Pharmacy in the College of Pharmacy at U. T. Austin.

It is further recommended that matching funds in the amount of \$12,500 be allocated under The Brackenridge Matching Program #2 to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to provide scholarship support to students in the College of Pharmacy.

BACKGROUND INFORMATION

Bergen Brunswig Corporation, Orange, California, is a diversified pharmaceutical, health-care and health service company with three distribution centers in Texas. In 1986, Bergen Brunswig helped to establish the Bergen Brunswig Corporation Centennial Fellowship in Pharmacy in the College of Pharmacy at U. T. Austin.

6. U. T. Austin: Recommendation to Accept Gift to Establish the Betty J. Bomar Endowed Presidential Scholarship in Nursing in the School of Nursing.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$25,000 gift from Mr. William M. Bomar, Austin, Texas, be accepted to establish the Betty J. Bomar Endowed Presidential Scholarship in Nursing in the School of Nursing at U. T. Austin.

Income earned from the endowment will be used to provide scholarship support to outstanding students pursuing a degree in nursing and a career in providing quality health care.

BACKGROUND INFORMATION

Mr. William M. Bomar, Austin, Texas, is funding this endowment in memory of his wife, Betty J. Bomar. Mr. Bomar is a retired Lieutenant Colonel in the U. S. Air Force. Their daughter, Constance, received her B.A. in History from U. T. Austin in 1977.

7. U. T. Austin: Recommendation to Accept Remainder Interest in The Bownds Family Charitable Remainder Trust and to Accept Appointment as Trustee (NO PUBLICITY).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that the remainder interest in The Bownds Family Charitable Remainder Trust, initially funded with a gift of 800 shares of Exxon Corporation common stock valued at \$49,600 and 996 shares of ONEOK, Inc., common stock valued at \$18,612.75, for a total of \$68,212.75, from Mr. and Mrs. Marlin D. Bownds, Austin, Texas, be accepted for the benefit of U. T. Austin. Additionally, it is recommended that the U. T. Board of Regents accept appointment as Trustee of the Trust.

The trust agreement provides for the annual distribution of the lesser of the trust income for the taxable year and seven percent of the net fair market value of the trust assets, valued as of the first day of such taxable year to be paid quarterly to Mr. and Mrs. Bownds during their lifetimes. If the trust income for any taxable year exceeds the annual distribution otherwise payable for such year, Trustee shall also pay to Mr. and Mrs. Bownds such excess income to the extent that the aggregate of the amounts paid to Mr. and Mrs. Bownds in prior years is less than seven percent of the aggregate fair market value of the trust assets for such years.

Upon termination of the Trust, the corpus of the Trust shall be distributed to the U. T. Board of Regents to be used by or for the College of Liberal Arts at U. T. Austin. Mr. and Mrs. Marlin D. Bownds may from time to time, by written document addressed to the Trustee, describe more specifically their preferences for use of the funds by the U. T. Board of Regents. A request to approve the exact use of the remainder will be made at a later date.

BACKGROUND INFORMATION

Mr. and Mrs. Marlin D. (Helen) Bownds, Austin, Texas, both received a B.A. in Plan II from U. T. Austin in 1939. Mrs. Helen Bownds also received her M.A. in 1961 from U. T. Austin and was an assistant professor in the College of Education from 1967 to 1980.

NO PUBLICITY

8. U. T. Austin: Recommendation to Accept Gift to Establish the Dr. Louis Edward and Virginia Steele Brenz Scholarship in the School of Nursing (NO PUBLICITY).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$10,000 gift from an anonymous donor be accepted to establish the Dr. Louis Edward and Virginia Steele Brenz Scholarship in the School of Nursing at U. T. Austin.

Income earned from the endowment will be used to provide scholarships to graduate and undergraduate students in the School of Nursing.

BACKGROUND INFORMATION

This endowment is being funded in memory of Louis Edward Brenz, M.D. and his wife, Virginia Steele Brenz. Dr. Brenz was a dedicated member of the medical profession until his death in 1971. Mrs. Brenz, who was active in civic and community organizations during her life, was an advocate of women in higher education.

NO PUBLICITY

9. U. T. Austin: Recommendation to Accept Gift to Establish the Carol Cave, Cathy Cave Cartwright, and Allison Cave Endowed Scholarship in the Department of Intercollegiate Athletics for Women.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$10,000 gift from Mr. and Mrs. Winston L. Cave (Barbara), Austin, Texas, be accepted to establish the Carol Cave, Cathy Cave Cartwright, and Allison Cave Endowed Scholarship in the Department of Intercollegiate Athletics for Women at U. T. Austin.

Income earned from the endowment will be used to provide annual scholarship support to a basketball player in the women's athletics department who excels both as a student and as an athlete.

BACKGROUND INFORMATION

This endowment is being funded by Mr. and Mrs. Winston Cave, Austin, Texas, in memory of their daughter Miss Carol Cave, and in honor of their daughter Mrs. Cathy Cartwright and granddaughter Miss Allison Cave.

Mr. Cave received his M.Ed. in Science Education from U. T. Austin in 1964. Miss Carol Cave received her B.A. in Government from U. T. Austin in 1987. Mrs. Cartwright received her B.S. in Education from U. T. Austin in 1972.

10. U. T. Austin: Recommendation to Accept Remainder Interest in The Charles Carroll Clark Charitable Remainder Annuity Trust and to Accept Appointment as Trustee.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that seventy-five percent of the remainder interest in The Charles Carroll Clark Charitable Remainder Annuity Trust, initially funded with a gift of 3,200 shares of Oryx Energy Company common stock valued at \$71,000 and 1,600 shares of Sun Company, Inc., common stock valued at \$41,500, for a total of \$112,500, from Mr. Charles Carroll Clark, San Antonio, Texas, be accepted for the benefit of U. T. Austin. Additionally, it is recommended that the U. T. Board of Regents accept appointment as Trustee of the Trust.

The trust agreement provides for the annual distribution of at least nine and six-tenths percent of the initial net fair market value of the trust assets to be paid quarterly to Mr. Charles Carroll Clark during his lifetime. Such payments shall be made from income earned on the trust assets and, to

the extent that income is not sufficient, from the corpus. Any income of the trust for a taxable year in excess of nine and six-tenths percent of the initial net fair market value of the trust assets shall be added to the corpus.

Upon termination of the Trust, the corpus of the Trust shall be distributed to the U. T. Board of Regents to be used in accordance with the separate Letter of Intent of Settlor maintained with the Trust Agreement. Seventy-five percent of the remainder of the Trust will be used to establish three endowments in the College of Liberal Arts at U. T. Austin to be named the James B. Clark Memorial Scholarship, the Florence Anderson Clark Memorial Scholarship, and the Charles Carroll Clark Memorial Scholarship. A request to establish these endowments will be made at a later date. The remaining twenty-five percent of the corpus will be distributed for the benefit of The University of North Texas, Denton, Texas.

BACKGROUND INFORMATION

Mr. Charles Carroll Clark, San Antonio, Texas, received his B.B.A. from U. T. Austin in 1931. His grandfather, Captain James B. Clark, was a Regent from 1883 to 1885 and Proctor from 1885 to 1908 of the "Main University" at Austin, Texas. Mr. Clark has been a generous supporter of U. T. Austin for many years.

11. U. T. Austin: Recommendation to Accept Gifts to Establish the Henriette F. Cline Memorial Endowment Fund for the Harry Ransom Humanities Research Center and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that gifts of \$27,500 from Dr. Clarence L. Cline, Austin, Texas, and various donors be accepted to establish the Henriette F. Cline Memorial Endowment Fund for the Harry Ransom Humanities Research Center at U. T. Austin.

It is further recommended that \$13,750 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$41,250.

Income earned from the endowment will be used at the discretion of the Director of the Harry Ransom Humanities Research Center, primarily for acquisitions.

BACKGROUND INFORMATION

Dr. Clarence L. Cline, Austin, Texas, various friends and family, and members of the Harry Ransom Humanities Research Center Advisory Council are funding this endowment in memory of Mrs. Henriette F. Cline. Mrs. Cline received her B.A. in English in 1931 from U. T. Austin and is a former librarian of the Knopf Library in the Academic Center at U. T. Austin. Dr. Cline received his M.A. in 1931 and his Ph.D. in English in 1938 from U. T. Austin and has served as the Ashbel Smith Professor Emeritus in the Department of English at U. T. Austin since 1975. He is a member of The President's Associates and the Littlefield Society and an Executive Committee Member of The Chancellor's Council.

