

We, the undersigned members of the Board of Regents of The University of Texas System, hereby ratify and approve all actions taken at this meeting (December 12, 1975) to be reflected in the Minutes.

Signed this the 12th day of December, 1975, A. D.

# OMISSION

Pages 1205 - 1658

*A. Luth Baker*

SIGNATURE OF OPERATOR

*Joe T. Nelson M.D.*  
Joe T. Nelson, M.D., Member

*Walter G. Sterling*  
Walter G. Sterling, Member

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

# OMISSION

Pages 1205 - 1658

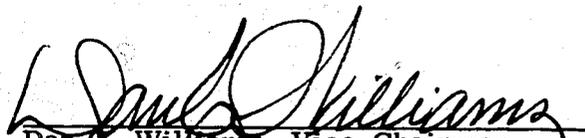
*A. Luth Baker*

SIGNATURE OF OPERATOR

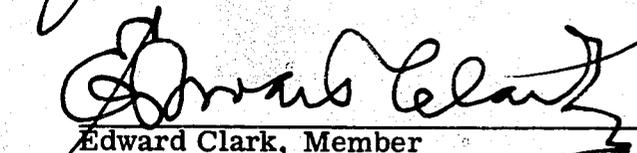
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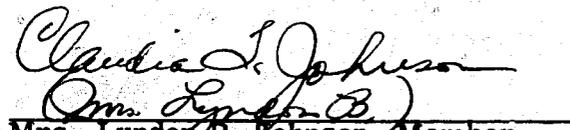
Signed this the 12th day of December, 1975, A. D.

  
Allan Shivers, Chairman

  
Dan G. Williams, Vice-Chairman

  
James E. Bauerle, D.D.S., Member

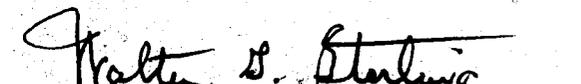
  
Edward Clark, Member

  
Mrs. Lyndon B. Johnson, Member

  
Thos. H. Law, Member

  
A. G. McNeese, Jr., Member

  
Joe T. Nelson, M.D., Member

  
Walter G. Sterling, Member

Meeting No. 737

THE MINUTES OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF TEXAS SYSTEM

Pages 1 - 97  
(and Attachments Nos. 1 and 2)

December 12, 1975

Houston, Texas

12-12-75

1108

MEETING NO. 737

FRIDAY, DECEMBER 12, 1975. --On Friday, December 12, 1975, at 9:00 a. m. , Chairman Shivers called to order the regular meeting of the Board of Regents of The University of Texas System in the Consulate Room, Houston Oaks Hotel, Houston, Texas. The following were in attendance:

ATTENDANCE. --

Present

Chairman Shivers, presiding  
Vice-Chairman Williams  
Regent Bauerle  
Regent Clark  
Regent (Mrs.) Johnson  
Regent Law  
Regent McNeese  
Regent Nelson  
Regent Sterling

Absent

Secretary Thedford

Chancellor LeMaistre  
Deputy Chancellor Walker

INTRODUCTION OF STUDENT REPRESENTATIVES AND GUESTS. --  
Chairman Shivers opened the meeting by asking each of the Presidents to introduce student representatives from his respective institution:

U. T. Dallas - President Jordan presented:

Mr. Glen Perser, President of Student Congress  
Mr. Richard Hoffman, Parliamentarian of Student Congress

U. T. El Paso - President Templeton presented:

Mr. James Corral, President of Student Association

U. T. Permian Basin - President Cardozier presented:

Miss Debbie Pressley, President of Student Council  
Mr. David Brown, Member of Student Council

Galveston Medical Branch - President Levin presented:

Mr. Gregg Blackley, President of Student Government  
Mr. Eric Undesser, Chairman of Senate of Student Government

Miss Carol Crabtree, President of Students' Association, and Mr. Lyn Breeland, Vice-President of Students' Association, from U. T. Austin, came in during the meeting and were introduced. Also, later in the meeting, Regent Sterling introduced Mr. Bill Smith, Administrator for Hermann Hospital, Houston, Texas.

**BOARD OF REGENTS: APPROVAL OF MINUTES OF REGULAR MEETING ON OCTOBER 24, 1975.** --The Minutes of the meeting of the Board of Regents of The University of Texas System held on October 24, 1975, in Austin were approved as circulated by Secretary Thedford upon motion of Regent Sterling, seconded by Vice-Chairman Williams. The official copy is recorded in the Permanent Minutes, Volume XXIII, beginning with Page 541.

**RECESS FOR COMMITTEE MEETINGS AND EXECUTIVE SESSION OF THE COMMITTEE OF THE WHOLE.** --Chairman Shivers announced that the Board would recess (9:05 a. m.) in order that the Committees could meet; and that immediately following the Open Session of the Committee of the Whole, the Board of Regents would convene as a Committee of the Whole in Executive Session pursuant to Article 6252-17, Sections 2(e), (f) and (g), V. T. C. S. to consider:

1. Acquisition of Real Property
2. Pending and Contemplated Litigation
3. Personnel Matters

**RECONVENE.** --Immediately after the meeting of the Executive Session of the Committee of the Whole (12:40 p. m.), the Board of Regents reconvened in the Consulate Room with the same attendance as at the earlier session.

## REPORTS OF STANDING COMMITTEES

Chairman Shivers called for the reports of the Committees. With the exception of the Executive Session of the Committee of the Whole, all meetings had been conducted in open session in the Consulate Room, Houston Oaks Hotel, Houston, Texas.

REPORT OF SYSTEM ADMINISTRATION COMMITTEE (Pages 3 - 14 ).-- The following report of the System Administration Committee was presented by Vice-Chairman Williams, Chairman of SAC. Committee Chairman Williams stated that all matters were conducted in open session and moved the adoption of the report. By unanimous approval, the report was adopted and the actions therein were ratified:

Report

In open session this morning, the System Administration Committee approved the following recommendations by the Administration which had been circulated to the members of the System Administration Committee since its last meeting on October 24, 1975. These recommendations are now submitted in this report for formal approval by the Board of Regents:

U. T. Arlington, U. T. Austin, U. T. Dallas, U. T. El Paso, U. T. Permian Basin, Dallas Health Science Center and its Dallas Southwestern Medical School, Galveston Medical Branch (Galveston Medical School), Houston Health Science Center and its Houston Medical School and Houston Dental Branch, San Antonio Health Science Center (San Antonio Dental School) and University Cancer Center: Amendments to the 1974-75 and 1975-76 Budgets (2-B-76). --It is recommended by the appropriate chief administrative officers, concurred in by System Administration, that the amendments to the 1974-75 and 1975-76 Budgets for The University of Texas at Arlington, The University of Texas at Austin, The University of Texas at Dallas, The University of Texas at El Paso, The University of Texas of the Permian Basin, The University of Texas Health Science Center at Dallas and its Dallas Southwestern Medical School, The University of Texas Medical Branch at Galveston (Galveston Medical School), The University of Texas Health Science Center at Houston and its Houston Medical School and Houston Dental Branch, The University of Texas Health Science Center at San Antonio (San Antonio Dental School) and The University of Texas System Cancer Center (Pages 4 - 14 ) be approved.

THE UNIVERSITY OF TEXAS AT AUSTIN  
 AMENDMENTS TO THE 1975-76 OPERATING BUDGET  
 Source of Funds - Departmental Appropriations  
 (Unless Otherwise Specified)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
3.	Auxiliary Enterprises - U. T. Arlington Tennis Center Transfer of Funds	From: Unappropriated Balance via Estimated Income from Fees	To: U. T. Arlington Tennis Center - Wages \$ 5,000 Maintenance and Operation 1,000 Unallocated 1,000 <u>\$ 7,000</u>	---
	Amount of Transfer	\$ 7,000		

To set up the budget for the U. T. Arlington Tennis Center. The Center will be open 68 hours per week for recreational purposes. Funds are available from Estimated Income from fee charged for use of Center.

THE UNIVERSITY OF TEXAS AT AUSTIN  
 AMENDMENTS TO THE 1975-76 OPERATING BUDGET  
 Source of Funds - Departmental Appropriations  
 (Unless Otherwise Specified)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
6.	David F. Brower Fusion Research Center	Assistant Director - Engineering and Technology	Assistant Director - Engineering and Technology	
	Salary Rate	\$ 40,588 (1974-75)	\$ 43,384	9/1-12/31
	Source of Funds: ERDA Contract			
7.	David W. Ross Fusion Research Center	Assistant Director - Theoretical Programs	Assistant Director - Theoretical Programs	
	Salary Rate	\$ 30,688 (1974-75)	\$ 32,801	9/1-12/31
	Source of Funds: ERDA Contract			
8.	Alan B. Macmahon Fusion Research Center	Research Program Manager	Research Program Manager	
	Salary Rate	\$ 25,070 (1974-75)	\$ 27,739	9/1-12/31
	Source of Funds: ERDA Contract			

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Source of Funds - Departmental Appropriations  
(Unless Otherwise Specified)  
(Continued)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
9.	Paul Wildi (Non-tenure) Fusion Research Center Salary Rate Source of Funds: ERDA Contract Electrical Engineering Academic Rate	Research Engineer (F. T.) \$ 33,108 (1974-75)	Research Engineer (2/3T) \$ 36,600	9/1-12/31
10.	H. Vernon Wong Fusion Research Center Salary Rate Source of Funds: ERDA Contract	Research Scientist \$ 24,564 (1974-75)	Lecturer (1/3T) \$ 27,450 Research Scientist \$ 27,156	9/1-5/31 9/1-12/31
11.	Alan A. Ware Fusion Research Center Salary Rate Source of Funds: ERDA Contract	Research Scientist \$ 38,088 (1974-75)	Research Scientist \$ 40,716	9/1-12/31
12.	Grover B. Cunningham Council for Advanced Transportation Studies Salary Rate Source of Funds: Forest Service Grant (50%) and Texas Research and Development Foundation Grant (50%)	Social Science Research Associate V \$ 16,236 (1974-75)	Social Science Research Associate V \$ 20,100	9/1-1/31
13.	Laurence M. Trafton Astronomy Salary Rate Source of Funds: NASA Contract	Research Scientist \$ 24,351 (1974-75)	Research Scientist \$ 26,351	9/1/75

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(Unless Otherwise Specified)  
(Continued)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
14.	William F. Weldon Mechanical Engineering - Energy Storage Group Salary Rate Source of Funds: EPRI Contract	Research Engineer Associate V \$ 18,540 (1974-75)	Research Engineer Associate V \$ 22,224	9/1-12/31
15.	David M. Austin Graduate School of Social Work - Center for Social Work Research Salary Rate (9 mos.) Source of Funds: Moody Foundation Grant Concurrent Appointment: Graduate School of Social Work Professor (Tenure) (1/2T) Academic Rate: \$ 26,400	Director (1/2T) \$ 25,941 (1974-75 9 mos. equiv)	Director (1/2T) \$ 30,400	9/1-5/31
16.	Robert S. Jacobs Bureau of Engineering Research Salary Rate Source of Funds: Murray Marschall Research Fund	Research Engineer Assistant I \$ 7,800 (1974-75)	Research Engineer Assistant I \$ 9,972	9/1/75
17.	H. James Dorman Marine Science Institute - Galveston Salary Rate	Research Scientist (Faculty) \$ 31,936	Research Scientist (Faculty) \$ 34,000	10/1/75
18.	Joel S. Watkins Marine Science Institute - Galveston Salary Rate	Research Scientist \$ 27,748	Research Scientist \$ 30,024	10/1/75

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(Unless Otherwise Specified)  
(Continued)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
19.	John F. Betak Council for Advanced Transportation Studies Salary Rate Source of Funds: Department of Transportation Contract Funds	Assistant Director \$ 16,788	Assistant Director \$ 20,100	10/1/75
20.	Clif W. Drummond Fusion Research Center Salary Rate Source of Funds: TAERF Contract	Research Coordinator \$ 26,088 (1974-75)	Research Coordinator \$ 28,840	9/1/75
21.	Marine Science Institute Transfer of Funds	From: Available University Fund Unappropriated Balance	To: Marine Science Institute - Administrative and Professional Salaries \$ 52,861 Classified Personnel 11,772 Wages 5,000 Maintenance, Operation, and Equipment 6,000 Travel 17,500 Unallocated 93,867 <u>\$ 187,000</u>	
	Amount of Transfer	\$ 187,000		
22.	Auxiliary Enterprises - Student Government Offices Transfer of Funds	From: Student Services Fees (Required) - Unappropriated Balance	To: Student Government Offices - Income from Optional Student Fees	
	Amount of Transfer	\$ 10,600	\$ 10,600	

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AMENDMENTS TO THE 1975-76 OPERATING BUDGET  
Source of Funds - Departmental Appropriations  
(Unless Otherwise Specified)

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
1.	Kenji Kondo (Non-tenure) Arts and Humanities Academic Rate	Lecturer (P.T.) \$ 7,400 (1974-75)	Lecturer (P.T.) \$ 10,000	9/1/75
2.	Harsh K. Gupta Natural Sciences and Mathematics Salary Rate Source of Funds: Contracts and Grants	Research Scientist \$ 14,376	Research Scientist \$ 18,000	10/1/75

THE UNIVERSITY OF TEXAS AT EL PASO  
AMENDMENTS TO THE 1975-76 OPERATING BUDGET  
Source of Funds - Departmental Appropriations  
(Unless Otherwise Specified)

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
1.	Physical Plant - Building Maintenance Transfer of Funds Amount of Transfer To provide funds for routine maintenance of building exteriors.	From: Unappropriated Balance - Unexpended Plant Funds \$ 75,000	To: Building Maintenance - Maintenance and Operation \$ 75,000	

AMENDMENTS TO THE 1975-76 OPERATING BUDGET  
 Source of Funds - Departmental Appropriations  
 (Unless Otherwise Specified)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
1.	William Hackos, Jr. (Non-tenure) Science and Engineering Academic Rate	Lecturer in Computer Science (1/2T) \$ 8,732 (1974-75)	Lecturer in Computer Science (1/4T) \$ 12,000	9/1 - 1/15

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT DALLAS  
 AMENDMENTS TO THE 1974-75 AND 1975-76 OPERATING BUDGETS  
 Source of Funds - Departmental Appropriations  
 (Unless Otherwise Specified)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
<u>1974-75 Budget</u>				
11.	Plant Funds Transfer of Funds	From: Unappropriated Balance via Estimated Income	To: Plant Funds Projects - Service Building \$ 850,000 Parking Lot Expansion 150,000 Landscaping - Phase II 120,000 OSHA Corrections to Facilities 125,000 Lone Star Energy Plant Connections to Buildings 70,000 Asphalt Paving 45,000 Waterproofing Parking Garage 40,000 Minor Repair and Renovation of Facilities 500,000 Special Equipment 500,000 <u>\$ 2,400,000</u>	---
	Amount of Transfer	\$ 2,400,000		

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(Unless Otherwise Specified)