12. U. T. Austin: Recommendation to Accept Gift to Establish The Walter and Gina Ducloux Fine Arts Faculty Fellowship Endowment in the College of Fine Arts and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$250,000 gift from Mr. Raymond D. Woods, Austin, Texas, be accepted to establish The Walter and Gina Ducloux Fine Arts Faculty Fellowship Endowment in the College of Fine Arts at U. T. Austin.

It is further recommended that \$50,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$300,000.

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

BACKGROUND INFORMATION

Mr. Raymond D. Woods, Austin, Texas, is funding this endowment as a tribute to Dr. and Mrs. Walter Ducloux, who have devoted their lives and careers to the advancement of the arts. Dr. Ducloux, a former Frank C. Erwin, Jr. Centennial Professor and Ashbel Smith Professor of Music, has been associated with U. T. Austin since 1968.

Mr. Woods, a generous supporter of U. T. Austin, received his B.A. in 1931 and his M.A. in Geological Sciences in 1934 from U. T. Austin. He is a member of The President's Associates, The Chancellor's Council, and the Littlefield Society.

13. U. T. Austin: Recommendation to Accept Gifts and Transfer of Funds to Establish the Frank N. Edmonds, Jr. Memorial Fellowship in the College of Natural Sciences.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that \$9,867.50 in gifts from various donors and a transfer of \$142.34 in accumulated interest for a total of \$10,009.84 be accepted to establish the Frank N. Edmonds, Jr. Memorial Fellowship in the Department of Astronomy, College of Natural Sciences, at U. T. Austin.

Income earned from the endowment will be used to provide support to deserving graduate students in the Department of Astronomy, based on need or merit.

BACKGROUND INFORMATION

Friends and colleagues of Dr. Frank N. Edmonds, Jr. are funding this endowment in his memory. Dr. Edmonds was a faculty member in the Department of Astronomy for 32 years. During his tenure on the faculty, Dr. Edmonds served the Department of Astronomy as Associate Chairman, as Graduate Adviser and Chairman of Graduate Studies, and as Associate Director of the U. T. Austin McDonald Observatory.

14. U. T. Austin: Ernst & Young Distinguished Professorship in Accounting in the College of Business Administration - Recommendation to Redesignate as the Ernst & Young Accounting Education Excellence Fund and to Amend Use of Endowment Income (NO PUBLICITY).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that the Ernst & Young Distinguished Professorship in Accounting in the College of Business Administration at U. T. Austin be redesignated as the Ernst & Young Accounting Education Excellence Fund.

It is further recommended that use of the income earned from the endowment be amended to support accounting education including, but not limited to, purchase of software for class use, student scholarships, support of faculty research and curriculum development, and other educational purposes.

The U. T. System Office of General Counsel rendered an opinion that this modification is permissible under Section 65.36(f) of the Texas Education Code. The proposed modification is acceptable to the donor.

BACKGROUND INFORMATION

The Arthur Young Distinguished Professorship in Accounting was established at the July 1972 meeting of the U. T. Board of Regents with a \$100,000 pledge, payable by December 31, 1977, from the Arthur Young Foundation, New York, New York. In accordance with a request from the donor that the Distinguished Professorship reflect the new firm name, the Distinguished Professorship was redesignated as the Ernst & Young Distinguished Professorship in Accounting at the August 1992 meeting of the U. T. Board of Regents.

NO PUBLICITY

15. U. T. Austin: Ernst & Young Faculty Fellowship in Accounting (No. 1) and (No. 2) in the College of Business Administration and the Graduate School of Business - Recommendation to Dissolve the Ernst & Young Faculty Fellowship in Accounting (No. 1) and (No. 2) and Establish the Ernst & Young Faculty Fellowship in Teaching Excellence.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that the Ernst & Young Faculty Fellowship in Accounting (No. 1) and (No. 2) in the College of Business Administration and the Graduate School of Business at U. T. Austin be dissolved and the balances of each Fellowship, \$100,145 and \$103,547.79, respectively, be combined for a total of \$203,692.79 to establish the Ernst & Young Faculty Fellowship in Teaching Excellence.

Income earned from the endowment will be used to support faculty with an emphasis on the recognition of teaching.

The U. T. System Office of General Counsel rendered an opinion that this modification is permissible under Section 65.36(f) of the Texas Education Code. The proposed modification is acceptable to the donors.

BACKGROUND INFORMATION

The Ernst & Whinney Faculty Fellowship in Accounting (No. 1) and (No. 2) were established at the August 1984 meeting of the U. T. Board of Regents with a \$100,000 (\$50,000 each) pledge from the partners and employees of Ernst & Whinney, Austin, Texas, and the Ernst & Whinney Foundation, Cleveland, Ohio. At the August 1992 meeting, the U. T. Board of Regents redesignated the endowments as the Ernst & Young Faculty Fellowship in Accounting (No. 1) and (No. 2).

16. U. T. Austin: Recommendation to Accept Gifts and Pledge to Establish the Faculty Research Program for Latin American Studies and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that \$50,000 in gifts from various donors, and a \$200,000 pledge, payable by January 31, 1993, from Houston Endowment Inc., Houston, Texas, for a total of \$250,000 be accepted to establish the Faculty Research Program for Latin American Studies at U. T. Austin.

It is further recommended that \$125,000 in matching funds be allocated under The Brackenridge Matching Program #2 and used to increase the endowment to a total of \$375,000.

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

BACKGROUND INFORMATION

In 1985, The Andrew W. Mellon Foundation, New York, New York, offered U. T. Austin \$250,000 as a challenge to secure an additional \$750,000 for endowment support of the Institute for Latin American Studies. In that year, one-half of the challenge was met and awarded resulting in the creation of five Andrew W. Mellon Foundation Faculty Fellowships. The Mellon Foundation extended until February 15, 1993, the time for U. T. Austin to fulfill the other half of the challenge. Through the gifts from various donors, including the Susan Vaughan Foundation, Inc., Houston, Texas, and a grant from Houston Endowment Inc., Houston, Texas, the Mellon Foundation's challenge can now be met. U. T. Austin plans to petition the Mellon Foundation for the remaining \$125,000 of challenge funds, thereby increasing the endowment to a total of \$500,000.

17. U. T. Austin: Recommendation to Accept Gift to Establish the John A. and Katherine G. Jackson Fellowship in Geohydrology in the College of Natural Sciences.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$25,000 gift from Mr. and Mrs. John A. Jackson, Dallas, Texas, through The Katie Foundation, Dallas, Texas, be accepted to establish the John A. and Katherine G. Jackson Fellowship in Geohydrology in the Department of Geological Sciences, College of Natural Sciences, at U. T. Austin.

Income earned from the endowment will be used to support students who are studying ground water and pollution.

BACKGROUND INFORMATION

Mr. John A. Jackson, Dallas, Texas, Manager of The Katie Foundation, Dallas, Texas, received his B.A. in Geological Sciences in 1940 from U. T. Austin. He is a member of the Geology Foundation Advisory Council. Mr. and Mrs. Jackson, who have donated generously to the College of Natural Sciences and The Ex-Students' Association at U. T. Austin, are members of The Chancellor's Council, the Littlefield Society, and The President's Associates.

18. U. T. Austin: Recommendation to Establish Five Endowments and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a previously accepted \$3,000,000 pledge, payable by December 31, 1995, of which \$750,000 has been received to date, from Mr. and Mrs. Joseph D. Jamail (Lee Hage Jamail), Houston, Texas, be used to establish five nonendowed deans' discretionary funds of \$100,000 each in the Colleges of Business Administration, Communication, Education, and Fine Arts, and in the School of Nursing at U. T. Austin and five endowed scholarships of \$500,000 each at U. T. Austin, as listed below:

Endowed Scholarships

- a. Hugh Liedtke Endowed Scholarship in Business in the College of Business Administration
- b. Joanne Sharp and Jack R. Crosby Endowed Scholarship in Communication in the College of Communication
- c. Lee Hage and Joseph D. Jamail Endowed Scholarship in Education in the College of Education
- d. M. K. Hage Endowed Scholarship in Fine Arts in the College of Fine Arts
- e. Lee Hage and Joseph D. Jamail Endowed Scholarship in Nursing in the School of Nursing.

It is further recommended that \$312,500 (\$62,500 for each Scholarship) in matching funds be allocated under The Brackenridge Matching Program #2 and used to increase each endowment to a total of \$562,500.

Income earned from the endowed scholarships will be used to provide scholarship support to students in the respective academic areas. Recipients are to be students of average academic merit who show promise of success in their chosen field and demonstrate evidence of financial need.

BACKGROUND INFORMATION

At the August 1992 meeting, the U. T. Board of Regents accepted a \$10,000,000 pledge, payable by December 31, 1995, from Mr. and Mrs. Joseph D. Jamail (Lee Hage Jamail), Houston, Texas, to benefit various areas of U. T. Austin and the U. T. System. Of the pledge, \$5,000,000 was designated to benefit the School of Law by the creation of four endowed chairs, an endowed library excellence fund, and an endowed dean's fund. Additionally, \$1,000,000 was designated for use relative to a new student swimming facility at U. T. Austin and \$1,000,000 was designated to establish an endowment benefiting the Chancellor's Office at the U. T. System.

Mr. and Mrs. Jamail are longtime supporters of the U. T. System and U. T. Austin. Mr. Jamail, an attorney with the law firm of Jamail & Kolius, Houston, Texas, received his B.A. in 1950 and his J.D. in 1953 from U. T. Austin. He is a member of The Chancellor's Council and the Littlefield Society. Mrs. Jamail attended U. T. Austin in 1947. She is a member of the Texas Higher Education Coordinating Board and the Development Board at U. T. Austin.

19. U. T. Austin - Marine Science Institute: E. J. Lund Founder's Fund - Recommendation to Transfer Funds to Establish the E. J. Lund Marine Science Institute Support.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$140,000 unrestricted gift be transferred from the E. J. Lund Founder's Fund at the U. T. Austin Marine Science Institute and be used to establish a quasi-endowment at the U. T. Austin Marine Science Institute to be named the E. J. Lund Marine Science Institute Support.

Income earned from the endowment will be used for unrestricted purposes at the discretion of the Director of the U. T. Austin Marine Science Institute.

BACKGROUND INFORMATION

The E. J. Lund Founder's Fund was established at the July 1979 meeting of the U. T. Board of Regents with assets from the Estate of Hilda F. Rosene Lund, Travis County, Texas. Real property received from the Lund Estate was sold in 1982 which resulted in approximately \$560,000 in sale proceeds for the Lund Fund. The purchaser of the property also gave an unrestricted gift of \$140,000 which was added to the Lund Fund.

Since that time, the endowment income has been used for two purposes. Income earned from Mrs. Lund's bequest has been used for the support of research fellowships and scholarships for students at the U. T. Austin Marine Science Institute, as directed by Mrs. Lund's Will. Income earned from the \$140,000 unrestricted gift has been used for the unrestricted support

of the Marine Science Institute, as directed by the purchaser of the Lund property. Because earnings from the \$140,000 gift support a separate purpose than earnings from the remainder of the E. J. Lund Founder's Fund, it is necessary for a separate endowment to be created.

This recommendation has been reviewed and approved by the U. T. System Offices of Asset Management and General Counsel.

20. U. T. Austin: Recommendation to Accept Bequest from the Estate of Thelma Elizabeth Martin, Lake Jackson, Texas.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a specific bequest of three original Porfirio Salinas oil paintings, valued at \$39,000, from the Estate of Thelma Elizabeth Martin, Lake Jackson, Texas, be accepted for placement in the Archer M. Huntington Art Gallery in the College of Fine Arts at U. T. Austin.

BACKGROUND INFORMATION

Mrs. Thelma Elizabeth Martin did not attend U. T. Austin but had a feeling of connection through the attendance of her sister, Margaret Morrison, who received her B.A. in History in 1926 from U. T. Austin. Mrs. Martin's desire in placing these paintings in the Huntington Art Gallery also stemmed from her thought that the State of Texas was well represented by U. T. Austin and thus was an appropriate repository for these paintings by a famous Texas artist.

21. U. T. Austin: Recommendation to Accept Gift and Corporate Matching Funds Pledge to Establish the A. David Renner Endowed Presidential Scholarship in Piano in the College of Fine Arts and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$12,500 gift from Dr. Lorene L. Rogers, Austin, Texas, and a \$12,500 corporate matching funds pledge, payable by August 31, 1993, from the Texaco Foundation, White Plains, New York, for a total of \$25,000 be accepted to establish the A. David Renner Endowed Presidential Scholarship in Piano in the Department of Music, College of Fine Arts, at U. T. Austin.

It is further recommended that \$12,500 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to provide scholarships to piano students in the Department of Music.

BACKGROUND INFORMATION

Dr. Lorene L. Rogers, Austin, Texas, is funding this endowment in honor of Mr. A. David Renner. Mr. Renner, Associate Professor of Piano at U. T. Austin since 1974, has devoted his career to music.

Dr. Rogers, President Emeritus of U. T. Austin, received her M.A. in Chemistry in 1946 and her Ph.D. in Biochemistry in 1948 from U. T. Austin and held various faculty and administrative posts prior to service as President from 1975 to 1979. She has shown extraordinary dedication to music and the College of Fine Arts, as well as U. T. Austin through her service and her generosity.

22. U. T. Austin: Lorene L. Rogers Centennial Endowed Scholarship in the College of Fine Arts - Recommendation to Accept Additional Gift and Corporate Matching Funds and Redesignate as the Lorene L. Rogers Endowed Presidential Scholarship in Music and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$7,500 gift from Dr. Lorene L. Rogers, Austin, Texas, and \$7,500 in corporate matching funds from the Texaco Foundation, White Plains, New York, for a total of \$15,000 be accepted for addition to the Lorene L. Rogers Centennial Endowed Scholarship in the Department of Music, College of Fine Arts, at U. T. Austin. These contributions will increase the endowment to a total of \$25,000, and it is recommended that the Scholarship be redesignated as the Lorene L. Rogers Endowed Presidential Scholarship in Music.

It is further recommended that \$7,500 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$32,500.

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

BACKGROUND INFORMATION

The Lorene L. Rogers Centennial Endowed Scholarship was established at the April 1982 meeting of the U. T. Board of Regents with gifts totalling \$10,000 from Dr. Lorene L. Rogers, Austin, Texas, and matching funds from various corporations. Dr. Rogers, President Emeritus of U. T. Austin, received her M.A. in Chemistry in 1946 and her Ph.D. in Biochemistry

in 1948 from U. T. Austin and held various faculty and administrative posts prior to service as President from 1975 to 1979. She is a member of The Chancellor's Council and the Littlefield Society.

23. U. T. Austin: Recommendation to Accept Gifts, Pledge, and Corporate Matching Funds Pledge to Establish the Louann Atkins Temple Endowed Presidential Scholarship in American Studies in the College of Liberal Arts and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$6,000 gift and a \$6,000 pledge, payable by August 31, 1993, from Mr. Larry E. Temple, Austin, Texas, a \$1,000 pledge, payable by August 31, 1993, from Mrs. Laura Allison Temple Bacon, Chicago, Illinois, and Mr. John Lawrence Temple, Washington, D. C., and a \$12,000 corporate matching funds pledge, payable by August 31, 1993, from Temple-Inland, Inc., Diboll, Texas, for a total of \$25,000 be accepted to establish the Louann Atkins Temple Endowed Presidential Scholarship in American Studies in the College of Liberal Arts at U. T. Austin.

It is further recommended that \$12,500 in matching funds be allocated under The Brackenridge Matching Program #2 to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to provide scholarship support to students of American Studies in the College of Liberal Arts.

BACKGROUND INFORMATION

Mr. Larry E. Temple, Austin, Texas, and his children, Mrs. Laura Allison Temple Bacon, Chicago, Illinois, and Mr. John Lawrence Temple, Washington, D. C., are funding this endowment in honor of his wife and their mother, Mrs. Louann Atkins Temple, Austin, Texas. Mr. Larry E. Temple received his B.B.A. in 1957 and his LL.B. in 1959 from U. T. Austin. Mrs. Temple received her B.A. in 1956 and her M.A. in 1990 from U. T. Austin. Mr. and Mrs. Temple are Life Members of The President's Associates and members of The Chancellor's Council and the Littlefield Society.

24. U. T. Austin: Recommendation to Accept Gifts to Establish the W. Bryan Trammell, Jr. Teaching Excellence Award in the College of Business Administration and Graduate School of Business (NO PUBLICITY).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that \$30,000 in gifts from the Ella F. Fondren Trust FBO W. Bryan Trammell, Jr., Houston, Texas, be accepted to establish the W. Bryan Trammell, Jr. Teaching Excellence Award in the College of Business Administration and Graduate School of Business at U. T. Austin.