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary	Augmentation	Total Compensation	Salary	Augmentation	Total Compensation	
<u>1975-76 Budget</u>								
15.	<u>Dallas Southwestern Medical School</u> Kotaro Yamaoka (Non-tenure) Biochemistry Visiting Assistant Professor Source of Funds: NIH Grant	\$ 15,100		\$ 15,100	\$ 17,500		\$ 17,500	10/1/75
16.	John M. Dietschy (Tenure) Internal Medicine Professor Source of Funds: MSRDP	\$ 42,000	\$ 5,000	\$ 47,000	\$ 42,000	\$ 7,500	\$ 49,500	10/1/75
17.	Jere Mitchell (Tenure) Internal Medicine and Physiology Professor Source of Funds: MSRDP	\$ 37,037	\$ 9,963	\$ 47,000	\$ 37,037	\$ 12,363	\$ 49,400	11/1/75
18.	Eugene P. Frenkel (Tenure) Internal Medicine and Radiology Professor Source of Funds: MSRDP	35,488	11,512	47,000	35,488	13,912	49,400	11/1/75
19.	James M. Lipton (Tenure) Psychiatry, Physiology, Neurology Associate Professor of Psychology Source of Funds: NIH Grant	24,154	1,748	25,902	27,654	1,748	29,402	10/1/75

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12-12-75

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(Unless Otherwise Specified)

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary	Augmentation	Total Compensation	Salary	Augmentation	Total Compensation	
<u>1975-76 Budget</u>								
<u>Dallas Southwestern Medical School</u>								
20.	Juan Jimenez (Non-tenure) Obstetrics and Gynecology Assistant Professor Source of Funds: MSRDP	\$ 30,500	\$ 7,000	\$ 37,500	\$ 30,500	\$ 14,091	\$ 44,591	10/1/75
21.	James Strong (Non-tenure) Obstetrics and Gynecology Assistant Professor Source of Funds: MSRDP	31,500	11,500	43,000	31,500	14,227	45,727	10/1/75
22.	Barry Schwarz (Non-tenure) Obstetrics and Gynecology Assistant Professor Source of Funds: MSRDP	\$ 30,768	\$ 8,732	\$ 39,500	\$ 30,768	\$ 11,459	\$ 42,227	10/1/75

Source of Funds - Departmental Appropriations  
(Unless Otherwise Specified)

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary	Augmentation	Total Compensation	Salary	Augmentation	Total Compensation	
<u>Galveston Medical School</u>								
2.	Harold A. Goolishian (Tenure) Psychiatry Professor	\$ 36,930	\$ 15,828	\$52,758	\$ 36,930	\$ 18,463	\$ 55,393	10/1/75
	Source of Funds: MSRDP							
3.	John P. Vanderpool (Tenure) Psychiatry Assistant Professor	30,400	15,200	45,600	32,000	16,000	48,000	10/1/75
	Source of Funds: Unallocated Salaries and MSRDP							

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON  
AMENDMENTS TO THE 1974-75 AND 1975-76 OPERATING BUDGETS  
Source of Funds - Departmental Appropriations  
(Unless Otherwise Specified)

Item No.	Explanation	Present Status		Proposed Status		Effective Dates
<u>1974-75 Budget</u>						
13.	Plant Funds Transfer of Funds					
	Amount of Transfer		From: Unappropriated Balance via Estimated Income \$ 700,000		To: Unexpended Plant Funds - Special Project Allocation Fund \$ 700,000	---
<u>1975-76 Budget</u>						
2.	Staff Benefits - Accrued Sick Leave Benefits					
	Transfer of Funds					
	Amount of Transfer		From: Unappropriated Balance \$ 50,000		To: Accrued Sick Leave Benefits \$ 50,000	---

(Unless Otherwise Specified)  
(Continued)

Item No.	Explanation	Present Status			Proposed Status			Effective Dates
		Salary	Augmentation	Total Compensation	Salary	Augmentation	Total Compensation	
<u>1975-76 Budget (Continued)</u>								
<u>Houston Medical School</u>								
3.	Gabriel Perry (Non-tenure) Obstetrics and Gynecology Assistant Professor	\$ 31,600	\$ 4,000	\$ 35,600	\$ 31,600	\$ 6,400	\$ 38,000	10/1/75
	Source of Funds: MSRDP							
4.	Samuel J. Strada (Tenure) Pharmacology Associate Professor	22,600	---	22,600	25,000	---	25,000	10/1/75
	Source of Funds: Faculty Salaries and PMA Faculty Development Award							
5.	Luis J. Rodriguez (Non-tenure) Reproductive Biology and Reproductive Endocrinology Clinical Fellow	12,000	---	12,000	14,000	---	14,000	9/1/75
	Source of Funds: Departmental Administrative and Professional Salaries							
<u>Houston Dental Branch</u>								
6.	Michael B. Birdsong (Non-tenure) Anatomy - Dental Anatomy Assistant Professor	\$ 17,300	---	\$ 17,300	\$ 20,000	---	\$ 20,000	10/1/75
	Source of Funds: Unallocated Faculty Salaries							

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12-12-75

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AMENDMENTS TO THE 1975-76 OPERATING BUDGET  
 Source of Funds - Departmental Appropriations  
 (Unless Otherwise Specified)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
<b>San Antonio Dental School</b>				
1.	Conception F. Reisbick Prosthodontics Salary Rate	Maxillofacial Prosthetic Technician II \$ 10,308	Maxillofacial Prosthetic Technician II \$ 12,576	10/1/75

THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER  
 AMENDMENTS TO THE 1975-76 OPERATING BUDGET  
 Source of Funds - Departmental Appropriations  
 (Unless Otherwise Specified)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
4.	Staff Benefits - Accrued Sick Leave Expense Transfer of Funds Amount of Transfer	From: Unappropriated Surplus \$ 50,000	To: Accrued Sick Leave Expense \$ 50,000	---

REPORT OF ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE (Pages 15 - 16 ). --Committee Chairman (Mrs.) Johnson submitted the following Report of the Academic and Developmental Affairs Committee, which had conducted all of its business in open session. The report was adopted by unanimous vote, and the actions therein were ratified:

1. U. T. System: Deputy Chancellor's Docket No. 3 (Attachment No. 1) (Catalog Change). --There were no exceptions submitted to Deputy Chancellor's Docket No. 3 (Attachment No. 1). The Docket was approved in the form distributed by Secretary Thedford and is attached (Attachment No. 1) following Page 97 and made a part of these Minutes.

It was ordered that any item included in this Docket that is normally published in the catalogs of the various institutions be reflected in the first catalog published hereafter by the respective institution.

2. U. T. Arlington: Authorization to Seek Permission from Coordinating Board to Establish Ph.D. Program in Urban Studies (Catalog Change). --A Doctor of Philosophy degree program in Urban Studies was proposed for The University of Texas at Arlington. This program had been approved through the appropriate channels and was recommended by President Nedderman and concurred in by System Administration.

This program is designed to fill an existing void for researchers, scholars and instructors with broad, interdisciplinary training in the urban area. To implement this program in the Fall of 1976, no new faculty, facilities or equipment would be needed. The differential cost for 1976-77 would be \$11,250 proposed to be funded through formula generated funds.

The Committee approved the program and authorized the administration to seek permission to establish this program from the Coordinating Board, Texas College and University System.

If this program is approved by the Coordinating Board, it was ordered that the first catalog published thereafter by U. T. Arlington be amended to conform.

3. U. T. Austin: Appointment of Dr. Ernest A. Sharpe to the Jesse H. Jones Professorship of Journalism. --Upon the recommendation of President Rogers, concurred in by System Administration, authorization was given to appoint Dr. Ernest A. Sharpe to the Jesse H. Jones Professorship of Journalism at The University of Texas at Austin to succeed Dr. DeWitt Reddick, who had held this professorship since its creation on June 4, 1971.

Dr. Sharpe joined the U. T. Austin faculty in 1946 and has attained national recognition as a teacher, receiving among other awards the Teaching Excellence Award from the Standard Oil (Indiana) Foundation and the "Educator of the Year" award from American Advertising Federation.

The details of this appointment will be reported in a subsequent Docket.

4. U. T. Austin: Authorization to Combine B.S. in Elementary Education, B.S. in Education and B.S. in Physical Education into B.S. in Education and to Report to Coordinating Board for Necessary Approval (Catalog Change). --Upon the recommendation of President Rogers, concurred in by System Administration, approval was given to the legislation of the College of Education and the General Faculty (D&P 6465-74) at The University of Texas at Austin to combine the degrees of B.S. in Elementary Education, B.S. in Education and B.S. in Physical Education into one degree entitled the Bachelor of Science in Education.

The administration was instructed to submit these changes to the Coordinating Board, Texas College and University System for such approval as may be required.

It was further ordered that if this change is approved by the Coordinating Board the first catalog published thereafter by U. T. Austin be amended to conform to this action.

5. U. T. Austin: Approval of Amendments to Declaration of Trust with Student Publications (Formerly Called Texas Student Publications, Inc.) to Provide Flexibility in Setting Date for Elections for Student Publications. --President Rogers submitted with her approval, and System Administration concurred, the following amendments by the Board of Operating Trustees of Student Publications to the Declaration of Trust accepted on September 8, 1971:

Amend Section 5-A as amended on March 15, 1974, by deleting the second sentence and substituting the following therefor:

Section 5-A: ". . . Said election is to be held at least three weeks before or at least three weeks after the spring student government election each year pursuant to the rules established by the Operating Trustees. . . ."

Amend Section 11 by deleting the first sentence and substituting in lieu thereof the following:

Section 11: "At least three weeks prior to or at least three weeks after the spring student government elections, there shall be a student publications election on the campus of The University of Texas at Austin. . . ."

The amendments provide for flexibility in setting the date of Student Publications elections, but still preserve the principle of separating the Student Publications election from the Student Government election. The three week separation gives freedom to choose a date which is convenient to the candidates and allows the voters to be better informed on candidates and issues.

REPORT OF BUILDINGS AND GROUNDS COMMITTEE (Pages 17-28). -- The Buildings and Grounds Committee conducted its business in open session, and Committee Chairman Bauerle filed the following report of the Committee. The report was approved upon a motion duly made and seconded, and the actions therein were ratified:

1. U. T. Arlington - Remodeling of Business-Life Science Building: Appointment of Albert S. Komatsu & Associates, Fort Worth, Texas, Project Architect, and Authorization to Rename Building, Life Science Building. --The Administration reported that in order to be ready for remodeling the Business-Life Science Building at The University of Texas at Arlington as soon as the College of Business Administration Building is completed and the College of Business has moved therein, it is necessary to appoint a Project Architect and begin detailed planning for remodeling.

Upon recommendation of Regent Law, the firm of Albert S. Komatsu & Associates, Fort Worth, Texas, was named Project Architect to prepare the preliminary plans and specifications for the remodeling of the Business-Life Science Building to be presented to the Board of Regents at a later date.

The name of the building was changed to Life Science Building and the project title likewise to Remodeling of Life Science Building upon recommendation of President Nedderman and System Administration.

2. U. T. Arlington - Remodeling of College Hall: Authorization for Project and for Preparation of Preliminary Plans; Appointment of Willard Reavis, Arlington, Texas, Project Architect, and Appropriation Therefor. --The Administration reported that College Hall at The University of Texas at Arlington (constructed in 1926) housing the departments of Music and Military Science until January 1975, needs to be renovated since the Department of Music has moved to the Fine Arts Complex. The small practice rooms in the interior area used by the Music Department are not usable by other departments. The building is presently being used for storage and some temporary office space and will continue to be used in this manner until funding is obtained to renovate same.

After receiving this report, and upon recommendation of President Nedderman and System Administration, authorization was given to remodel College Hall at U. T. Arlington at an estimated total project cost of \$525,000.

Upon motion of Regent Nelson, seconded by Regent Law, the firm of Willard Reavis, Arlington, Texas, was named Project Architect with authorization to proceed with preparation of preliminary plans and specifications for presentation to the Board of Regents at a later meeting.

For this project, an appropriation of \$25,000 from proceeds of Combined Fee Revenue Bonds was authorized for necessary miscellaneous expenses and fees through the preparation of preliminary plans and outline specifications.

3. U. T. Arlington - Engineering Technology Building: Name Changed to Geosciences Building. --President Nedderman reported that when the renovation of the Engineering Technology Building at The University of Texas at Arlington is completed it will be used chiefly for the study of Geosciences. He recommended, and the committee unanimously adopted, that the name of the building be changed from Engineering Technology Building to Geosciences Building.

It was noted that a contract for the renovation of the Engineering Technology Building was awarded on April 28, 1975, to Frank J. Rooney, Inc., Dallas, Texas.

4. U. T. Arlington - Golf House Building: Authorization to Demolish Existing Building and to Remove and Reconstruct Steel Building (Known as Placement Office) on Site, and Appropriation Therefor. --Upon the recommendation of President Nedderman and System Administration, authorization was given to the Physical Plant Department at The University of Texas at Arlington:
- a. To demolish the existing Golf House Building;
  - b. To remove the steel building in the center of the campus (known as the Placement Office); and
  - c. To reerect the steel building on the site of the existing Golf House Building with the addition of 1,000 square feet, making a total of 4,600 square feet.

The reerected building will be used for classroom and office space for both Physical Education and Athletics at U. T. Arlington. The Physical Plant Department will prepare the final plans and specifications for the reerection of the steel building and completion of this project with its own forces or through contract services in consultation with the Office of Facilities Planning and Construction as needed at an estimated total project cost of \$65,000.

The sum of \$65,000 was appropriated from Unappropriated Plant Funds for the project.

5. U. T. Arlington: Multi-Level Parking Garage. --This item was withdrawn at the request of President Nedderman.
6. U. T. Austin - Fifty-Meter Indoor Swimming Facility: Named Texas Olympic Swimming Center. --Chairman Shivers moved that the Fifty-Meter Indoor Swimming Facility at The University of Texas at Austin be named the Texas Olympic Swim Center rather than Aquatic Center as recommended by System Administration. Chairman Shivers accepted the suggestion of Regent Sterling, and the facility was named the Texas Olympic Swimming Center.

7. U. T. Austin - College of Fine Arts and Performing Arts Center: Addition to Drama Building: Award of Contracts for Furniture and Furnishings to Rockford Furniture and Carpets, Austin, Texas; Central Distributing Company, Inc., San Antonio, Texas; and Carpet Services, Inc., Dallas, Texas. --After receiving the bids on the furniture and furnishings for the Addition to the Drama Building of the College of Fine Arts and Performing Arts Center at The University of Texas at Austin, and upon recommendation of President Rogers and System Administration, contracts were awarded as follows to the companies submitting the lowest and best bids:

Rockford Furniture and Carpets  
Austin, Texas

Base Proposal "A" (General Furniture)	\$ 29,321.96	
Add Alternate #1 (Additional General Furniture)	<u>12,267.33</u>	\$ 41,589.29

American Desk Manufacturing  
Company, Inc., Temple, Texas

Base Proposal "B" (Auditorium Seating)	\$ 32,053.00	
	<u>32,053.00</u>	32,053.00

Carpet Services, Inc.  
Dallas, Texas

Base Proposal "C" (Carpet)	\$ <u>29,400.00</u>	29,400.00
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Total Contract Awards		<u>\$ 103,042.49</u>
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The funds necessary to cover these contract awards are available in the Furniture and Equipment Account for this project.