Income earned from the endowment will be used to provide an annual award to a College of Business Administration or Graduate School of Business faculty member, selected by the College's Faculty Committee for Teaching Excellence Awards.

BACKGROUND INFORMATION

This endowment is being funded by the Ella F. Fondren Trust FBO W. Bryan Trammell, Jr., Houston, Texas, to further recognize teaching excellence within the College of Business Administration and Graduate School of Business at U. T. Austin. Mr. W. Bryan Trammell, Jr. received his B.A. in Geological Sciences in 1957 and his LL.B. in 1960 from U. T. Austin.

NO PUBLICITY

25. U. T. Austin: Recommendation to Accept Gift to Establish the Neill and Beverly Walsdorf Endowed Presidential Scholarship in Pharmacy in the College of Pharmacy and Eligibility for Matching Funds Under The Brackenridge Matching Program #2.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$25,000 gift from Mr. and Mrs. Neill Walsdorf (Beverly), San Antonio, Texas, be accepted to establish the Neill and Beverly Walsdorf Endowed Presidential Scholarship in Pharmacy in the College of Pharmacy at U. T. Austin.

It is further recommended that \$12,500 in matching funds be allocated under The Brackenridge Matching Program #2 to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to provide scholarship support to students in the College of Pharmacy.

BACKGROUND INFORMATION

Mr. Neill Walsdorf, San Antonio, Texas, received his B.A. in Microbiology in 1959 from U. T. Austin. He is a Member Emeritus of the Pharmaceutical Foundation Advisory Council.

26. U. T. Austin: Joseph C. and Elizabeth C. Walter, Jr. Geology Library Fund in the College of Natural Sciences - Recommendation to Accept Additional Gift and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$100,000 gift from Mr. Joseph C. Walter, Jr., Houston, Texas, be accepted for addition to the Joseph C. and Elizabeth C. Walter, Jr. Geology Library Fund in the Department of Geological Sciences, College of Natural Sciences, at U. T. Austin.

It is further recommended that \$50,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment.

BACKGROUND INFORMATION

The Joseph C. and Elizabeth C. Walter, Jr. Geology Library Fund was established at the August 1981 meeting of the U. T. Board of Regents with a gift of securities from Mr. Joseph C. Walter, Jr., Houston, Texas. Mr. Walter received his B.S. in Petroleum Engineering in 1949 and his M.A. in Geological Sciences in 1951 from U. T. Austin. He is a Life Member of The President's Associates and a member of The Chancellor's Council and the Littlefield Society. Mr. Walter is also a senior active member of the College of Engineering Foundation Advisory Council and an honorary Life Member of the Geology Foundation Advisory Council.

27. U. T. Austin: Recommendation to Accept Gifts to Establish the Frances Wasserman Endowment in Memory of Dr. Harry Wasserman in the General Libraries and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$20,000 gift from Mrs. Frances Wasserman, Malden, Massachusetts, and a \$5,000 gift from Mr. Nathan I. Snyder, Austin, Texas, for a total of \$25,000 be accepted to establish the Frances Wasserman Endowment in Memory of Dr. Harry Wasserman in the General Libraries at U. T. Austin.

It is further recommended that \$12,500 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$37,500.

Income earned from the endowment will be used to purchase Judaica, Hebraica, and Yiddica library materials.

BACKGROUND INFORMATION

Mrs. Frances Wasserman, Malden, Massachusetts, and her nephew, Mr. Nathan I. Snyder, Austin, Texas, are funding this endowment in memory of Dr. Harry Wasserman. Through her nephew, Mrs. Wasserman became aware of the University's and the Library's interest in the further development of the General Libraries' collections of Judaica, Hebraica, and Yiddica materials. Mr. Snyder has served as the Hebrew Studies Bibliographer in the General Libraries at U. T. Austin since 1980.

28. U. T. Austin: Marie M. Whittle Award - Office Administration and the John W. Hultz Memorial Scholarship in the College of Business Administration and the Graduate School of Business - Recommendation to Dissolve the Marie M. Whittle Award - Office Administration and the John W. Hultz Memorial Scholarship and Establish the Hultz-Whittle Outstanding Student Award.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that the Marie M. Whittle Award - Office Administration and the John W. Hultz Memorial Scholarship in the College of Business Administration and the Graduate School of Business at U. T. Austin be dissolved and the balances of each, \$2,100 and \$10,000, respectively, be combined for a total of \$12,100 to establish the Hultz-Whittle Outstanding Student Award.

Income earned from the endowment will be used to support students within the Department of Management Science and Information Systems, based on financial need, academic achievement, and future potential.

The U. T. System Office of General Counsel rendered an opinion that these modifications are permissible under Section 65.35(f) of the Texas Education Code.

BACKGROUND INFORMATION

The Marie M. Whittle Award - Office Administration endowment was established at the August 1966 meeting of the U. T. Board of Regents. The endowment was initially funded with a \$600 gift from Mr. William H. Whittle, Austin, Texas, in memory of his wife, to provide an annual award in shorthand. More recently, a \$1,500 bequest was received from Mr. Whittle's estate and added to the endowment for a total of \$2,100. Mrs. Whittle served as a shorthand instructor in the College of Business Administration at U. T. Austin for several years.

At the February 1985 meeting, the U. T. Board of Regents established the John W. Hultz Memorial Scholarship with a \$10,000 gift from Analysis Research & Computation, Inc., Austin, Texas, made in memory of Mr. Hultz, a former officer of Analysis Research & Computation, Inc. Mr. Hultz received his B.A. in 1972 and his Ph.D. in 1976 from U. T. Austin.

The shorthand program at U. T. Austin was discontinued several years ago, and the office administration program was combined with the Department of Management Science and Information Systems. The focus of the Management Science and Information Systems program is to improve business operations, as well as decision making. Therefore, the original intent of both awards is served by combining the awards under the Management Science and Information Systems program.

29. U. T. Austin: Recommendation to Accept Gifts, Pledge, and Corporate Matching Funds to Establish the Robert Jeffry Womack Endowed Presidential Scholarship in the College of Fine Arts and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Acting President Livingston that a \$10,000 gift and a \$5,000 pledge, payable by August 31, 1995, from Mr. and Mrs. Jesse F. Womack, Houston, Texas, \$725 in gifts from various donors, and a \$45,000 corporate matching funds pledge, payable by August 31, 1995, from the Exxon Education Foundation, Irving, Texas, for a total of \$60,725 be accepted to establish the Robert Jeffry Womack Endowed Presidential Scholarship in the Department of Music, College of Fine Arts, at U. T. Austin.

It is further recommended that \$30,000 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of \$90,725.

Income earned from the endowment will be used to provide scholarship support for students preparing for a career in the field of music composition.

BACKGROUND INFORMATION

Mr. and Mrs. Jesse F. Womack, Houston, Texas, are funding this endowment in memory of their son, Robert Jeffrey Womack, who received his B.M. in Music Theory in 1975 from U. T. Austin.

30. U. T. Austin and U. T. Tyler: Recommendation to Accept Bequests from the Estate of Norma Anderson Carpenter, Tyler, Texas, to Establish Two Endowments and Eligibility for Matching Funds Under The Regents' Endowment Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, Acting President Livingston, and President Hamm that specific bequests totaling approximately \$302,569.69 from the Estate of Norma Anderson Carpenter, Tyler, Texas, be accepted to establish endowments at U. T. Austin and U. T. Tyler, respectively, as follows:

- a. The specific bequest to U. T. Austin, comprised of cash and municipal bonds valued at approximately \$228,000 (with \$137,999.23 received to date), is to establish the Anderson Endowment in the College of Business Administration and the Graduate School of Business at U. T. Austin.

It is further recommended that, based on the \$137,999.23 in gifts received, \$68,999 in matching funds be allocated under The Regents' Endowment Program and used to increase the endowment to a total of approximately \$296,999.

Ninety-five percent of the income earned from the endowment will be used to provide scholarships with preference given to female students. The remaining five percent of income earned will be reinvested in the corpus of the endowment.

- b. The specific bequest to U. T. Tyler, comprised of \$74,569.69 cash, is to establish the Anderson Endowment at U. T. Tyler.

Ninety-five percent of the income earned from the endowment will be used to provide scholarships with preference given to female students completing a B.S. in Computer Science or a B.B.A. The remaining five percent of income earned will be reinvested in the corpus of the endowment.

BACKGROUND INFORMATION

Always appreciative of the importance of an education, Mrs. Norma Anderson Carpenter, Tyler, Texas, requested that these endowments be funded in memory of her father, Mr. Hugh Anderson, a former Smith County, Texas, Commissioner. Mrs. Carpenter received a B.B.A. in 1960 from U. T. Austin.

31. U. T. El Paso: Recommendation to Accept Gifts to Establish the John Judy Middagh Memorial Library Fund.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Natalicio that gifts totalling \$10,000 from various donors be accepted to establish an endowment at U. T. El Paso to be named the John Judy Middagh Memorial Library Fund.

Income earned from the endowment will be used to purchase books relating to journalism and history for the University Library.

BACKGROUND INFORMATION

This endowment is being funded in memory of Mr. John Judy Middagh by his family and friends. Mr. Middagh was a highly regarded journalist who came to U. T. El Paso (then Texas Western College) in 1948. He distinguished himself not only as a member of the faculty and as chairman of the journalism department but also as a student, having received his M.A. in History in 1952 with a thesis manuscript titled "The El Paso Times: Frontier Newspaper." By 1956, he had expanded his thesis into a full-length book. He will always be remembered as the founder of U. T. El Paso's journalism program.

32. U. T. Pan American: Recommendation to Accept Bequest from the Estate of Richard C. Fleischer, Hidalgo County, Texas, and a Remainder Interest in the Richard and Lucille Fleischer Scholarship Trust.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Nevarez that a \$50,000 bequest from the Estate of Richard C. Fleischer, Hidalgo County, Texas, and a twenty-five percent remainder interest in the Richard and Lucille Fleischer Scholarship Trust, created under the Will of Richard C. Fleischer, such Trust being initially valued at \$105,702.21, be accepted for the benefit of U. T. Pan American. The cash bequest is

for the unrestricted use of U. T. Pan American and the twenty-five percent remainder interest in the Trust is for the general scholarship fund of U. T. Pan American. A final report will be made upon termination of the Trust.

BACKGROUND INFORMATION

Mr. Richard C. Fleischer, Hidalgo County, Texas, a supporter of U. T. Pan American, created the Richard and Lucille Fleischer Scholarship Trust for the purpose of making scholarships available to deserving students in need of financial assistance in obtaining higher education, with the trustee being empowered to expend the income and corpus of the Trust, if necessary, for this purpose. The Trust is to terminate on or before ten years from the date of Mr. Fleischer's death, March 30, 1991, and at that time any remaining trust assets will be distributed to the remainder beneficiaries.

33. U. T. Permian Basin: Recommendation to Accept Gifts to Establish the Libson Scholarship (NO PUBLICITY).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and Interim President Sharpe that \$13,959.70 in gifts from Mr. Nojem Libson, Odessa, Texas, and \$5,363 in gifts from various donors for a total of \$19,322.70 be accepted to establish an endowment at U. T. Permian Basin to be named the Libson Scholarship.

Income earned from the endowment will be used to support students transferring from Odessa College to U. T. Permian Basin, as well as U. T. Permian Basin undergraduate and graduate students.

BACKGROUND INFORMATION

This Scholarship was funded in October 1972 by the late Mr. Nojem Libson, Odessa, Texas, with an initial gift of \$1,094.36. Subsequent contributions from Mr. Libson and various donors amount to a total of \$19,322.70.

NO PUBLICITY

34. U. T. Tyler: Report of Gift to the Liberal Arts/Fine and Performing Arts Complex.--

REPORT

The Chancellor, the Executive Vice Chancellor for Academic Affairs, and President Hamm report the receipt of a \$1,000,000 gift from an anonymous donor to benefit the proposed Liberal Arts/Fine and Performing Arts Complex fund campaign at U. T. Tyler. This gift brings the total of gifts and pledges received during the fund campaign to date, along with accumulated earnings on the funds, to approximately \$3.2 million.

BACKGROUND INFORMATION

At the October 1985 meeting, the U. T. Board of Regents approved, as part of the Capital Improvement Plan, a liberal arts and performance complex at U. T. Tyler. At the August 1987 meeting, the U. T. Board of Regents approved a special private fund development campaign of \$5.0 million to raise funds for construction of the complex, pursuant to the Regents' Rules and Regulations, Part One, Chapter VII, Subsection 2.44.

35. U. T. Southwestern Medical Center - Dallas: Recommendation to Accept Gift and Pledge and to Allocate Funds from the Private Fund Development Campaign to Establish the Carl B. & Florence E. King Foundation Distinguished Chair in Pediatric Oncology Research and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that a \$100,000 gift and a \$400,000 pledge, payable by December 31, 1997, from the Carl B. & Florence E. King Foundation, Dallas, Texas, for a total of \$500,000 be accepted to establish the Carl B. & Florence E. King Foundation Distinguished Chair in Pediatric Oncology Research at the U. T. Southwestern Medical Center - Dallas.

It is further recommended that \$500,000 be allocated from the \$25,000,000 challenge fund established by an anonymous donor as part of the Private Fund Development Campaign and be used to increase the endowment to a total of \$1,000,000.

Additionally, it is recommended that the actual income that will be earned on the \$500,000 in gifts and pledges, as received, and the \$500,000 allocation of challenge funds 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

The Carl B. & Florence E. King Foundation, Dallas, Texas, has a long history of supporting educational and research programs at both the academic and health institutions within the U. T. System.

This endowment is being established under the Private Fund Development Campaign as set out in the Minutes of the December 1991 meeting of the U. T. Board of Regents whereby \$25,000,000 was accepted from an anonymous donor to serve as a challenge fund for matching endowment contributions for the support of research by faculty in the area of basic biomedical research as it relates to cancer, neuroscience, developmental biology, and genetics.

See Item 1 on Page HAC - 2 related to a proposed appointment to this Distinguished Chair.

36. U. T. Southwestern Medical Center - Dallas: Recommendation to Accept Gift to Establish The Eugene McDermott Center for Pain Management Endowment and The Eugene McDermott Center for Human Growth and Development Endowment and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that a gift comprised of cash and securities, valued at \$5,765,618.48 from the Biological Humanics Foundation, Dallas, Texas, be accepted to establish two endowments at the U. T. Southwestern Medical Center - Dallas. Of the total gift, \$1,000,000 will be used to establish The Eugene McDermott Center for Pain Management Endowment and \$4,765,618.48 will be used to establish The Eugene McDermott Center for Human Growth and Development Endowment.

Income earned from the endowments will be used to support The Eugene McDermott Center for Pain Management and The Eugene McDermott Center for Human Growth and Development, respectively.

Additionally, it is recommended that the actual income that will be earned on all qualifying gifts be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

BACKGROUND INFORMATION

The Biological Humanics Foundation, Dallas, Texas, was founded forty-two years ago by Mr. Eugene McDermott, co-founder of Texas Instruments, Inc., Dallas, Texas. After Mr. McDermott's death, his wife, Mrs. Margaret McDermott, served as President of the Foundation. More recently, his daughter, Mrs. Mary McDermott Cook, has served as President of the Foundation and, upon the dissolution of the Foundation, was instrumental in securing this very generous gift for the U. T. Southwestern Medical Center - Dallas.

See Item 39 on Page AMC - 36 related to acceptance of an additional \$30,000 gift from the Biological Humanics Foundation to upgrade and redesignate the Professorship in Pediatric Genetics.

37. U. T. Southwestern Medical Center - Dallas: Arthur E. Meyerhoff Professorship in Otorhinolaryngology - Recommendation to Accept Additional Gift, Allocate Funds from the Private Fund Development Campaign, and Redesignate as the Arthur E. Meyerhoff Chair in Otolaryngology/Head and Neck Surgery and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that a \$200,000 gift from Mrs. Arthur E. (Elaine J.) Meyerhoff, Rancho Santa Fe, California, be accepted for addition to the Arthur E. Meyerhoff Professorship in Otorhinolaryngology at the U. T. Southwestern Medical Center - Dallas.

It is further recommended that \$200,000 be allocated from the \$25,000,000 challenge fund established by an anonymous donor as part of the Private Fund Development Campaign and be used to increase the endowment to a total of \$500,000 and that the Professorship be redesignated as the Arthur E. Meyerhoff Chair in Otolaryngology/Head and Neck Surgery.