8. U. T. Austin - Waller Creek Improvements: Resolution of the Ad Hoc Waller Creek Committee; Authorization for Project and Preparation of Final Plans and Cost Estimates; Appointment of John C. Robinson, Jr., Austin, Texas, Landscape Architect for Project, and Appropriation Therefor. --System Administration reminded the committee that in April of 1970 a feasibility study for beautification of Waller Creek was authorized in connection with the study being made relating to recreational facilities and an Olympic size swimming pool at The University of Texas at Austin. However, the study relating to Waller Creek did not develop into a recommended project. In 1973 the Office of Facilities Planning and Construction initiated a study of Waller Creek in which faculty, students and ex-students have become interested.

At the request of Committee Chairman Bauerle and in support of the Administration's recommendation, Mr. Neal Graham, representing the Ad Hoc Waller Creek Committee, presented the following Resolution:

WHEREAS, The preservation and enhancement of the natural beauty of Waller Creek on the campus of The

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University of Texas at Austin has long been a goal of the students, ex-students, faculty, and staff of the University; and,

WHEREAS, The Austin Bicentennial Committee has made the improvement and beautification of Waller Creek from 30th Street to Town Lake through the joint effort and cooperation of the City of Austin, the Austin Urban Renewal Agency, the State of Texas, and The University of Texas Board of Regents a major bicentennial project for 1976; and,

WHEREAS, The students of The University of Texas at Austin have formed the Waller Creek Coordinating Committee to aid and support the preservation and enhancement of the natural beauty of the creek; and,

WHEREAS, Under the patronage and encouragement of Mrs. Lady Bird Johnson, there has been formed an Ad Hoc Waller Creek Committee composed of representatives of several of the groups that are keenly interested in the improvement and beautification of the creek;

NOW, THEREFORE, BE IT UNANIMOUSLY RESOLVED by the members of the Ad Hoc Waller Creek Committee that the Committee does enthusiastically thank and commend the Board of Regents of The University of Texas System, the U. T. System administration, and the U. T. Austin administration for causing to be prepared by the U. T. Office of Facilities Planning and Construction a conceptual study for the development and beautification of Waller Creek from 15th Street to 30th Street and for causing to be placed on the Agenda of the Board of Regents a recommendation for the appointment of an architect for the project, for the preparation of architectural plans and specifications, and for an appropriation of money to cover the cost of those plans and specifications.

And BE IT FURTHER RESOLVED that the Committee does strongly approve and support the above described Agenda recommendation and does strongly urge the Board of Regents to adopt such recommendation at its next meeting so that construction work on this most worthwhile project can and will be commenced in the bicentennial year of 1976.

Unanimously adopted by the undersigned members of the Ad Hoc Waller Creek Committee this the 10th day of December, 1975.

NEAL GRAHAM  
Chairman, Waller Creek  
Student Coordinating Committee

JACK R. MAGUIRE  
Executive Director, The University  
of Texas Ex-Students' Association

MALINE GILBERT McCALLA  
Co-Chairman, Austin Bicentennial  
Committee

Based on this study and input from other interested individuals and upon recommendation of President Rogers and System Administration, authorization was given to develop plans for a Waller Creek Improvements project at The University of Texas at Austin from the San Jacinto Boulevard-Speedway Street intersection on the north through U. T. Austin property to Fifteenth Street on the south. This project will include stream bed clean-up, removal of debris, enhancement of natural characteristics, construction of active recreational facilities such as hike and bike trails and scenic overlooks, and additional features such as security lighting, irrigation and landscape plantings.

Mr. John C. Robinson, Jr., Austin, Texas, was appointed Landscape Architect with authorization to prepare final plans, specifications and cost estimates. The plans and specifications will be prepared to permit construction of the project in phases.

The sum of \$60,000 was appropriated from Interest on Bond proceeds to cover fees and miscellaneous expenses through the preparation of final plans and specifications.

It was noted that ground breaking for this project could possibly be held in July 1976 as a part of the Bicentennial celebration participation of The University of Texas at Austin.

9. U. T. Austin - Hal C. Weaver Power Plant - Expansion of Generating Capacity: Approval of Final Plans for Foundations and Interconnecting Piping and Authorization to Advertise for Bids. --Approval was given to the final plans and specifications for the construction of:

- a. the Cooling Tower foundation to be located inside of the service yard of the Hal C. Weaver Power Plant at The University of Texas at Austin, and
- b. the Turbine Generator foundation to be located inside the Plant.

These plans were prepared by the Project Engineer, Power Systems Engineering, Inc., Houston, Texas.

This particular portion of the Expansion of the Generating Capacity of the Hal C. Weaver Power Plant includes the installation of two 36" condensing water lines underground from one foundation to the other, which work is considered beyond the capabilities of the Physical Plant forces who have been performing most of the installation work of the Turbine Generator equipment. Hence, the Director of the Office of Facilities Planning and Construction was authorized to advertise for bids for this project to be presented to the Board of Regents at a future meeting.

10. U. T. Austin - Addition to Robert A. Welch Hall: Approval of Final Plans for Laboratory and Library Equipment with Authorization to Negotiate for Inclusion in Present Contract or to Advertise for Bids. --System Administration reported that the final plans and specifications for equipping the scientific laboratories and library in the Addition to Robert A. Welch Hall at The University of Texas at Austin were deferred when the plans were approved for the Addition to

Robert A. Welch Hall in an effort to minimize escalating costs of materials and labor. Since the award of the contract to Manhattan Construction Company, Houston, Texas, the Project Architect has completed the final plans for equipping the scientific laboratories and library. These plans were approved, and the Director of the Office of Facilities Planning and Construction was authorized to procure this equipment and to get it installed either by negotiations with the existing contractor, Manhattan Construction Company, or if it appears more advantageous to the University by taking separate bids for this work.

The Director was requested to report through appropriate channels to the Board of Regents for ratification at a future meeting which action he chose.

11. U. T. Austin - Additional Tennis Facilities (North of 45th Street, Bounded by 51st Street and Guadalupe) - Initial Phase of Support Facilities: Award of Contract to Structure Contractors, Inc., and John V. Felter, a Joint Venture, Austin, Texas. --It was reported that in accordance with authorization given at the Regents' meeting on July 25, 1975, the plans and specifications for the initial phase of the Additional Tennis Facilities (North of 45th Street, Bounded by 51st Street and Guadalupe) at The University of Texas at Austin had been revised and that all practical cost reductions had been incorporated therein. Bids had been called for on the revised plans, and a tabulation of same were presented at the meeting.

Upon recommendation of President Rogers and System Administration, a construction contract for the Initial Phase of the Support Facilities for the existing Tennis Courts was awarded to the lowest and best bidder, Structure Contractors, Inc., and John V. Felter, a Joint Venture, Austin, Texas, as follows:

Base Bid	\$ 46,140
Add Alternates:	
No. 1 (Exterior Utilities Work)	7,019
No. 2 (Installation of Solid Sod Grass)	150
No. 3 (Installation of Directory Board)	650
No. 4 (New Water Service)	8,800
No. 5 (Exchange Closet Location)	200
No. 6 (Master Key System)	130
Total Contract Award	\$ <u>63,089</u>

A total project cost of \$75,000 was authorized. The funds have been previously appropriated.

2. U. T. Austin - Parking Lot at Martin Luther King, Jr., Boulevard\* (Formerly Known as 19th Street) and Trinity Street: Authorization (a) to Obtain License Agreement from City of Austin for Construction of Parking Lot Improvements Over an Existing Utility Easement; (b) to Obtain License Agreement from City of Austin for Location of Light Standards on Right-of-Way Along Martin Luther King, Jr., Boulevard; and (c) to Grant Easement to City of Austin for Concrete Sidewalk on East Side of Trinity Street. --In connection with the construction of the parking lot at Martin Luther King, Jr., Boulevard at The University of Texas at Austin authorized by the Board of Regents on September 11, 1972, the following authorizations were granted upon recommendation of President Rogers and System Administration:
- a. To request a License Agreement from the City of Austin for construction of parking lot improvements over the 80' by 170' Public Utility Easement in that portion of Neches Street vacated by the City of Austin in 1973 south of Martin Luther King, Jr., Boulevard.
  - b. To request a License Agreement from the City of Austin for location of ten light standards a distance of six inches into the City of Austin's right-of-way along Martin Luther King, Jr., Boulevard and Trinity Street.
  - c. To grant to the City of Austin a ten foot easement for right-of-way and street purposes including a concrete sidewalk adjoining the parking lot improvements. The granting of this easement was necessary to provide ample space for pedestrian traffic on the east side of Trinity Street from 18th Street north to Martin Luther King, Jr., Boulevard.

The Chairman of the Board of Regents was authorized to accept the terms and conditions of and to execute the License Agreements and Easement as authorized after approval of each document by Deputy Chancellor Walker as to content and by a University attorney as to legal form.

13. U. T. Austin: Underground Sanitary Sewer Line Easement to City of Austin in Area of 51st Street (Intramural Field); General Information with Respect to Easements. --It was reported that in connection with plans to construct a new and larger wastewater line for the Upper Waller Creek area in North Austin, the City of Austin had requested an easement fifteen feet in width for an underground sanitary sewer line through an open field of The University of Texas at Austin property on the east side of Intramural Field south of 51st Street to a point at the south property line adjoining the intersection of Speedway.

Upon recommendation of President Rogers and System Administration, authorization was given for such an easement to be granted to the City of Austin, and the Chairman of the Board of

\*The City Council of the City of Austin on April 10, 1975, changed the name of 19th Street to Martin Luther King, Jr., Boulevard; however, this name change has been held invalid by the 53rd Judicial District Court of Travis County, Texas, and the City has appealed.

Regents was authorized to execute the document when it had been approved as to content by the Deputy Chancellor and as to legal form by a University attorney.

Regent Law posed the question as to whether or not this type of easement was always granted without consideration. The Administration advised yes, stating that in most instances the University and cities had a mutual understanding that easements to the University on city property and easements to the city on University property would be granted without consideration. Regent Sterling inquired whether there was a time limit on this easement. Deputy Chancellor Walker advised there was no time limit as long as the property was being used for the purpose designated in the easement instrument.

4. U. T. El Paso - Extension of Thermal (Hot and Chilled Water Lines) and Electrical Power Utilities to North Portion of Campus: Award of Contract to Gardner-Zemke Company, El Paso, Texas. --Upon recommendation of President Templeton and System Administration, a construction contract for the Extension of Thermal (Hot and Chilled Water Lines) and Electrical Power Utilities to the North Portion of the campus at The University of Texas at El Paso was awarded to the lowest and best bidder, Gardner-Zemke Company, El Paso, Texas, as follows:

Base Bid	\$ 205,725
Addition No. 1 to Base Bid (Power Feeder System)	121,760
Add Alternates:	
No. 1 (Electrical Power to serve Kidd Field)	21,298
No. 2 (Electrical Power to Research and Development Center)	11,496
No. 3 (Electrical Power to Memorial Gym)	17,798
No. 4 (Electrical Power to Student Housing)	19,427
No. 5 (Replace Overhead with Underground Electric Service to Research and Development Center)	11,644
No. 6 (Underground Hot and Chilled Lines to Holliday Hall)	<u>39,788</u>
<b>Total Contract Award</b>	<b>\$ <u>448,936</u></b>

The total project cost was reduced from \$620,138 to \$530,698 to cover the construction contract award, fees and miscellaneous expenses within previously appropriated funds.

It was noted that this project provides for underground hot and chilled water lines to serve Holliday Hall and underground electrical duct bank with conductors, transformers, switch gear and appurtenances to serve the Special Events Center, Holliday Hall, North side of Kidd Field, Memorial Gym, Research and Development Center (Globe Universal Services, Inc., Building) and the Satellite Thermal Energy Plant at The University of Texas at El Paso.

5. Dallas Health Science Center (Dallas Southwestern Medical School) - Central Data Acquisition System: Award of Contract to Powers Regulator Company, Dallas, Texas, and Additional Appropriation Therefor. --Upon the recommendation of President Sprague and System Administration, a contract for the installation of a Central Data Acquisition System at the Dallas Southwestern Medical School of The University of Texas Health Science Center at Dallas was awarded subject to approval of Federal Granting Agencies to the lowest and best bidder, Powers Regulator Company, Dallas, Texas:

Base Bid	\$ 164,960
Add Alternates:	
No. 1	30,295
No. 2	52,740
No. 3	20,875
No. 4	18,790
No. 5	30,368
No. 6	79,960
No. 7	68,145
No. 8	38,800
No. 9	74,230
No. 10	8,600
No. 11	5,510
No. 12	11,640
No. 13	11,240

Total Contract Award      \$ 616,153

This project provides for the installation of a Central Data Acquisition System located in the Physical Plant Building with connections to classroom laboratory and office buildings on the campus of Dallas Southwestern Medical School to monitor and control air conditioning systems, critical research projects in environmental rooms, fire detection systems, and data for energy conservation. The award of all alternates would provide for the extension of the data acquisition system to each of the thirteen major facilities of the campus.

The total project cost was increased from \$550,000 to \$653,574 to cover the contract award, fees and miscellaneous expenses.

Authorization was given to appropriate additional funds in the amount of \$35,000 from Dallas Health Science Center Unexpended Plant Funds for this project, \$550,000 having been previously appropriated and \$68,574 having been made available from DHEW Grant No. 06C-48-0034-PEC05 (formerly No. 1C05-CF-04053-01).