Additionally, it is recommended that the actual income that will be earned on the \$200,000 gift and \$200,000 allocation of challenge funds be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

BACKGROUND INFORMATION

At the October 1988 meeting, the U. T. Board of Regents accepted a \$100,000 gift from the Arthur E. Meyerhoff Trust, Rancho Santa Fe, California. Mrs. Elaine J. Meyerhoff, as trustee of the Arthur E. Meyerhoff Trust, funded the Professorship in memory of her husband, Mr. Arthur E. Meyerhoff. Their son, Dr. William L. Meyerhoff, is Chairman of the Department of Otorhinolaryngology at the U. T. Southwestern Medical Center - Dallas.

This endowment is being established under the Private Fund Development Campaign as set out in the Minutes of the December 1991 meeting of the U. T. Board of Regents whereby \$25,000,000 was accepted from an anonymous donor to serve as a challenge fund for matching endowment contributions for the support of research by faculty in the area of basic biomedical research as it relates to cancer, neuroscience, developmental biology, and genetics.

38. U. T. Southwestern Medical Center - Dallas: Pediatric Oncology Fund - Recommendation to Allocate Funds from the Private Fund Development Campaign and to Redesignate as the Children's Cancer Fund Distinguished Professorship in Pediatric Oncology and Hematology and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that \$150,000 be allocated from the \$25,000,000 challenge fund established by an anonymous donor as part of the Private Fund Development Campaign and be used to increase the Pediatric Oncology Fund at the U. T. Southwestern Medical Center - Dallas to a total of \$300,000.

It is further recommended that the Pediatric Oncology Fund at the U. T. Southwestern Medical Center - Dallas be redesignated as the Children's Cancer Fund Distinguished Professorship in Pediatric Oncology and Hematology.

Additionally, it is recommended that the actual income that will be earned on the \$150,000 allocation of challenge funds be certified to the appropriate State authorities for matching under the Texas Eminent Scholars Program as set out in Chapter 51, Subchapter I of the Texas Education Code, when matching funds are made available under that act.

BACKGROUND INFORMATION

At the June 1992 meeting, the U. T. Board of Regents accepted a \$100,000 gift and a \$50,000 pledge, payable by December 31, 1992, from the Children's Cancer Fund of Dallas, Inc., Dallas, Texas.

The Children's Cancer Fund of Dallas, Inc., Dallas, Texas, is a voluntary organization that was established ten years ago by parents of children with cancer who had received their therapy from faculty members of the U. T. Southwestern Medical Center - Dallas at the Children's Medical Center of Dallas.

The Children's Cancer Fund of Dallas, Inc. sponsors a variety of charitable events and gives the proceeds to the U. T. Southwestern Medical Center - Dallas/Children's Medical Center of Dallas pediatric oncology program.

This endowment is being established under the Private Fund Development Campaign as set out in the Minutes of the December 1991 meeting of the U. T. Board of Regents whereby \$25,000,000 was accepted from an anonymous donor to serve as a challenge fund for matching endowment contributions for the support of research by faculty in the area of basic biomedical research as it relates to cancer, neuroscience, developmental biology, and genetics.

See Item 1 on Page HAC - 2 related to a proposed appointment to this Distinguished Professorship.

39. U. T. Southwestern Medical Center - Dallas: Professorship in Pediatric Genetics - Recommendation to Accept Additional Gift, Allocate Funds from the Private Fund Development Campaign, and Redesignate as the Mary McDermott Cook Distinguished Professorship in Pediatric Genetics and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that a \$30,000 gift from the Biological Humanics Foundation, Dallas, Texas, be accepted for addition to the Professorship in Pediatric Genetics at the U. T. Southwestern Medical Center - Dallas.

It is further recommended that \$120,000 be allocated from the \$12,500,000 challenge fund established with MSRDP funds at the U. T. Southwestern Medical Center - Dallas as part of the Private Fund Development Campaign and be used to increase the endowment to a total of \$260,251.79 and that the Professorship be redesignated as the Mary McDermott Cook Distinguished Professorship in Pediatric Genetics.

Additionally, it is recommended that the actual income that will be earned on the \$30,000 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

At the February 1988 meeting, the U. T. Board of Regents accepted a \$100,000 gift from an anonymous donor to establish the Professorship in Pediatric Genetics.

Mrs. Mary McDermott Cook, Dallas, Texas, is a long-standing and faithful supporter of the U. T. Southwestern Medical Center - Dallas. As President of the Biological Humanics Foundation, Dallas, Texas, Mrs. Cook was instrumental in directing a most generous gift to the U. T. Southwestern Medical Center - Dallas in December 1992, of which, \$30,000 was used to make an additional gift to the Professorship in Pediatric Genetics.

Mrs. Cook serves in many civic leadership positions in Dallas, including serving as Chairman of the U. T. Southwestern Medical Center - Dallas' President's Research Council.

This endowment is being established under the Private Fund Development Campaign as set out in the Minutes of the December 1991 meeting of the U. T. Board of Regents whereby \$12,500,000 was accepted as a transfer from MSRDP funds at the U. T. Southwestern Medical Center - Dallas to serve as a challenge fund for matching endowment contributions to support faculty research.

40. U. T. Southwestern Medical Center - Dallas: Recommendation to Accept Gifts and Transfer of Funds to Establish the Dr. Bill Ross Professorship in Family Practice.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that \$90,000 in gifts from various donors and a \$10,000 transfer of MSRDP funds for a total of \$100,000 be accepted to establish a quasi-endowment at the U. T. Southwestern Medical Center - Dallas to be named the Dr. Bill Ross Professorship in Family Practice.

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

BACKGROUND INFORMATION

This Professorship is being funded in honor of Bill Ross, M.D., who will be retiring as Chairman of the family practice program at the U. T. Southwestern Medical Center - Dallas, where he has served as Chairman for the past eight years. Under Dr. Ross' leadership, the U. T. Southwestern Medical Center - Dallas has developed family practice residencies in five locations, which train more family practitioners for Texas than any other institution.

41. U. T. Southwestern Medical Center - Dallas: Recommendation to Accept Gift and to Allocate Funds from the Private Fund Development Campaign to Establish the Sarah M. and Charles E. Seay Chair in Pediatric Infectious Diseases and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that a \$250,000 gift from The Sarah M. and Charles E. Seay Charitable Trust, Dallas, Texas, be accepted to establish the Sarah M. and Charles E. Seay Chair in Pediatric Infectious Diseases at the U. T. Southwestern Medical Center - Dallas.

It is further recommended that \$250,000 be allocated from the \$12,500,000 challenge fund established with MSRDP funds at the U. T. Southwestern Medical Center - Dallas as part of the Private Fund Development Campaign and used to increase the endowment to a total of \$500,000.

Additionally, it is recommended that the actual income that will be earned on the \$250,000 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

Mr. and Mrs. Charles E. Seay, Dallas, Texas, have been involved in children's health-related activities in Dallas for many years. Their primary interest has been centered upon U. T. Southwestern Medical Center - Dallas' affiliated Children's Medical Center of Dallas, where Mr. Seay has previously served on the Board of Trustees.

Mr. Seay received his B.A. from U. T. Austin in 1936. Mrs. Sarah M. Seay also attended U. T. Austin. Mr. and Mrs. Seay are members of The Chancellor's Council, the Littlefield Society, and The President's Associates.

This endowment is being established under the Private Fund Development Campaign as set out in the Minutes of the December 1991 meeting of the U. T. Board of Regents whereby \$12,500,000 was accepted as a transfer from MSRDP funds at the U. T. Southwestern Medical Center - Dallas to serve as a challenge fund for matching endowment contributions to support faculty research.

See Item 1 on Page HAC - 2 related to a proposed appointment to this Chair.

42. U. T. Southwestern Medical Center - Dallas: Recommendation to Accept Gift and to Allocate Funds from the Private Fund Development Campaign to Establish The Sarah M. and Charles E. Seay Distinguished Chair in Pediatric Medicine and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that a \$500,000 gift from The Sarah M. and Charles E. Seay Charitable Trust, Dallas, Texas, be accepted to establish The Sarah M. and Charles E. Seay Distinguished Chair in Pediatric Medicine at the U. T. Southwestern Medical Center - Dallas.

It is further recommended that \$500,000 be allocated from the \$12,500,000 challenge fund established with MSRDP funds at the U. T. Southwestern Medical Center - Dallas as part of the Private Fund Development Campaign and used to increase the endowment to a total of \$1,000,000.

Additionally, it is recommended that the actual income that will be earned on the \$500,000 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

Mr. and Mrs. Charles E. Seay, Dallas, Texas, have been involved in children's health-related activities in Dallas for many years. Their primary interest has been centered upon the U. T. Southwestern Medical Center - Dallas' affiliated Children's Medical Center of Dallas, where Mr. Seay has previously served on the Board of Trustees.

Mr. Seay received his B.A. from U. T. Austin in 1936. Mrs. Sarah M. Seay also attended U. T. Austin. Mr. and Mrs. Seay are members of The Chancellor's Council, the Littlefield Society, and The President's Associates.

This endowment is being established under the Private Fund Development Campaign as set out in the Minutes of the December 1991 meeting of the U. T. Board of Regents whereby \$12,500,000 was accepted as a transfer from MSRDP funds at the U. T. Southwestern Medical Center - Dallas to serve as a challenge fund for matching endowment contributions to support faculty research.

See Item 1 on Page HAC - 2 related to a proposed appointment to this Distinguished Chair.

43. U. T. Southwestern Medical Center - Dallas: Recommendation to Accept Gifts and Pledges and to Allocate Funds from the Private Fund Development Campaign to Establish the Doris and Bryan Wildenthal Professorship and Eligibility for Matching Funds Under the Texas Eminent Scholars Program.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Wildenthal that \$15,000 in gifts and \$35,000 in pledges, payable by January 31, 1997, from anonymous donors, for a total of \$50,000 be accepted to establish the Doris and Bryan Wildenthal Professorship at the U. T. Southwestern Medical Center - Dallas.

It is further recommended that \$50,000 be allocated from the \$12,500,000 challenge fund established with MSRDP funds at the U. T. Southwestern Medical Center - Dallas as part of the Private Fund Development Campaign and used to increase the endowment to a total of \$100,000.

Additionally, it is recommended that the actual income that will be earned on the \$50,000 in gifts and pledges, as received, 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

This Professorship is being funded in memory of Dr. Bryan Wildenthal and in honor of his wife, Mrs. Doris Wildenthal, Dallas, Texas. Dr. Wildenthal dedicated his entire career to higher education, including serving as President of Sul Ross State University, Alpine, Texas, for thirteen years. He received his Ph.D. in Economics from U. T. Austin in 1943. Mrs. Doris Wildenthal taught in Texas public schools for fifteen years and served as a member of the staff of the Texas Department of Education for ten years.

Dr. and Mrs. Wildenthal's son, Dr. Kern Wildenthal, currently serves as President of the U. T. Southwestern Medical Center - Dallas. Their son, Dr. B. Hobson Wildenthal, serves as Vice President for Academic Affairs at U. T. Dallas.

This endowment is being established under the Private Fund Development Campaign as set out in the Minutes of the December 1991 meeting of the U. T. Board of Regents whereby \$12,500,000 was accepted as a transfer from MSRDP funds at the U. T. Southwestern Medical Center - Dallas to serve as a challenge fund for matching endowment contributions to support faculty research.

See Item 1 on Page HAC - 2 related to a proposed appointment to this Professorship.

44. U. T. Medical Branch - Galveston: Recommendation to Accept Bequest from the Estate of Beatrice S. Heidrick, Dallas County, Texas.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that a \$2,000 bequest from the Estate of Beatrice S. Heidrick, Dallas County, Texas, be accepted to be used for cancer research at the U. T. Medical Branch - Galveston.

BACKGROUND INFORMATION

The Will of Ms. Beatrice S. Heidrick bequeathed a total of one percent of her residual estate, not to exceed \$2,000, to the U. T. Medical Branch - Galveston. Although Ms. Heidrick had no known affiliation with the U. T. Medical Branch - Galveston, she was interested in the furtherance of cancer research as evidenced by her generous bequest.

45. U. T. Medical Branch - Galveston: Recommendation to Accept Bequest from the Estate of Mary Sue Hibbs, Wichita Falls, Texas, and Remainder Interest from the Ellene Collins Ward Trust, Wichita Falls, Texas, to Establish The Dr. Bailey R. Collins Scholarship Fund.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that a bequest of 1,142 acres in Haskell County, Texas, realizing sale proceeds of \$222,628.45, from the Estate of Mary Sue Hibbs, Wichita Falls, Texas, and the remainder interest in the Ellene Collins Ward Trust, Wichita Falls, Texas, valued at \$740,663.60 for a total of \$963,292.05 be accepted to establish The Dr. Bailey R. Collins Scholarship Fund at the U. T. Medical Branch - Galveston.

Income earned from the endowment will be used to support scholarships for medical school students.

BACKGROUND INFORMATION

The Wills of both Mrs. Mary Sue Hibbs and Mrs. Ellene Collins Ward state that the bequests made to the U. T. Medical Branch - Galveston were to be used to establish a scholarship fund in memory of their brother, Dr. Bailey R. Collins. Mrs. Ward's Will established a testamentary trust for the lifetime benefit of Mrs. Hibbs. Upon the death of Mrs. Hibbs in 1990, the Ellene Collins Ward testamentary trust terminated, and the balance of the trust was distributed to the U. T. Board of Regents to fund The Dr. Bailey R. Collins Scholarship Fund.

An active member of the medical community, Dr. Collins served as a general practitioner in Wichita Falls, Texas, until his death in 1956. Dr. Collins received his M.D. from the U. T. Medical School - Galveston in 1923. Mrs. Hibbs received her B.A. in 1927 and her M.A. in 1928 from U. T. Austin. Mrs. Ward received her B.A. in 1920 and her M.A. in 1937 from U. T. Austin.

46. U. T. Medical Branch - Galveston: Recommendation to Accept Grant to Establish the Houston Endowment Distinguished Chair in Environmental Toxicology.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that a \$1,000,000 grant, payable in annual installments of \$500,000 and due by December 31, 1994, from Houston Endowment Inc., Houston, Texas, be accepted to establish the Houston Endowment Distinguished Chair in Environmental Toxicology at the U. T. Medical Branch - Galveston.

Income earned from the endowment will be used to fund the Directorship of the newly created Center for Environmental Toxicology at the U. T. Medical Branch - Galveston.

BACKGROUND INFORMATION

Houston Endowment Inc., Houston, Texas, a philanthropic foundation endowed by the late Mr. and Mrs. Jesse H. Jones in 1937, is funding this endowment in recognition of the need for Texas to have a strong Center to provide leadership in human health and environmental toxicology problems. Houston Endowment Inc. has previously established several endowments including endowed academic positions and scholarships within the U. T. System.

The U. T. Medical Branch - Galveston has established the Center for Environmental Toxicology for the interdisciplinary study of environmental toxicology in the public interest. Funding for the Center has been received from federal grants and private gifts.

47. U. T. Medical Branch - Galveston: Recommendation to Accept Gifts and Transfer of Funds to Establish the James Hury Scholarship Fund.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that \$5,000 in gifts from various donors, a \$15,000 gift from Mr. Walter G. Hall, Dickinson, Texas, and a \$5,000 transfer of institutional funds for a total of \$25,000 be accepted to establish the James Hury Scholarship Fund at the U. T. Medical Branch - Galveston.

Income earned from the endowment will be used to provide scholarship awards to medical students at the U. T. Medical Branch - Galveston.

BACKGROUND INFORMATION

This endowment is being funded in memory of Mr. James Hury, Galveston, Texas, who served as Galveston County State Representative for ten years and headed the Ways and Means Committee when he resigned from the Texas House of Representatives in September 1992. During his tenure in the House of Representatives, Mr. Hury was a staunch advocate of higher education in the State and earnestly represented the interests of the U. T. Medical Branch - Galveston.

Mr. Walter G. Hall, Dickinson, Texas, is a prominent Galveston County independent businessman who was a friend of Mr. Hury and also of the U. T. Medical Branch - Galveston.

48. U. T. Medical Branch - Galveston: Recommendation to Accept Gifts to Establish the Herbert M. Seybold Endowed Scholarship Fund.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that 146 shares of American Information Technologies Corporation common stock valued at \$19,819.50 and 130 shares of Thermo Electron Corporation common stock valued at \$4,956.25 from Dr. Herbert M. Seybold, Galveston, Texas, 1,000 shares of Keystone International, Inc. common stock valued at \$26,625 from Mr. Martin E. Hamilton, Galveston, Texas, and \$74,635 from various donors for a total of \$126,035.75 be accepted to establish the Herbert M. Seybold Endowed Scholarship Fund at the U. T. Medical Branch - Galveston.