16. Houston Health Science Center (Houston Medical School) - Phase III Award of Contracts for Furniture and Furnishings to (a) Rockford Furniture and Carpets, Austin, Texas, (b) Educational and Institutional Cooperative Service, Inc., Dallas, Texas, (c) Abel Contract Furniture and Equipment Company, Inc., Austin, Texas, and (d) Central Distributing Company, Inc., San Antonio, Texas. -- Upon the recommendation of President Berry and System Administration, contracts were awarded as set out below to the lowest and

best acceptable bidders for the furniture and furnishings for the Phase III Building at the Houston Medical School of The University of Texas Health Science Center at Houston. It was noted that one bidder (Abel Contract Furniture and Equipment Company, Inc., Austin, Texas) proposed items in Base Proposal A which were not approved by addendum; hence this proposal was not considered as a valid bid:

a. Rockford Furniture and Carpets, Austin, Texas		
Base Proposal A (Systems Furn.)	\$196,247.65	
Deduct Alternate #1 (early delivery)	<u>12,686.48</u>	
		\$ 183,561.17
Base Proposal B (Desks and Files)	\$220,850.53	
Deduct Alternate #2 (early delivery)	<u>6,800.14</u>	
		214,050.39
Base Proposal C (Bookcases)	\$ 69,009.30	
Deduct Alternate #3 (early delivery)	<u>2,591.63</u>	
		66,417.67
Total Contract Award to Rockford Furniture & Carpets		\$ 464,029.23
b. Educational and Institutional Cooperative Service, Inc., Dallas, Texas		
Base Proposal D (Office Chairs)	\$ 47,918.53	
Deduct Alternate #4 (early delivery)	<u>5,817.59</u>	
		\$ 42,100.94
c. Abel Contract Furniture and Equipment Company, Inc., Austin, Texas		
Base Proposal E (General Office Furniture) ( No alternate quoted)		\$ 85,060.82
d. Central Distributing Company, Inc., San Antonio, Texas		
Base Proposal F (Storage Units)	\$ 77,969.00	
Deduct Alternate #6 (early delivery)	<u>3,351.00</u>	
		\$ 74,618.00
Total Contract Awards		\$ <u>665,808.99</u>

It was noted that the funds necessary to cover these contract awards are available in the Furniture and Equipment Account for this project.

17. Houston Health Science Center (Public Health School) - Phase II Building: Award of Contracts for Furniture and Equipment. --  
This item was withdrawn at the request of System Administration.
18. San Antonio Health Science Center: (1) Renovation of Auditorium Sublevel of San Antonio Medical School Building - Reduction in Scope and Funding; (2) Expansion of Physical Plant Buildings (Connection of Buildings Nos. 1 and 2) - Increase in Scope and Funding. --The written recommendations submitted by System Administration with respect to reducing the scope and funding the Renovation of the Auditorium Sublevel of the San Antonio Medical School Building and the increase in scope and funding for Expansion of Physical Plant Buildings (Connection of Buildings Nos. 1 and 2) at The University of Texas Health Science Center at San Antonio were discussed in detail.

These recommendations were sent back to President Harrison and the Office of Facilities Planning and Construction for a further study to be made under the supervision of Deputy Chancellor Walker and a complete report to be submitted at the next regular meeting of the Board of Regents. This report is to include, among other things, the need for the building and the cost-benefit ratio.

19. San Antonio Health Science Center (San Antonio Dental School) - Cafeteria and Other Support Facilities: Award of Contract to Wallace L. Boldt, General Contractor, Inc., San Antonio, Texas, and Additional Appropriation Therefor. --A contract for the construction of the Cafeteria and Other Support Facilities at the San Antonio Dental School of The University of Texas Health Science Center at San Antonio was awarded to the lowest and best bidder, Wallace L. Boldt, General Contractor, Inc., San Antonio, Texas, as follows:

Base Bid	\$ 1,359,433
Add Alternate No. 1 (Security Services)	<u>229,933</u>
Total Contract Award	\$ <u>1,589,366</u>

This project provides approximately 24,000 square feet (4,000 more than originally estimated) between the Dental School and School of Nursing buildings to house the Cafeteria and Security Services. It was pointed out that because of unexpected cost escalation, additional funds are needed to cover both this contract award of the Base Bid and the Securities Services Alternate and to establish allowances for furnishings and equipment.

Upon recommendation of President Harrison, concurred in by System Administration, the total project cost was increased from \$1,600,000 to \$1,750,000 to cover the contract award, fees, furniture, equipment, contingencies and miscellaneous expenses.

Additional funds in the amount of \$150,000 from San Antonio Health Science Center Unexpended Plant Funds to cover the total project cost was appropriated, \$1,600,000 having been previously appropriated.

20. University Cancer Center (M. D. Anderson) - Environmental Science Park, Buescher Division at Smithville - Initial Facility: Award of Contract to Robert C. Gray Construction Company, Austin, Texas, and Additional Appropriation Therefor. --Upon the recommendation of President Clark and System Administration, a contract for the construction of the Initial Facility at the Environmental Science Park, Buescher Division at Smithville, of The University of Texas System Cancer Center (M. D. Anderson) was awarded subject to approval of Federal Granting Agencies for \$2,387,000 to the lowest and best bidder, Robert C. Gray Construction Company, Austin, Texas.

This initial facility for the Environmental Science Park will consist of approximately 33,000 gross square feet for the Conference Center, Research Laboratory Space and related service and support functions.

It was reported that the eleven bids received in connection with this project indicated satisfactory competition among interested bidders; however, the bids reflected unexpected cost escalation and concern for construction at this remote and isolated site.

The project cost was increased from \$2,500,000 to \$2,850,183 to cover the construction contract award, construction contingency, fees, furnishings, equipment and miscellaneous project expenses.

Additional funds in the amount of \$345,252 were appropriated for this project from Account [REDACTED] Unappropriated Balance, Unexpended Plant Funds (M. D. Anderson Hospital Account), \$2,505,000 having previously been appropriated.

REPORT OF MEDICAL AFFAIRS COMMITTEE (Pages 28 - 52 ).-- Committee Chairman Nelson filed the following Report of the Medical Affairs Committee which committee had transacted all of its business in open session. The report was adopted, and the actions therein were ratified.

1. Galveston Medical Branch: Affiliation Agreement with Medical and Surgical Clinic Associates, La Marque, Texas (Resident Training in Family Medicine). --Upon the recommendation of President Levin, concurred in by System Administration, approval was given to the affiliation agreement set out on Pages 29 - 32 between the Board of Regents of The University of Texas System, for and on behalf of The University of Texas Medical Branch at Galveston (Department of Family Medicine), and Medical and Surgical Clinic Associates, La Marque, Texas.

The Chairman of the Board of Regents was authorized to execute this agreement when it had been approved as to form by a University attorney and as to content by the Deputy Chancellor and the Associate Deputy Chancellor for Health Affairs.

12-12-75

AFFILIATION AGREEMENT

1136

STATE OF TEXAS     §  
                          §  
COUNTY OF GALVESTON §

This AGREEMENT is executed on \_\_\_\_\_, 1975  
between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,  
for and on behalf of The University of Texas Medical Branch  
at Galveston, Department of Family Medicine, hereinafter  
referred to as "the Department," and Medical and Surgical  
Clinic Associates, La Marque, Texas, hereinafter referred to  
as "the Clinic."

WITNESSETH:

WHEREAS, it is agreed by the parties to be of mutual  
interest and advantage that the Department be given the  
opportunity to utilize the Clinic for educational purposes  
to wit:

To increase professional contact between the Clinic  
medical staff and the faculty of the Department with the  
goal of collaborative approaches to community family medicine  
problems.

To acquaint residents with a community private clinic  
setting.

NOW, THEREFORE, for and in consideration of the foregoing,  
and in further consideration of the mutual benefits, the  
parties to this agreement agree as follows:

1. General Information

A. The Clinic has a large volume of patients  
whose treatment is oriented around the  
concepts of family medicine. The Clinic  
physicians have an excellent reputation and  
a long history of following the concepts of  
family medicine in their patient management.  
They will serve as proper teachers and  
examples to Family Medicine residents. The  
Clinic provides an off-campus physical setting

which will serve as a prototype in which a family practitioner will function. Such a facility with all of its component parts will serve as a complement to the model clinic training and significantly broaden the Family Medicine resident's clinical experience. The affiliation will be developed on a preceptoral basis for resident physicians in a manner that will strengthen the teaching program for the resident in the Department. The affiliation will also serve as a resource to be utilized by the Department in evaluating the validity, quality, and care of its total curriculum. By serving as a prototype in the training of family practitioners, the affiliation will serve as a model for the development of other such affiliations, with an overall goal of providing more family practitioners for the citizens of Texas.

2. Resident Assignments

The Clinic physicians will be appointed and given the proper title consistent with the faculty appointment policy of the Department.

- A. Resident assigned to the Clinic will care for the preceptor's patients in a manner agreeable to the preceptor and the Chairman of the Department.
- B. The resident will serve under the preceptor in other areas of practice in a manner agreeable to the preceptor and the Department Chairman.
- C. The resident time scheduling will be arranged by the preceptor and will be approved by the Department Chairman.

- D. The resident will inform the preceptor of any significant problem that may arise.
  - E. The duration of the preceptoral assignment will be agreed upon by the preceptor and the Department Chairman.
3. Responsibility of the Clinic Preceptoral Staff
- A. The Clinic medical staff selected as preceptors will collaborate with the Chairman of the Department to coordinate and improve the affiliation to achieve its objectives.
  - B. By agreement, permit the resident to attend special seminars or teaching sessions of and/or at the Department subject to the provision that the preceptor's patients have priority.
  - C. Permit the resident to fill the role of the primary physician if the preceptor wishes.
  - D. Commit the requisite teaching time for the resident.
  - E. Participate in joint teaching programs of the Clinic and the Department, when possible.
  - F. Permit utilization of problem-oriented records when and if acceptable to the preceptor.
4. Responsibility of Department
- The Chairman of the Department will:
- A. Coordinate and evaluate the affiliation with the Clinic.
  - B. Assist the resident in understanding and implementing the Clinic policies.
  - C. Administer educational and administrative aspects of the affiliation.
  - D. Instruct the resident in the preceptor/preceptee relationship.
5. Educational Program
- The educational program in Family Medicine will:

- A. Make all educational conferences open to interested physicians in the Clinic.
- B. Utilize, when possible and with proper permission of the patient and permission of the attending physician, teaching conference cases selected from patients of the Clinic.

INSOFAR AS the Department is authorized by the Constitution and laws of the State of Texas, the Department agrees to hold the Clinic harmless from and against any and all liability resulting from the use of the Clinic by the Department. The Department does not agree to hold the Clinic harmless for the gross or willful negligence of the Clinic, its officers, employees, or agents, or the actions of a third party over which the Department has no supervision, control, or jurisdiction.

THIS AGREEMENT is for an indefinite period, subject to the provision that either party may terminate the affiliation upon thirty (30) days written notice.

EXECUTED by the parties on the day and year first above written.

ATTEST:

BOARD OF REGENTS OF  
THE UNIVERSITY OF TEXAS SYSTEM

By \_\_\_\_\_

ATTEST:

*[Signature]*  
\_\_\_\_\_  
Catherine J. Hammond

MEDICAL AND SURGICAL  
CLINIC ASSOCIATES

By *[Signature]*  
\_\_\_\_\_  
R. E. Sullivan mo.

APPROVED as to Form:

*[Signature]*  
\_\_\_\_\_  
Lawrence Waldrop  
University Attorney

APPROVED as to Content:

*[Signature]*  
\_\_\_\_\_  
Deputy Chancellor

*[Signature]*  
\_\_\_\_\_  
Associate Deputy Chancellor  
for Health Affairs

- 2. Galveston Medical Branch: Approval of Bylaws for "The Senior Study Group of The University of Texas Medical Branch at Galveston, Texas."--The following Bylaws of "The Senior Study Group of The University of Texas Medical Branch at Galveston, Texas," were adopted. The group was created on September 20, 1968:

SENIOR STUDY GROUP  
THE UNIVERSITY OF TEXAS MEDICAL BRANCH  
GALVESTON, TEXAS

BYLAWS

PREAMBLE

The trend to retire individuals at an increasingly younger age emphasizes the need to conserve for society and posterity the talents of those who have spent many years acquiring highly specialized information so long as productivity remains.

Furthermore, it is proper to preserve the dignity of these individuals with a sense of worth and identity especially since the salvage will follow automatically if the opportunity to perform is extended by merely making adequate facilities available within the structure of the University.

Recognizing that these ends can best be attained by coordinated action, the emeritus professors and others on modified service do hereby organize themselves into a Study Group which will be self-supporting and will operate in accordance with Rules and Regulations as approved by the Board of Regents of The University of Texas System.

ARTICLE I

NAME

This organization shall be "The Senior Study Group of The University of Texas Medical Branch at Galveston, Texas."

ARTICLE II

PURPOSE

The purpose of The Senior Study Group shall be:

- 1. To establish a group with which the individual staff members of The University of Texas Medical Branch who have attained emeritus or modified service status may identify to provide a life-time program and be an asset to total recruitment.

2. To initiate and maintain self-government, as an entity of The University of Texas Medical Branch.
3. To maintain lines of communication with the administration and other component parts of the Medical Branch.
4. To solicit funds in coordination with the Development Office for support of the activities of The Senior Study Group.
5. To establish Senior Study Group Accounts within The University of Texas Medical Branch.
6. To encourage the establishment of charitable investments by individuals for their support.
7. To acquire and/or utilize facilities through The University of Texas Medical Branch to further the academic activities of The Senior Study Group.
8. To act as consultants -- academic, research and clinical.
9. To advise and guide graduate students, coordinating through the Dean of the Graduate School of Bio-medical Sciences.
10. To encourage continuing productivity of the senior faculty.
11. To foster interdisciplinary activities with other departments.
12. To study new approaches and techniques in education, acting in an advisory capacity to the deans.

### ARTICLE III

#### MEMBERSHIP

1. Qualifications: Any member of the Faculty of The University of Texas Medical Branch at Galveston, Texas becomes eligible for membership upon retirement from the active faculty of the Medical Branch; or any member who acquired modified status or shall have been retired from an administrative position. Individuals from other medical schools having comparable qualifications may be invited to apply for membership by the Executive Committee of The Senior Study Group.

2. Application for Membership: Application for membership shall be in writing to the Executive Committee of The Senior Study Group. Membership is automatic upon receipt of such application from eligible members of the Faculty of The University of Texas Medical Branch. Applications from retired faculties of other Medical Schools will be received by the Executive Committee of The Senior Study Group for review and after establishment of eligibility will be submitted to the Membership of The Senior Study Group for approval by two-thirds affirmative vote to recommend the applicant to the Dean of the Medical Branch for approval by the President. This appointment shall not, of itself, alter any other appointment held by the appointee.

3. Terms of Appointment: Continuing membership in The Senior Study Group shall require annual formal appointment by the President upon recommendation of the Chairman of The Senior Study Group and the Dean of The University of Texas Medical Branch. Should The Senior Study Group desire the separation of a member, it shall make this recommendation to the Dean and the President.

#### ARTICLE IV

##### OFFICERS AND COMMITTEES

1. Officers: The Officers of The Senior Study Group shall be a Chairman, Vice-Chairman and Secretary-Treasurer. Officers shall be elected at the annual meeting of The Senior Study Group and shall hold office until successors are elected. The Chairman shall call and preside at all meetings. He shall be a member of all standing committees. He shall be Chairman of the Executive Committee and the Finance Committee. The Chairman shall represent The Senior Study Group on matters of concern to the Executive Committee of the Faculty of The University of Texas Medical Branch, and the official relation of the Chairman to the

Committee will be determined by the Executive Committee of the Faculty. The Vice-Chairman, in the absence of the Chairman, shall assume the authority and duties of the Chairman. The Secretary-Treasurer shall keep accurate minutes of all meetings, attend to all correspondence and serve as Secretary-Treasurer of the Finance Committee. Vacancies shall be filled by elections at special called meetings.