Income earned from the endowment will be used to assist in attracting superior students to the U. T. Medical School - Galveston by providing financial assistance to students with demonstrated financial need and superior academic credentials and performance.

BACKGROUND INFORMATION

This endowment is being funded in honor of Herbert M. Seybold, M.D., Galveston, Texas, as a tribute to his devotion to the teaching of medical students and physicians-in-training. Dr. Seybold, who received his M.D. from the U. T. Medical Branch - Galveston in 1955, has had two successful and distinguished careers in medicine. After 23 years as a private practitioner of urologic surgery in Houston, Texas, Dr. Seybold accepted a position with the U. T. Medical Branch - Galveston as a teacher in the division of urologic surgery.

Mr. Martin E. Hamilton, Galveston, Texas, a close friend of Dr. Seybold, conceived of, organized, and directed the solicitation of funds for the Herbert M. Seybold, M.D. Scholarship Fund. Mr. Hamilton currently serves as a member of the Keystone International, Inc. Board of Directors.

49. U. T. Medical Branch - Galveston: Recommendation to Accept Remainder Interest in The Dr. Seymour and Carmen Fisher Charitable Remainder Annuity Trust and to Accept Appointment as Trustee.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that the remainder interest in The Dr. Seymour and Carmen Fisher Charitable Remainder Annuity Trust, initially funded with a gift of 2,600 shares of Unitrin, Inc., common stock valued at \$98,800 from Dr. and Mrs. Seymour Fisher, Galveston, Texas,

be accepted for the benefit of the U. T. Medical Branch - Galveston. Additionally, it is recommended that the U. T. Board of Regents accept appointment as Trustee of the Trust.

The trust agreement provides for the annual distribution of seven percent of the initial net fair market value of the trust assets to be paid quarterly to Dr. and Mrs. Seymour Fisher during their lifetimes. Such payments shall be made from income earned on the trust assets and, to the extent that income is not sufficient, from the corpus. Any income of the trust for a taxable year in excess of seven percent of the initial net fair market value of the trust assets shall be added to the corpus.

Upon termination of the Trust, the corpus of the Trust shall be distributed to the U. T. Board of Regents to establish the Carmen & Seymour Fisher Endowment in the School of Medicine at the U. T. Medical Branch - Galveston with a view to funding research fellowships in the Department of Psychiatry and Behavioral Sciences. A request to formally establish the endowment will be made at a later date.

BACKGROUND INFORMATION

Dr. Seymour Fisher, Galveston, Texas, joined the faculty of the U. T. Medical Branch - Galveston in 1978 and is currently a professor in the Department of Psychiatry and Behavioral Sciences with a research specialty in clinical psychopharmacology. Dr. and Mrs. Fisher are generous supporters of the U. T. Medical Branch - Galveston, having previously made substantial contributions to the institution.

50. U. T. Medical Branch - Galveston: The William N. and Ida Zinn Alpha Omega Alpha Scholarship Award - Recommendation to Amend Endowment Guidelines.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that the endowment guidelines for The William N. and Ida Zinn Alpha Omega Alpha Scholarship Award at the U. T. Medical Branch - Galveston be amended to distribute eighty percent of future earnings from the endowment and reinvest the remaining twenty percent of endowment earnings in the corpus of the endowment.

This recommendation is being made to reflect more correctly the intent of the donor and has been reviewed and approved by the U. T. System Office of General Counsel.

BACKGROUND INFORMATION

At the October 1955 meeting of the U. T. Board of Regents, The William N. and Ida Zinn Alpha Omega Alpha Scholarship Award was established with a \$2,500 gift from Mr. William N. Zinn, Galveston, Texas, to provide an annual award to the graduating senior showing the highest scholarly and intellectual attainment.

51. U. T. Health Science Center - San Antonio: Recommendation to Accept Gift to Establish the Endowed Professorship in the School of Nursing and Eligibility for Matching Funds Under the Texas Eminent Scholars Program (NO PUBLICITY).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President Howe that a \$100,000 gift from USAA Federal Savings Bank, San Antonio, Texas, be accepted to establish the Endowed Professorship in the School of Nursing at the U. T. Health Science Center - San Antonio.

It is further recommended that the actual income that will be earned on the \$100,000 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

USAA Federal Savings Bank, San Antonio, Texas, is funding this endowment in support of the nursing program at the U. T. Health Science Center - San Antonio to assist in attracting and/or retaining highly qualified faculty members.

NO PUBLICITY

52. U. T. M.D. Anderson Cancer Center: Blanche Bender Fund - Recommendation to Accept Transfer of Funds and Redesignate as the Blanche Bender Professorship in Cancer Research.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President LeMaistre that a \$102,177.67 transfer of accumulated earnings be accepted for addition to the Blanche Bender Fund at the U. T. M.D. Anderson Cancer Center for a total endowment of \$250,000 and that the Fund be redesignated as the Blanche Bender Professorship in Cancer Research.

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

BACKGROUND INFORMATION

The Blanche Bender Fund was established at the May 1966 meeting of the U. T. Board of Regents with proceeds from the sale of property located in Montgomery County, Texas, which was given to the U. T. M.D. Anderson Cancer Center by Miss Blanche Bender to be used for cancer research.

III. INTELLECTUAL PROPERTY

U. T. Medical Branch - Galveston: Request for Individual to Acquire Equity in and Serve as a Director and Employee of Trauma Products, Inc., La Jolla, California.--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs and President James that the U. T. Board of Regents approve the acquisition by Dr. George C. Kramer, Associate Professor in the Departments of Anesthesiology, Physiology and Biophysics at the U. T. Medical Branch - Galveston, of an equity interest in Trauma Products, Inc., La Jolla, California, and Dr. Kramer's serving on the Board of Directors and as a part-time employee of such company.

BACKGROUND INFORMATION

Trauma Products, Inc. (TPI) is a California corporation with principal offices in La Jolla, California. The University entered into a Patent License Agreement with TPI effective August 1, 1992, with the U. T. Board of Regents' approval through the December 1992 docket. The

agreement grants TPI an exclusive, worldwide, royalty-bearing license under technology created at U. T. Medical Branch - Galveston by Dr. Kramer in the field of a hypertonic solution for isochloremic resuscitation. TPI may fund further basic research by Dr. Kramer in the amount of \$136,000 per year for two years.

TPI has offered Dr. Kramer 1,350,000 shares of TPI's common stock and the opportunity to serve without compensation as Chairman of TPI's Scientific Board and as a member of TPI's Board of Directors. TPI was formed to commercialize technologies created by Dr. Kramer prior to his becoming an employee of the U. T. Medical Branch - Galveston and to commercialize the technology created by Dr. Kramer at the U. T. Medical Branch - Galveston. Dr. Kramer contemplates taking a 51% leave of absence from U. T. Medical Branch - Galveston for six months to assist TPI as a part-time employee. It has been determined that acceptance of the stock by Dr. Kramer will not result in a conflict with his academic and research responsibilities to U. T. Medical Branch - Galveston.

The proposed acceptance of equity by Dr. Kramer in TPI and his services to TPI are permitted with approval of the U. T. Board of Regents pursuant to Section 51.912, Texas Education Code, and the Intellectual Property Policy of the Regents' Rules and Regulations, Part Two, Chapter XII, Section 6, Subsection 6.2, and Section 7, Subsection 7.1.

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: February 11, 1993

Time: Following the meeting of the Asset Management Committee

Place: Regents' Conference Room and Regents' Meeting Room
Ninth Floor, Ashbel Smith Hall

1. Pending and/or Contemplated Litigation - Section 2(e)
 - U. T. Southwestern Medical Center - Dallas:
Proposed Settlement of Medical Liability Litigation

2. Land Acquisition, Purchase, Exchange, Lease or Value of Real Property and Negotiated Contracts for Prospective Gifts or Donations - Section 2(f)
 - a. U. T. Austin: Request for Authorization to Sell a 1.75 Acre Tract of Land in Austin, Travis County, Texas
 - b. U. T. Permian Basin: Request for Authorization to Sell Residence Located at 1625 Englewood, Odessa, Ector County, Texas, and to Purchase a Suitable Replacement

3. Personnel Matters [Section 2(g)] Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees
 - U. T. Board of Regents: Consideration of the Reorganization of the Board of Regents in Accordance with the Regents' Rules and Regulations, Part One, Chapter I, Sections 3, 4, and 5