2. Committees: Committees shall be standing and special. All committees, other than the Executive Committee and the Finance Committee, shall be appointed by the Chairman. The Executive Committee shall consist of the Group Chairman, who shall serve as Chairman, the Vice-Chairman, the Secretary-Treasurer, who shall serve as Secretary, and two members elected at large at the annual meeting. The Finance Committee shall have the same membership as the Executive Committee. The Group Chairman shall serve as Chairman and the Secretary-Treasurer shall serve as Secretary-Treasurer. The Executive Committee shall coordinate the activities and general policies of The Senior Study Group under the limitations imposed by The Group. The Executive Committee shall meet at least quarterly, maintain a permanent record of its proceedings and actions and circulate the minutes of each meeting to all members of The Senior Study Group within ten days of the date of the meeting. The Executive Committee shall act as a Credentials Committee in conformity with Article III, Section 2. The Finance Committee shall report its proceedings to the Executive Committee in written form. It shall be charged with the responsibility of developing a fiscal structure according to Article II, Sections 5, 6 and 7 utilizing the special permission granted The Senior Study Group in Article II, Section 4 above, to solicit funds and support with the aid of the Office of Development. Furthermore, it shall recommend an annual budget to the Dean of Medicine.

## ARTICLE V

MEETINGS

1. Regular Meetings: Regular meetings of The Senior Study Group shall be held on the last Tuesday of September and March of the academic year. The place of meeting shall be in Galveston as designated by the Chairman. Questions of procedure shall be decided in accordance with Roberts' Rules of Order.

2. The Annual Meeting: The annual meeting shall be on the last Tuesday in September which is the first regular meeting of the academic year. The Chairman of The Senior Study Group shall give a summary report on the activities of the Executive Committee and of the Finance Committee. The Chairmen of each of the other standing committees shall give summary reports of their respective activities. As the last item of New Business, Officers for the current year shall be elected. The newly elected Chairman shall assume the Chair, make pertinent remarks and announcements and request a motion for adjournment.

3. Special Meetings: Special meetings of The Senior Study Group may be called at any time by the Chairman, who shall also be obligated to call a special meeting at any time requested by three members of The Senior Study Group. Notice of such meetings by the Chairman shall be mailed at least forty-eight hours before the set time for the meeting stating the purpose of the meeting to which it shall be limited.

4. Quorum: Half of the membership of The Senior Study Group will constitute a quorum for transaction of business. Unless contested from the floor, it shall be considered that a quorum is present.

5. Agenda: The agenda at any regular meeting shall be:

A. Business

- (1) Call to order.
- (2) Reading of the minutes of the last regular meeting and all interval special meetings.
- (3) Unfinished business.
- (4) Communications.
- (5) Reports of standing and special committees.
- (6) New business.

B. Adjournment

The agenda at special meetings shall be:

- A. Reading of the notice calling the meeting.
- B. Discussion and disposition of the business for which the meeting was called.
- C. Adjournment.

#### ARTICLE VI

##### RULES AND REGULATIONS

The Senior Study Group shall adopt such rules and regulations as may be necessary for its proper conduct. Such rules and regulations shall become effective when adopted at a regular meeting of The Senior Study Group and approved by the Dean of Medicine and the President.

#### ARTICLE VII

##### AMENDMENTS

The By-Laws of The Senior Study Group of The University of Texas Medical Branch may be amended after submitting the amendment in writing to the Chairman. Such amendments must be proposed and read at the next meeting of The Senior Study Group and are to be voted upon at the following meeting (these meetings may be called meetings) and shall become effective immediately if approved by a two-thirds vote of those voting, a quorum being present, and subject to approval of the Dean of Medicine and the President.

## ARTICLE VIII

Any staff member of The University of Texas Medical Branch may contribute to a charitable trust in his own name. A separate accounting of the charitable trust will be maintained for the following purposes: the earned surplus and capital gains will be added to the capital for investment and reinvestment. However, the minimum required by law must be paid to the donor annually so long as he lives, and then to a single beneficiary designated by the donor. The residual of this trust then passes directly to The Senior Study Group Accounts in perpetuity.

Since the donor retains only a small fraction of the benefits from his contributions, the donor will be eligible for income tax benefits at the time of contribution, depending also upon the age of the named beneficiaries.

In the event a faculty member leaves the University of Texas Medical Branch, he or she will continue to participate in the above benefits and may continue to contribute to his or her capital account.

Copies of a suggested Declaration of Trust and a Unitrust Agreement are attached to these By-Laws. (Pages 40 - 46 )

## DECLARATION OF TRUST

THE STATE OF TEXAS     X  
                               X   KNOW ALL MEN BY THESE PRESENTS:  
 COUNTY OF GALVESTON    X

## ARTICLE I -- NAME

The name of this trust shall be "The Senior Study Group Trust Fund" of The University of Texas Medical Branch at Galveston.

## ARTICLE II -- PURPOSES OF TRUST FUND

The fund will be used to provide support for the activities of The Senior Study Group of The University of Texas Medical Branch at Galveston. Acceptable contributions will be treated irrevocably and forever as unexpendable capital for investment by the Board of Regents of The University of Texas System as an individual account to generate income and capital gains which shall be treated as capital. It is anticipated that a significant fraction of donations will take the form of Charitable Remainder Trusts which will be treated as requested by donor such as gifts for specific purposes. The fund will serve to attract and maintain a well-trained, full-time teaching faculty since it provides a program beyond retirement.

No part of the trust estate or the income therefrom shall ever be used to influence or attempt to influence legislation, or carry on propaganda. No part of its assets, receipts or income shall ever become a part of The University of Texas Permanent Fund or be subject to legislative appropriation; nor shall the Legislature have the power or in anywise change the purpose of the trust or to divert such donation, fund or property from the purposes set out.

## ARTICLE III -- SOURCE OF FUNDS

The sources of income for this trust fund will be:

1. Contributions and gifts accepted from practitioners and the general public interested in The Senior Study Group. Contributions will also be accepted from staff members of The University of Texas Medical Branch at Galveston.
2. Donations and grants from persons, foundations, corporations or other legally constituted associations.

## ARTICLE IV -- TRUSTEES

The trustees shall be the members of the Board of Regents of The University of Texas System or their successors.

The trustees may alter or amend this instrument from time to time, provided that no alteration or amendment shall change the purposes of this trust or divert its assets, receipts, or income from The University of Texas Medical Branch at Galveston or to purposes other than those expressed herein.

No trustee shall be required to give or provide any bond for the faithful performance of his duties or for any other purpose.

## ARTICLE V -- ADMINISTRATION OF FUND

The situs of the administration of the trust hereby created is fixed in Texas, and it is directed that in respect to the administration, construction and validity of the trust the laws of the State of Texas shall control. To carry out the purposes of this trust, in addition to the authority, rights, privileges and powers elsewhere herein conferred upon and vested in the trustees and those now or hereafter conferred by law, the trustees shall also have the following authority, rights, privileges and powers:

The trustees shall have all of the rights given to trustees of express trusts by the Texas Trust Act. The trustees are empowered to hold, manage, control, collect, administer and use, invest and reinvest the property, real personal and mixed, now or hereafter belonging to or included in the trust estate as long as the trustees may deem retention to be in the best interests of the trust and to expend and use the corpus and income pursuant

to the purposes of the trust. The trustees are empowered to sell, exchange, assign, grant and convey the whole or any part of the trust estate, and shall have the power to invest and reinvest the trust estate in property of any description whatsoever, but no investment shall jeopardize the purposes herein set forth. The trustees shall have all such additional powers, rights and privileges as may be reasonably necessary for the faithful administration of the trust, and this instrument shall always be construed in favor of the validity of any act or omission by or of the trustees.

The execution of this instrument pursuant to appropriate action by the Board of Regents of The University of Texas shall constitute acceptance by the trustees of this trust.

ARTICLE VI -- DISTRIBUTION OF ASSETS UPON DISSOLUTION

In the event this trust fund is dissolved the assets of this trust will become the property of The University of Texas Medical Branch at Galveston to be invested or to be directly applied to The Senior Study Group. In the event such utilization is impossible the Board of Regents of The University of Texas will be authorized to redesignate the purpose of this fund.

IN WITNESS WHEREOF, we have hereunto set our hands as trustees of The Senior Study Group Trust Fund of The University of Texas Medical Branch at Galveston, thereunto duly authorized, this the \_\_\_\_\_ day of \_\_\_\_\_, 1975.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TRUSTEES

## UNITRUST AGREEMENT

PAYING STATED PERCENT OR ACTUAL INCOME,  
WHICHEVER IS LOWER. TRUSTEE DOES NOT  
MAKE UP ANY DEFICITS FROM PRIOR YEARS -  
"PLAN 1"

UNITRUST AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, between JOHN DOE residing at 100 Main Street, Austin, Texas,  
hereinafter called the "Donor") and the Board of Regents of The  
University of Texas System (hereinafter called the "Trustee").

1. The Donor transfers and delivers to the Trustee the pro-  
perty described in the annexed Schedule "A". This property and  
all receipts of every kind shall be managed and invested by the  
Trustee as a single fund (hereinafter called the "Unitrust").

2. (A) During the lifetime of the Donor, the Trustee shall  
pay him (in cash, in kind, or partly in each) in equal quarterly  
installments on the last day of March, June, September and December  
(the first installment to be on the last day of the month of  
\_\_\_\_\_, 19\_\_\_\_), not less than five percent (5%) of the  
net fair market value of the Unitrust assets, determined annually.  
The Unitrust assets shall be valued on the first day of each tax-  
able year. Except for short taxable years, the amount described  
in this paragraph 2(A) shall be paid to the Donor during every  
taxable year of the Unitrust for his lifetime.

(B) The first taxable year of the Unitrust begins with  
the date of this Agreement and shall end on December 31, 19\_\_\_\_.  
Subsequent taxable years shall be on a calendar year basis. During  
any short taxable years the amount which must be paid under para-  
graph 2(A) shall be a fraction of such amount, of which the  
numerator is the number of days in the taxable year of the Unitrust  
and of which the denominator is 365 (366 if February 29th is a day  
included in the numerator). Notwithstanding the foregoing, the  
payments to Donor shall cease with the quarterly installment next  
preceding his death.

(C) The Donor may, from time to time, add property  
acceptable to the Trustee to the Unitrust. In such case, for the

purposes of the taxable year of the Unitrust in which the additional contribution is made:

- (1) The additional property shall be valued at the time of contribution, and
- (2) The amounts described in paragraphs 2(A) and 2(B) shall be computed by multiplying not less than five percent (5%) by the sum of (a) the net fair market value of the Unitrust assets (excluding the additional property as of the valuation date including any earned income from and any appreciation on such property) and (b) that proportion of the value of the additional property (that was excluded under subdivision (a) of this subparagraph) which the number of days (including the day of transfer) remaining in the taxable year of the Unitrust bears to the total number of days in that taxable year of the Unitrust.

(D) Notwithstanding the provisions of paragraphs 2(A), 2(B) and 2(C) the Trustee shall pay the Donor for any year the amount of the Unitrust income (as determined under Section 643(b) of the Internal Revenue Code and the regulations thereunder), if that amount is less than the amount required to make up any deficit from preceding years if in future years the actual income exceeds the stated percentage. Any payments required by this subparagraph (D) shall be made in as nearly equal quarterly installments as is practicable.

(E) If the net fair market value of the Unitrust assets is incorrectly determined, the Unitrust shall pay to the Donor, in the case of an undervaluation, or be repaid by the Donor, in the case of an overvaluation, an amount equal to the difference between the amount which the Unitrust should have paid if the correct value were used and the amount which the Unitrust actually

aid, within a reasonable period after the final determination of such value.

(F) Upon the Donor's death this Agreement shall terminate and the then assets of the Unitrust and any accruals shall be paid to The Senior Study Group Trust of The University of Texas Medical Branch at Galveston for its purposes. If The Senior Study Group of The University of Texas System is not an organization described in Section 170(c) of the Internal Revenue Code (hereinafter called "Code") at the time when any amount is to be irrevocably transferred to it, the Trustee shall transfer such amount to one or more organizations which are described in Code Section 170(c) selected by it and in such shares as it shall determine.

3. In computing the net fair market value of the Unitrust assets there shall be taken into account all accrued assets and accrued liabilities. If a payment date falls on a valuation date, the amount of the payment shall be excluded from the net fair market value. All determinations of the Unitrust's net fair market value shall be in accordance with generally accepted fiduciary accounting principles and any United States Treasury regulations and Internal Revenue Service rulings, procedures and guidelines (hereinafter collectively called "Treasury requirements") governing charitable remainder unitrusts. In any conflict Treasury requirements shall prevail over generally accepted fiduciary accounting principles and any inconsistent provisions of this Agreement.

4. In addition to the powers conferred upon it by law, the Trustee is authorized to retain the property described in Schedule "A", or may sell the property, invest and reinvest the Unitrust in any kind of property, without diversification as to kind or amount and without regard to the limitations imposed by law on investments, except that it may not invest in assets which do not have an objective, ascertainable market value, such as real estate or stock in a closely held corporation.

5. The Trustee shall not receive compensation for services rendered under this Agreement. No bond or other security shall be required of the Trustee in any jurisdiction.

6. In creating this Unitrust, Donor intends to obtain the full benefit of any income, gift and estate tax charitable contribution deduction to which he (and his estate) may be entitled under the Code for the Unitrust to qualify as a charitable remainder unitrust under Code Section 664 and the regulations thereunder. Accordingly, this Unitrust shall be interpreted, valued, managed and invested consistent with the Donor's intent. Without limiting the generality of the foregoing, the Trustee is specifically directed not to (1) engage in act of self-dealing as defined in Code Section 4941(d), (2) retain any excess business holdings as defined in Code Section 4943(c), (3) make any investment which jeopardizes the Unitrust charitable purposes as defined in Code Section 4944, or (4) make any taxable expenditure as defined in Code Section 4945(d).

7. This Agreement is irrevocable.

8. This Agreement is made pursuant to, and shall be interpreted in accordance with, the laws of the State of Texas.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date first above written.

\_\_\_\_\_  
JOHN DOE

BOARD OF REGENTS OF  
THE UNIVERSITY OF TEXAS SYSTEM

(Seal)

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

Chairman

[Add appropriate acknowledgements and Schedule "A" (Description of property)]

3. San Antonio Health Science Center (San Antonio Dental School): Affiliation Agreement with Santa Rosa Medical Center, San Antonio, Texas (Training in Children's Dentistry). --The affiliation agreement set out on Pages 47 - 51 between the Board of Regents of The University of Texas System, for and on behalf of The University of Texas Dental School at San Antonio, and Santa Rosa Medical Center, San Antonio, Texas, was approved upon the recommendation of President Harrison, concurred in by System Administration.

Committee Chairman Nelson noted that this agreement provides a clinical facility for the training of dental students in children's dentistry. The University does not have a model affiliation agreement for dental students. This agreement follows the model affiliation agreement for medical students and it does contain the "hold harmless clause."

The Chairman of the Board of Regents was authorized to execute this agreement when it had been approved as to form by a University attorney and as to content by the Deputy Chancellor and the Associate Deputy Chancellor for Health Affairs.

AFFILIATION AGREEMENT

THE STATE OF TEXAS X

COUNTY OF BEXAR X

This AGREEMENT is executed on \_\_\_\_\_, 1975

between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of The University of Texas Dental School at San Antonio, San Antonio, Texas, hereinafter sometimes referred to as "University" and SANTA ROSA MEDICAL CENTER, a nonprofit Texas Corporation, hereinafter sometimes referred to as "Hospital" in this agreement.

WITNESSETH:

WHEREAS, it is mutually recognized that the Hospital and the University have certain objectives in common, namely:

- (1) The advancement of dental health care for hospital patients;
- (2) Provision of a medical setting for the education of University dental students;

- (3) The education and training of dental health professionals;
- (4) The advancement of dental health care knowledge through research;
- (5) Promotion of personal and community dental health, and that each can accomplish these objectives in larger measure and more effectively through affiliated operations; and

WHEREAS, the University and the Hospital are separate institutions under the independent management of their respective governing boards, they desire to engage in formal affiliation for reasons of mutual benefit.

NOW, THEREFORE, for and in consideration of the aforesaid premises and mutual covenants and agreements herein contained, the parties agree as follows:

(1) Separate Powers and Control of Facilities

That The University of Texas Dental School at San Antonio will be operated as an accredited school as prescribed by the appropriate accrediting agencies and laws of the State of Texas, with the Board of Regents of The University of Texas System retaining all jurisdictional powers incident to separate ownership, including the power to determine the general and fiscal policies of the institutions and to appoint its administrative, faculty and other personnel. Further, that the Santa Rosa Medical Center shall retain all jurisdictional powers incident to separate ownership including the power to determine the general and fiscal policies of the institution, including full responsibility for the care of patients and all administrative and professional functions directly pertaining thereto.

(2) Relationship

(a) This agreement shall not be construed to imply an obligation not specifically stated herein.

(b) This agreement does not preclude affiliations by the hospital with any other school of dentistry while this agreement is in force. Affiliation with another dental school during the period of this agreement must have the concurrence of

the Dean of The University of Texas Dental School at San Antonio.

- (c) Representatives of the University and the Hospital shall meet as often as necessary to study the dental program and the terms of this agreement and make such suggestions and changes as are needed.

(3) Faculty

(a) After the date of this agreement, the Chief of the Section of Pediatric Dentistry at the Santa Rosa Medical Center shall be appointed by the Hospital with the concurrence of the Dean of the University Dental School. The Chief of the Section shall be the liaison officer for the hospital and responsible for the educational programs under the terms of this agreement. The members of the Pediatric dentistry teaching staff shall be appointed by the Chief with the concurrence of the Dean and it is agreed and understood that the Chief and other members of the section of Pediatric Dentistry teaching staff will have University faculty appointments in the School of Dentistry in conformity with the Rules and Regulations of the Board of Regents of The University of Texas System and shall be members of the Medical Staff of Hospital.

(b) The Chief of the Section of Pediatric Dentistry will be responsible to the Chairman, Department of Pediatrics, Santa Rosa Medical Center, for clinical service at the Hospital and shall be the liaison officer with the Dean of the Dental School for all pre and post doctoral educational programs contemplated under the terms of this agreement.

(4) Facilities

(a) The Hospital retains jurisdiction over the administration and supervision of its facilities, employees, members of its medical staff and over admission of patients. The Hospital will notify the Dean of the Dental School when

the exercise of such jurisdiction in the judgment of Hospital, affects the programs of teaching and research related to Dental Education.

- (b) The Hospital will provide a dental suite for Dental Education. The Hospital will provide all auxiliary personnel, equipment, and supplies needed by staff and students for treatment of Hospital dental patients.

(5) Financial

- (a) Expenses incurred for the operation of the facilities of the Hospital shall be paid by the Hospital, and all expenses incurred for the operation of the University shall be paid by the University. However, nothing in this paragraph shall prohibit subsequent agreements, subject to the legal powers and limitations of the parties, for the joint employment of personnel and for the prorata payment of salaries thereof or other related costs and expenditures.
- (b) Insofar as the University is authorized by the Constitution and laws of the State of Texas, the University agrees to hold the Hospital harmless from and against any and all liability resulting from the use of the Hospital by the University. The University does not agree to hold the Hospital harmless for the gross or willful negligence of the Hospital, its officers, employees, or agents, or the actions of a third party over which the University has no supervision, control or jurisdiction.
- (c) The Hospital will charge the University no fees for use of hospital premises and facilities related to dental education opportunities afforded students.

(6) Academic Program

The University shall send and the Hospital shall receive for observation or training at the Hospital such University predoctoral and postdoctoral dental students as may be mutually acceptable from time to time. The Hospital shall not receive for training

or observation predoctoral or postdoctoral dental students from other dental schools without prior approval of the Director of the program.

(7) Research Programs

Research programs at each institution will continue to be independent and either party may apply on its own for research grants. However, it is hoped that there will be areas of mutual interest which will foster a cooperative approach to research between the Hospital and the University Dental School. To further this aim, on the request of either party, the other will investigate the feasibility of a joint approach in seeking grants for training support for any affiliated programs. No party will apply for a dental related grant requiring use of the service facilities of the other party without the latter's prior written permission.

(8) Notice of Termination

This agreement is for a term of one year and thereafter from year to year unless terminated by either party upon giving six (6) months advance written notice to the other party by certified mail. It may be amended by either party upon such terms and conditions as are agreeable to the parties.

EXECUTED on the day and year first written above.

ATTEST:

Secretary

ATTEST:

Secretary

Approved as to Form

University Attorney

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

By: Chairman

SANTA ROSA MEDICAL CENTER

By: President Board of Directors

Approved as to Content

Deputy Chancellor

for Associate Deputy Chancellor for Health Affairs

or observation predoctoral or postdoctoral dental students from other dental schools without prior approval of the Director of the program.

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Research programs at each institution will continue to be independent and either party may apply on its own for research grants. However, it is hoped that there will be areas of mutual interest which will foster a cooperative approach to research between the Hospital and the University Dental School. To further this aim, on the request of either party, the other will investigate the feasibility of a joint approach in seeking grants for training support for ~~the party~~ will apply for a dental related

# CORRECTION

THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY

*Annice Waechter*  
University Attorney

*Chittalkar*  
Deputy Chancellor

for *M. E. Sanders*  
Associate Deputy Chancellor for  
Health Affairs

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Research programs at each institution will continue to be independent and either party may apply on its own for research grants. However, it is hoped that there will be areas of mutual interest which will foster a cooperative approach to research between the Hospital and the University Dental School. To further this aim, on the request of either party, the other will investigate the feasibility of a joint approach in seeking grants for training support for any affiliated programs. No party will apply for a dental related grant requiring use of the service facilities of the other party without the latter's prior written permission.

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EXECUTED on the day and year first written above.

ATTEST:

Secretary

ATTEST:

Secretary

Approved as to Form

University Attorney

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

By: Chairman

SANTA ROSA MEDICAL CENTER

By: Santa Rosa Medical Center Board of Directors

Approved as to Content

Deputy Chancellor

for Associate Deputy Chancellor for Health Affairs

System Nursing School: Affiliation Agreements with (a) Nolan High School, (b) St. Andrew's Interparochial School and (c) St. Peter and Paul Parochial School, Fort Worth, Texas; (d) El Paso State Center for Human Development, (e) LaFe Centro De Salud Familiar, (f) St. Margaret's Center for Children and (g) Southwestern General Hospital, El Paso; and (h) Moody House, Inc. d/b/a Turner Geriatric Center, Galveston. -- President Willman presented through System Administration agreements between the Board of Regents of The University of Texas System, for and on behalf of the System Nursing School, and the facilities listed below. These agreements are based on the model agreement for the clinical training of nursing students that was approved by the Board of Regents on September 12, 1975:

- (a) Nolan High School, Fort Worth
- (b) St. Andrew's Interparochial School, Fort Worth
- (c) St. Peter and Paul Parochial School, Fort Worth
- (d) El Paso State Center for Human Development,  
El Paso
- (e) LaFe Centro De Salud Familiar, El Paso
- (f) St. Margaret's Center for Children, El Paso
- (g) Southwestern General Hospital, El Paso
- (h) Moody House, Inc. d/b/a Turner Geriatric  
Center, Galveston

Committee Chairman Nelson called attention to the fact that these facilities were all high schools and that the nursing students would go into the high schools and work with the well students in illness prevention. Contingent upon each agreement including a clause requiring supervision under a doctor and an indemnification clause, Committee Chairman Nelson moved that the agreements listed above be approved. The motion prevailed by unanimous vote.

The Chairman of the Board of Regents was authorized to execute these agreements when they had been approved as to form by a University attorney and as to content by the Deputy Chancellor and the Associate Deputy Chancellor for Health Affairs.

REPORT OF LAND AND INVESTMENT COMMITTEE (Pages 53 - 65 ). -- The following Report of the Land and Investment Committee was submitted by Committee Chairman Clark, who stated that all actions had been taken in open session. Upon motion duly made and seconded, the report was adopted and the actions therein were ratified:

Though the Chairman of the Board of Regents has authority to execute any document authorized by the Board, either the Associate Deputy Chancellor for Investments, Trusts and Lands or the Deputy Chancellor may execute, unless otherwise indicated in the report, all necessary instruments authorized in this report that relate to real estate or mineral interests held or controlled by the Board of Regents as a part of the Permanent University Fund or as a part of any Trust and Special Fund when each has been approved as to form by a University attorney and as to content by an appropriate official.

A. INVESTMENT MATTERS

1. Report on Clearance of Monies to Permanent University Fund and Available University Fund. --The following report with respect to monies cleared by the General Land Office to the Permanent University Fund and Available University Fund for the current fiscal year through October 1975 was received from the Auditor, Auditing Oil and Gas Production and made a part of this Committee's report:

	<u>September 1975</u>	<u>October 1975</u>	<u>Cumulative This Fiscal Year</u>	<u>Cumulative Preceding Fiscal Year (Averaged)</u>
<u>Permanent University Fund</u>				
Royalty				
Oil	\$2,468,517.63	\$ 4,132,011.90	\$ 6,600,529.53	\$ 4,954,653.68
Gas - Regular	1,492,697.22	1,643,618.65	3,136,315.87	2,854,315.76
- F.P.C.	160.20	( 236.52)	( 76.32)	23,263.94
- Market Value Settlements	616,881.03	665,628.06	1,282,509.09	1,658,548.80
- In Kind Settlements	305,552.90	199,933.20	505,486.10	91,196.44
Water	8,118.89	23,667.42	31,786.31	26,552.92
Salt Brine	1,398.93	1,841.83	3,240.76	3,635.58
Rental on Mineral Leases	29,055.14	40,229.55	69,284.69	116,314.92
Rental on Water Contracts	- 0 -	- 0 -	- 0 -	4,743.82
Rental on Brine Contracts	- 0 -	- 0 -	- 0 -	83.34
Amendments and Extensions of Mineral Leases	- 0 -	3,076.94	3,076.94	37,844.04
	<u>4,922,381.94</u>	<u>6,709,771.03</u>	<u>11,632,152.97</u>	<u>9,771,153.24</u>
Bonuses, Mineral Lease Sales, (actual)	- 0 -	9,682,500.00	9,682,500.00	7,816,000.00
Total, Permanent University Fund	<u>4,922,381.94</u>	<u>16,392,271.03</u>	<u>21,314,652.97</u>	<u>17,587,153.24</u>
<u>Available University Fund</u>				
Rental on Easements	5,567.72	50,547.96	56,115.68	37,516.46
Interest on Easements and Royalty	354.05	466.41	820.46	3,289.04
Correction Fees - Easements	649.56	( 649.56)	- 0 -	16.66
Transfer and Relinquishment Fees	- 0 -	63.28	63.28	1,019.00
Total, Available University Fund	<u>6,571.33</u>	<u>50,428.09</u>	<u>56,999.42</u>	<u>41,841.16</u>
Total, Permanent and Available University Funds	<u>\$4,928,953.27</u>	<u>\$16,442,699.12</u>	<u>\$21,371,652.39</u>	<u>\$17,628,994.40</u>

<u>Oil and Gas Development - October 31, 1975</u>	
Acreage Under Lease	825,388
Number of Producing Acres	339,180
Number of Producing Leases	1,507

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12-12-75

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2. PUF: Investments for Fiscal Year Ended August 31, 1975. --Each member of the Board of Regents received prior to the meeting a Report on the Permanent University Fund Investments for the Fiscal Year Ended August 31, 1975. The Associate Deputy Chancellor for Investments, Trusts and Lands had prepared this report for the Board of Regents in compliance with Article 6605 of the Texas Education Code (House Bill No. 1198, 62nd Leg., R.S.).

Committee Chairman Clark pointed out that the book value of the Permanent University Fund had increased 9.4% and the investment income had increased 10.5% over that of the fiscal year ended August 31, 1974.

The Committee authorized distribution of copies of this report to the Governor, members of the Legislature and other State Officials as required by Article 6605 of the Texas Education Code.

## B. LAND MATTERS

1. Permanent University Fund: Sanitary Landfill Surface Lease No. 4064 to City of Big Lake, Texas, 22.95 Acres Out of Section 8, Block 11, University Lands, Reagan County, Texas. --  
Upon the recommendation of the Associate Deputy Chancellor for Investments, Trusts and Lands and the University Land Agent, Sanitary Landfill Surface Lease No. 4064 was granted to the City of Big Lake, Texas, for use as a City dumpsite or sanitary landfill site. The terms and conditions of this Surface Lease are set out below:

Term: 10 years, November 1, 1975 through October 31, 1985.

Consideration: \$150 annual rental

Area: Approximately 22.95 acres out of Section 8, Block 11, University Lands, Reagan County, Texas. No more than five acres to be actively worked at any one time. After moving to any new five acre site, the previously used five acre site will be fully reclaimed in accordance with the Soil Conservation Service Guidelines and Specifications for critical areas.

Restrictions on Use of Premises: Operational classification of such site is Type II which covers modified landfill operations with weekly compaction and cover with 6-inches of compacted earth. All operations shall be in accordance with a permit issued by the Texas Department of Health Resources under which the permittee will comply with all terms, provisions, conditions, limitations, and other restrictions embodied in that permit; compliance with the "Municipal Solid Waste Regulations" of the Texas Department of Health Resources; and with the pertinent laws of the State of Texas. Special provisions will be made for surface water protection and odor and air pollution control.

Fencing: Each five acre site will be surrounded by a six foot chain link fence. Lane for ingress and egress will be fenced with sheep-proof fence, and all fences will be of top quality construction and maintenance at Lessee's sole cost and expense.

Restoration of Surface: Old dumpsite area will be cleaned, covered and levelled to the extent that no trash will be visible.

It was pointed out that the City of Big Lake had previously had a surface lease covering this same tract of land (Surface Lease No. 3609, expiring October 31, 1974, and renewable from year to year).

2. Permanent University Fund: Sanitary Landfill Surface Lease No. 4065 to County of El Paso, Texas, 50 Acres Out of Section 3, Block L, El Paso County, Texas. --Upon recommendation of the Associate Deputy Chancellor for Investments Trusts and Lands and the University Land Agent, Sanitary Landfill Surface Lease No. 4065 was granted to the County of El Paso, Texas, for use as a county dumpsite and sanitary landfill. The terms and conditions of this Surface Lease are set out below:

Term: 10 years - January 1, 1976 through December 31, 1985

Consideration: \$150 annual rental

Area: 50 acres out of Section 3, Block L, El Paso County, Texas. No more than five acres to be actively worked at any one time. After moving to any new five acres, the previously used prior five acre site will be fully reclaimed in accordance with the Soil Conservation Service Guidelines and Specifications for critical areas.

Restriction on Use of Premises: Operational classification of such site is Type II which covers modified landfill operations with weekly compaction and cover with 6-inches of compacted earth. All operations shall be in accordance with a permit issued by the Texas Department of Health Resources under which the permittee will comply with all terms, provisions, conditions, limitations, and other restrictions embodied in that permit; compliance with the "Municipal Solid Waste Regulations" of the Texas Department of Health Resources; and with the pertinent laws of the State of Texas. Special provisions will be made for surface water protection and odor and air pollution control.

Fencing: Each five acre site will be surrounded by a six foot chain link fence. Any roads for ingress and egress will be adequately fenced of barbed wire construction and all fences will be of top quality construction and maintained at Lessee's sole cost and expense.

Restoration of Surface: Old dumpsite area will be cleaned, covered, and levelled to the extent that no trash will remain visible.

It was pointed out that at the present time the County of El Paso is using an unsatisfactory area out of Section 24, Block L, University Lands, located north of the Fabens Interstate on I. H. 10 which will be relocated to provide for the straightening of FM Road 793 north of I. H. 10 (Surface Lease No. 2126, expiring December 31, 1975).

3. Easements and Surface Leases Nos. 4038-4063, Material Source Permits Nos. 497-499, Assignment of Grazing Lease No. 1146 and Water Contract No. 157. --Easements and Surface Leases Nos. 4038-4063, Material Source Permits Nos. 497-499, Assignment of Grazing Lease No. 1146 and Water Contract No. 157 were approved as set out below. All are within the policies of the Board of Regents and all have been approved as to form by a University attorney and as to content by an appropriate official. Payment for each has been received in advance unless otherwise indicated, and each document is on the University's standard form and is at the standard rate:

a. Easements and Surface Leases Nos. 4038 - 4063

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4038	BTA Oil Producers	Surface Lease (salt water disposal contract)	Andrews	4	one acre	10/8/75- 10/7/76*	\$ 400.00 (annually)
4039	The Permian Corporation (renewal of 3163)	Surface Lease (salt water disposal contract)	Pecos	165 J. Campbell Survey	two acres	10/1/75- 9/30/76*	1,200.00 (annually)
4040	L. L. Nutter	Surface Lease (pipe yard site)	Reagan	11	255' x 516'	11/1/75- 10/31/76**	450.00 (annually)
4041	The Permian Corporation	Surface Lease (truck station site)	Andrews	7	208.7' x 208.7'	9/1/75- 8/31/85	1,000.00 (full)
4042	Exxon Pipeline Company (renewal of 2052)	Pipe Line	Andrews	9	109.15 rds. 2-3/8 inch	11/1/75- 10/31/85	109.15
4043	Exxon Pipeline Company (renewal of 2054 & 2169)	Pipe Line	Crane	30	269.13 rds. 4 inch	11/1/75- 10/31/85	269.13
4044	Cabot Corporation (renewal of 2235)	Pipe Line	Ward	16	3,493.30 rds. various size	1/1/76- 12/31/85	7,242.90

\*Renewable from year to year, but not to exceed a period of five years.  
 \*\*Renewable from year to year, but not to exceed a period of ten years.

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Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4045	Phillips Petroleum Company (renewal of 2079 & 2129)	Pipe Line	Andrews	12	315.5 rds. 4½ inch	10/1/75- 9/30/85	\$ 315.50
4046	Phillips Petroleum Company (renewal of 2100, 2124 & 2128)	Pipe Line	Andrews	4, 5, 6, 9, 10	625.3 rds. 6-5/8 inch 504.9 rds. 3½ inch 27.0 rds. 2-3/8 inch	10/1/75- 9/30/85	1,626.18
4047	Phillips Petroleum Company	Pipe Line	Andrews	4	605.21 rds. 6-5/8 inch	9/1/75- 8/31/85	1,059.12
4048	Phillips Petroleum Company (renewal of 2066 & 2101)	Pipe Line	Crane	30, 35	26.5 rds. 3½ inch 417.1 rds. 4½ inch	10/1/75- 9/30/85	443.60
4049	Phillips Pipe Line Company (renewal of 2111)	Pipe Line	Andrews	9	167.2 rds. 4½ inch	12/1/75- 11/30/85	167.20
4050	PGP Gas Products, Inc.	Pipe Line	Pecos	19	764.19 rds. 6.625 inch	10/1/75- 9/30/85	1,337.32
4051	Southwest Texas Electric Coop., Inc. (renewal of 2153)	Power Line	Crockett	14	700 rds. single pole	1/1/76- 12/31/85	630.00
4052	El Paso Natural Gas Company	Pipe Line	Crockett	47	78.61 rds. 4½ inch	10/1/75- 9/30/85	100.00 (min.)

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Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4053	Texas-New Mexico Pipe Line Company (renewal of 2290)	Pipe Line	Crane	30	606 rds. 6-5/8 inch 287 rds. 4½ & 5½ inch	1/1/76- 12/31/85	\$ 1,347.50
4054	Seagull Pipeline Corporation	Pipe Line	Crockett	30,31	1,957.59 rds. 3½ inch	10/1/75- 9/30/85	1,958.00
4055	Texas Electric Service Company (renewal of 2095 & 2122)	Power Line	Andrews	7,9, 13	1,103.21 rds. single pole	12/1/75- 11/30/85	992.89
4056	Texas Electric Service Company (renewal of 2091)	Power Line	Ward	16	150.25 rds. single pole	12/1/75- 11/30/85	135.22
4057	Gulf Oil Corporation (renewal of 2125)	Pipe Line	Andrews	9	103 rds. 2½ inch	1/1/76- 12/31/85	103.00
4058	Intratex Gas Company	Surface Lease (residential & water well site)	Crane	31	10 acres	5/1/75- 4/30/85	1,500.00 (full)
4059	Mobil Pipe Line Company (renewal of 2157)	Pipe Line	Andrews	1,4, 8	2,466.2 rds. various size	1/1/76- 12/31/85	3,112.50
4060	Mobil Pipe Line Company (renewal of 2119)	Pipe Line	Andrews	4	842.5 rds. 8-5/8 inch 610.9 rds. 6-5/8 inch 1,191.1 rds. 4½ inch	1/1/76- 12/31/85	3,734.56

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Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
4061	Mobil Pipe Line Company (renewal of 2110)	Pipe Line	Andrews	4	2,191 rds. 8-5/8 inch	1/1/76- 12/31/85	\$ 3,834.25
4062	Mobil Pipe Line Company (renewal of 2155)	Pipe Line	Andrews	13	158.2 rds. 4 1/2 inch	1/1/76- 12/31/85	158.20
4063	Texas Pacific Oil Company	Pipe Line	Andrews	4,5	175.75 rds. 2-3/8 inch	11/1/75- 10/31/85	175.75

b. Material Source Permits Nos. 497 - 499

No.	Grantee	County	Location	Quantity	Consideration
497	W. A. "Bill" Farmer Construction Company	Andrews	Block 1	1,130 cubic yards caliche	\$ 339.00
498	State Department of Highways and Public Transportation	Upton	Block 3	103,281.2 dry tons caliche base	7,746.09
499	Tripp Construction Company	Ector	Block 35	80 cubic yards caliche	100.00

c. Assignment of Grazing Lease No. 1146

No.	Assignor	Assignee	County	Location	Acreage	Period	Consideration
1146	L. D. Haren	W. H. Bagley and T. L. Taylor	Pecos	18,20	1,168.44	7/1/73- 6/30/83	\$ *

\*There was no bonus paid in this transaction. The assignment fee of \$100.00 has been forwarded to the Office of Accounting.

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Land Matters - Continued--

d. Water Contract No. 157

No.	Grantee	County	Location	Period	Consideration
157	Marathon Oil Company (renewal of 115)	Reagan	Blocks 1 & 2	1/1/76 - 12/31/80	\$ 100.00*

\*The annual rental shall be \$100.00. The royalty shall be 10¢ per 1,000 gallons of all fresh water sold or one-eighth (1/8) of any revenues received from sale of said water, whichever is greater, but in no event shall the royalty be less than \$200.00 per year.

TRUST AND SPECIAL FUNDS

## A. GIFTS, BEQUESTS AND ESTATES

1. U. T. Austin: Acceptance of Gift from Dr. Nettie Lee Benson to Establish the Nettie Lee Benson Library Fund. --Upon recommendation of the Administration, a \$10,000 gift was accepted with sincere appreciation from Dr. Nettie Lee Benson, who recently retired as Head Librarian of the Latin American Collection, and the Nettie Lee Benson Library Fund was established at The University of Texas at Austin. The income from this Fund will be used for the purchase of material for the Latin American Collection relating to the history and culture of the Americas south of the Rio Grande in accordance with Dr. Benson's wishes as outlined in a letter dated October 17, 1975, to Dr. Lorene L. Rogers from Merle N. Boylan, Director of General Libraries.
  
2. U. T. Austin: Amendment to Joe J. King Trust Agreement and Establishment of Joe J. King Professional Engineering Achievement Award in College of Engineering. --In 1957 a trust agreement of Joe J. King to establish the Alfred and Nellie King Graduate Fellowship at The University of Texas at Austin was approved and so reported in the Chancellor's Docket. This agreement was later amended to convert the Fellowship to "The Joe King Professorship." Associate Deputy Chancellor Lobb reported that Mr. King had now proposed an agreement which would further amend the 1957 trust agreement by diverting a portion of the income from the trust to establish the Joe J. King Professional Engineering Achievement Award in the College of Engineering at U. T. Austin.

Upon recommendation of President Rogers and System Administration, the proposed amendment to the Joe J. King Trust Agreement as requested by Mr. King in order to divert a portion of the income from the trust for the establishment of the Joe J. King Professional Engineering Achievement Award in the College of Engineering at U. T. Austin was approved.

The Chairman of the Board of Regents was authorized to execute this amendment when it had been approved as to content and as to form by the appropriate University officials.

The President of U. T. Austin was granted authority to appoint a committee to establish an achievement program in line with this trust agreement.

3. U. T. Austin: Charles W. Laughton Endowed Presidential Scholarship Fund Established: Upon recommendation of the Administration, the Charles W. Laughton Endowed Presidential Scholarship Fund was established at The University of Texas at Austin from over \$30,000 worth of gifts received through the School of Social Work in memory of the late Dr. Charles W. Laughton, one of the earlier members of the School's faculty. The income from this Fund will be used for scholarships in the School of Social Work.

4. U. T. Permian Basin: Report on The Ellen and Bill Noel Scholarship Fund (Anonymous Scholarship Fund No. 1). -- With respect to the anonymous gift of stock valued at \$225,000 accepted by the Board of Regents at its meeting on December 7, 1973, for the establishment of a scholarship fund (Anonymous Scholarship Fund No. 1) at The University of Texas of the Permian Basin, Associate Deputy Chancellor Lobb submitted the following report for the permanent record:

The Board of Regents at its meeting held on December 7, 1973, authorized the acceptance from W. D. Noel and Ellen Witwer Noel and the Trebol Oil Company of certain stock together with a trust instrument creating The Ellen and Bill Noel Scholarship Fund. Pursuant to the trust agreement, the income from the investment of the principal shall be used for the purpose of providing scholarships to students meeting the requirements of the trust who are enrolled at the Odessa Junior College and The University of Texas of the Permian Basin. At the time of the acceptance of this gift, the donors requested no publicity. With the consent of Mr. and Mrs. Noel, press releases concerning the establishment of this scholarship fund were released to West Texas papers in January 1974.

Pursuant to the terms of the trust agreement, the Board of Regents received 15,000 shares of the common stock of El Paso Natural Gas Company on December 12, 1973, valued at \$200,625, and 15,000 shares of the common stock of El Paso Natural Gas Company on January 24, 1974, valued at \$245,625, for a total of \$446,250.

It was ordered that the Anonymous Scholarship Fund No. 1 at The University of Texas of the Permian Basin be put in the permanent record as The Ellen and Bill Noel Scholarship Fund.

5. Galveston Medical Branch (Moody State School for Cerebral Palsied Children): Acceptance of Bequest Under Will of Arthur J. King, Houston, Texas. --A bequest from Arthur J. King, Houston, Texas, of his residuary estate for the Moody State School for Cerebral Palsied Children of The University of Texas Medical Branch at Galveston was gratefully accepted upon the recommendation of the Administration.

The pertinent provision of Mr. King's Will is as follows:

"I hereby direct that the residue of my property, real and personal, be distributed to Moody State School for Cerebral Palsied Children, 8700 Teichmans Road, Galveston, Texas, to be used exclusively for the children who are students or patients of such school."

It was reported that a check for \$164,500 covering this bequest had been received from Mr. John W. Mecom, Jr., Independent Executor of Mr. King's Estate. The bequest will be kept on time deposit at the Galveston Medical Branch pending approval of a program of expenditures.

Committee Chairman Clark commented that Mr. King died last December (1974) at the age of 95 leaving no known living relatives. He was an orphan, and was known for his interest in children's institutions.

6. Galveston Medical Branch (Galveston Medical School): Acceptance of Gifts from Courtney M. Townsend, Sr., M.D., Family and Establishment of the Courtney M. Townsend Lectureship in Medical Ethics. --Upon the recommendation of the Administration, gifts in the amount of \$19,000 were gratefully accepted from the children of the Courtney M. Townsend, Sr., M.D., family, and the Courtney M. Townsend Lectureship in Medical Ethics was established at the Galveston Medical School of The University of Texas Health Science Center at Galveston.

It was noted that these gifts were received last year. A report of this gift had not been made to the Board of Regents but the Courtney M. Townsend Lectureship has recently been announced. The Lectureship endowment is \$17,000, and \$2,000 has been used for expenses related to the announcement.

Committee Chairman Clark commented that Dr. Townsend is an Ashbel Smith Distinguished Alumnus of the Galveston Medical School, Class of 1932, and resides and practices in Paris, Texas.

7. Galveston Medical Branch (Galveston Medical School): Acceptance of Gift from Vaughn Foundation, Tyler, Texas, to Establish the Edgar H. and Lillie Mae Vaughn Lectureship in Medical Philosophy and Morality. --A gift of \$12,000 was accepted with gratitude from the Vaughn Foundation, Tyler, Texas, and the Edgar H. and Lillie Mae Vaughn Lectureship in Medical Philosophy and Morality was established at the Galveston Medical School of The University of Texas Medical Branch at Galveston.

Committee Chairman Clark pointed out that the Lectureship endowment will be \$10,000, and \$2,000 will be used by the Medical Branch for expenses in connection with announcing the Lectureship.

**B. REAL ESTATE MATTERS**

U. T. Austin - Hogg Foundation: Oil and Gas Lease to A. V. Beebe on 5 Acre Tract in Union County, Arkansas. --Upon the recommendation of the Administration, authorization was given for an oil and gas lease to A. V. Beebe on the Hogg Foundation's (U. T. Austin) 7/64th interest in a 5-acre tract of land out of Section 8, Township 16 South, Range 15 West, Union County, Arkansas, at \$27 per mineral acre for a 3-year paid up lease with 1/8th royalty.

It was noted that at the October 24, 1975, meeting of the Board of Regents a lease on 26 acres adjoining this 5 acres was granted to Mr. Beebe. Mr. Beebe discovered after taking that lease that the 5 acres which he needs in order to drill is also covered by the Hogg Foundation's interest. The Estate of Miss Ina Hogg and Mrs. Alice N. Hanszen have leased their interests in the 5-acre tract to Mr. Beebe.

**I. OTHER MATTERS**

Report of Securities Transactions for Permanent University Fund and for Trust and Special Funds for the Month of September 1975. --The Report of Securities Transactions for Permanent University Fund and Trust and Special Funds for September 1975, submitted by the Office of Investments, Trusts and Lands, was received. It is attached (Attachment No. 2) following Page N-7 of Attachment No. 1 and made a part of these Minutes.

## REPORT OF SPECIAL COMMITTEE

REPORT OF COMMITTEE TO STUDY HOUSING AT U. T. PERMIAN BASIN: COMMITMENT TO FURNISH HOUSING BY SEPTEMBER 1976 AND OFFER OF ASSISTANCE FROM ODESSA AND MIDLAND BUSINESSMEN. --On behalf of the Special Committee to Study Housing at The University of Texas of the Permian Basin (composed of Regent Clark, Chairman, and Regents Bauerle and (Mrs.) Johnson), Committee Chairman Clark presented the following report:

Background Information

After some three months of work by The University of Texas of the Permian Basin and System Administration, a report was made by the Special Committee on Housing at The University of Texas of the Permian Basin. The report resulted in action of the Board of Regents at the June 5, 1975 meeting requesting The University of Texas of the Permian Basin and System Administration to actively solicit and develop student housing proposals for consideration of the Regents' Special Committee on Housing.

On August 7, 1975, several proposals were reviewed by the committee; including mobile homes rental, lease arrangements with outside agencies for The University of Texas to lease facilities built by these agencies, and The University of Texas building permanent housing and issuing Revenue Bonds to finance. Also considered was the possibility of getting builders to assign some new apartments under construction for use by The University of Texas of the Permian Basin.

Guarantees of financing, rental, or funding were required in all instances and the source of available funds did not seem adequate to insure the financing of student housing so devoutly desired and needed.

Current Information

Dr. Cardozier and his staff have continued to investigate and promote the idea of student housing. Additional proposals have been solicited and include lease arrangements with owner built or owner furnished facilities that are of the prefabricated variety. Proposals include:

- (1) Mobile Homes
- (2) Modular Homes
- (3) Duplexes
- (4) Eightplexes

Rental rates are indicated to be:

- (1) \$173 per month - three year rental for Mobile Homes
- (2) \$193 per month - 15 year lease for Modular Homes
- (3) \$221 per month - 15 year lease for Duplexes
- (4) \$221 per month - 15 year lease for Eightplexes

Approximately \$200,000 as initial University expense will be required for site development for any of these proposed lease arrangements. (All figures based on 100 units providing for a minimum of 200 students and some plans might accommodate as many as 300 students.)

The guarantee of monthly rental to the builder is required, and no additional funds are available to provide the guarantee from sources other than student rentals.

#### General Comments

- (1) It is impossible to predict how long the present boom in the Odessa area will last due to lack of information with respect to controls, oil and gas prices, and conservation of oil and gas.
- (2) Builders in the area are not planning to overbuild or to meet the Chamber of Commerce prediction of housing needs.
- (3) Enrollment at The University of Texas of the Permian Basin will not increase substantially without student housing availability.
- (4) There is no reliable way to estimate how many students would come to The University of Texas of the Permian Basin if housing were available.
- (5) Any type of housing built by an outsider on leased land from the University will require a commitment of either a fixed monthly sum payment or a guarantee of some percentage of occupancy (probably 80% to 90%).
- (6) If University bonds are issued to finance student housing, they would have to be of the revenue type. There is no other source of funds except rentals to meet the bond service requirements.
- (7) Cash, firm commitment to pay, or revenue bonds are requirements if student housing is to be built by the University or by an outside agency. A month-to-month rental basis of mobile homes is the arrangement that will permit a termination of University commitment on a short term basis.
- (8) Student housing is needed since it is not available in the community or in that area.
- (9) Enrollment growth is needed to insure adequate state funding for the operation of the school since in 1977-79 formula financing will be in effect.

#### Conclusion

The best evidence at this time is that enrollment will not substantially increase if student housing is not available.

#### Recommendation

- (1) Authorize The University of Texas of the Permian Basin and System Administration to negotiate a lease for mobile homes to be available for the fall of 1976 and to provide the necessary site development, including utilities; and
- (2) Authorize The University of Texas of the Permian Basin and System Administration to proceed with a study of building and financing by Revenue Bond Issue some 300 to 400 student spaces.

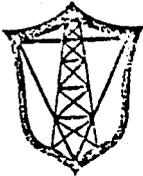
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Following the report, Committee Chairman Clark read the following letter relating thereto:

CITY OF  
**Odessa**

P. O. BOX 4398 411 W. 8TH ODESSA, TEXAS 79760 (915) 337-7381



December 11, 1975

Dr. V. R. Cardozier  
University of the Permian Basin  
Odessa, Texas 79762

Dear Dr. Cardozier:

The request for assistance from the business community of Odessa has been fulfilled by the accumulation of guarantee forms from the businessmen of Odessa and Midland to assure student housing on campus by September 1976.

The amount of the guarantee total is \$100,000 for the benefit of the University of Texas System and is in effect for the time you required. I have been authorized by the group to deliver this letter of assurance to you in time for your meeting with the regents in Houston, December 12.

If you require additional evidence or help on this, please get in touch with me or Mr. Gene Garrison.

Yours very truly,

A handwritten signature in cursive script that reads "Dan Hemphill".

Dan Hemphill  
Mayor of Odessa

DH:ls

After consideration of the report and the assurance that the project would include landscaping, the report was received and referred back to the Committee for further study.

Committee Chairman Clark expressed appreciation to President Cardozier and his staff and to the citizens of Odessa and Midland for their efforts in this behalf.

COMMITTEE OF THE WHOLE - OPEN SESSION  
(Pages 69 - 97 )

The Report of the Committee of the Whole in Open Session set out below was adopted by unanimous vote:

BOARD OF REGENTS - REGENTS' RULES AND REGULATIONS,  
PART ONE: AMENDMENTS TO CHAPTER III, SECTIONS 14 and  
15 (HOLIDAY AND VACATION SCHEDULE). --The necessary rules  
were waived and the following amendments to the Regents' Rules  
and Regulations, Part One relating to the holiday and vacation  
schedule were adopted:

Amend Chapter III of Part One of the Regents' Rules and Regulations  
as follows:

- a. By deleting Subsection 14.1 and by renumbering Subsection 14.2  
as 14.1 and by changing it to read as follows:

14 Holidays.

14.1 All faculty, classified and other nonteaching personnel  
are entitled to such holidays as are provided by the  
Legislature in the then current appropriation bill and  
as are approved annually by the Deputy Chancellor and  
the Board of Regents, or alternate holidays approved  
in the official calendars of the various institutions  
by the Deputy Chancellor and the Board of Regents. (See  
the Classified Personnel rules in the institutional  
Handbook of Operating Procedure.)

- b. By deleting Subsection 15.1 and by renumbering Subsections  
15.2 and 15.3 as 15.1 and 15.2 respectively and by changing  
Subsection 15.1 to read as follows:

15 Vacation.

15.1 Vacations for faculty, classified and other nonteaching  
personnel shall be as provided by the Legislature in the  
then current appropriation bill and as approved by the  
Board of Regents, except that vacation accumulated by  
faculty on nine-month appointments shall be counted as  
having been taken during periods when classes are not in  
session within the appointment period. Vacations for  
hourly and part-time employees shall be on a percentage  
basis for the time appointed. (See the Classified  
Personnel rules in the institutional Handbook of Oper-  
ating Procedure.)

15.2 In the case of death of an employee who has accumulated  
vacation leave, his estate will be paid for all accumu-  
lated vacation leave. The payment shall be calculated  
at a rate of compensation being paid the employee at the  
time of his death.

BOARD OF REGENTS - REGENTS' RULES AND REGULATIONS,  
PART TWO: AMENDMENTS TO CHAPTERS II, III, IV, VII AND  
XI.--To update in part the Regents' Rules and Regulations, Part  
Two, the following amendments were adopted:

1. Amend Chapter II of Part Two of the Regents' Rules and Regu-  
lations as follows:

- a. By adding to Subsection 1.5 new Subsections 1.52 and 1.54  
to read as follows and by changing the present Subsection  
1.52 to 1.53:

CHAPTER II

ACCOUNTING, AUDITING, REPORTING, AND BUDGETARY CONTROL

1 Types of Funds.

1.5 Plant Funds.

1.51 . . .

1.52

Renewals and Replacement Funds.--Funds specified  
by the Board of Regents or by external sources  
to be used for the renewal and replacement of  
plant fund assets. A regular source for such  
funds shall be the portion of indirect cost  
allowances represented by use charges on build-  
ings, other improvements and equipment allocated  
to sponsored programs. (See also Part Two,  
Chapter XI, Section 7).

1.53

Retirement of Indebtedness Funds.--Funds speci-  
fied by the Board of Regents or by external  
sources to be set aside to meet debt service  
charges and the retirement of indebtedness on  
institutional plant assets.

1.54

Investment in Plant Funds.--Funds invested in  
physical properties to be used for institutional  
purposes.

- b. By changing Subsection 2.1 to read as follows:

2 Accounting.

- 2.1 The financial records of The University of Texas System  
shall be kept as nearly as practicable in accordance  
with the recommendations set forth in "College and  
University Business Administration, Third Edition,"  
(1974) published by the National Association of College  
and University Business Officers. Where those recom-  
mendations conflict with statutes or with regulations  
of the Coordinating Board, Texas College and University  
System, the latter shall be controlling.

- c. By changing Subsections 4.1, 4.2, 4.21, 4.22 and 4.3 to  
read as follows:

4 Reporting.

- 4.1 All financial reports shall be prepared in accordance  
with the provisions of the statutes, official directives  
of the Coordinating Board, Texas College and University  
System, and directives of the Board of Regents, and in  
conformity with the manual, "College and University

Business Administration, Third Edition," (1974) referred to above. The reports shall be prepared by the Chief Business Officer and approved by the System Comptroller.

- 4.2 Two reports, both of which shall be prepared under the direction of the Chief Business Officer and the System Comptroller, shall be prepared annually:
- 4.21 Annual Financial Report.--As required by Statute, printed financial reports, in the format recommended in "College and University Business Administration, Third Edition," (1974), or its successor publication, shall be filed with the Coordinating Board, Texas College and University System, and other State Offices as required by law.
- 4.22 Salary Payment Report.--On or before December 31, each year, an itemized report in format prescribed by System Administration shall be prepared of salaries and wages paid all employees for services during the preceding fiscal year out of any funds from any source or character under the control and/or custody of the Board of Regents, showing for each employee the total amount paid from each source during the twelve months of the fiscal year, the title of the position held or kind of service rendered. Copies of this report shall be furnished the Secretary to the Board of Regents, the System Budget Director, and the System Comptroller.
- 4.3 Monthly financial reports, in the form prescribed by the System Comptroller, shall be prepared by each institutional chief business officer and distributed to the institutional head, the Deputy Chancellor, the Secretary to the Board of Regents, and the System Comptroller.

d. By changing Subsection 5.5 to read as follows:

5 Operating Budgets.

- 5.5 A copy of each budget, and any subsequent amendment thereto, shall be filed by the Secretary to the Board of Regents with the Legislative Reference Library to be available for public inspection, and also filed with such other State Offices as required by law.

2. Amend Chapter III of Part Two of the Regents' Rules and Regulations as follows:

- a. By changing Subsection 2.1 and the present Subsection 2.3, by adding Subsections 2.11, 2.12 and 2.2 as set out below and by renumbering 2.2 and 2.3 as 2.3 and 2.4 respectively:

CHAPTER III

RECEIPT, CUSTODY, AND DISBURSEMENT OF MONEYS; ABSENCE FROM USUAL AND REGULAR DUTIES INCLUDING TRAVEL

2 Deposits with Institutional Business Office.

- 2.1 Money received by all departments from all sources shall be deposited, using an official form, in the institutional business office, unless depositing directly to a special bank account has been specifically authorized by

the Deputy Chancellor. The deposits shall be daily if the receipts are \$50 or more, and weekly even if the accumulation is less than \$50. Except for mail deposits authorized under subsections 2.11 and 2.12, the deposit shall be made in person by a departmental representative to whom an official receipt is issued.

- 2.11 Mail deposits by on campus departments are authorized if the amount of each deposit is less than \$100 and does not contain cash (currency).
- 2.12 Mail deposits by off campus activities are authorized if such deposit does not contain cash (currency).

2.2 Departments or activities mailing deposits shall maintain adequate record of such deposits, including detailed description of negotiable instruments.

2.3 Cash overages or shortages shall be reported to the business office with each deposit. Cash overages are deposited in the business office.

2.4 Petty cash funds shall be provided only on approval of, and by arrangement of, the department with the Chief Business Officer. Special petty cash fund bank accounts may be established only with the approval of the Deputy Chancellor.

b. By changing Subsections 4.11 and 4.12 to read as follows:

4. Local Institutional Funds.

- 4.11 Depository agreements with official depository banks shall be negotiated, as necessary, by the System Comptroller with those banks approved by the Board of Regents and in accordance with the then current policies of the Board. Such depository agreements shall be executed by the Chairman of the Board of Regents.
- 4.12 Requests for authorized signatures, or changes thereto, for bank accounts maintained in all depository banks, shall be forwarded to the System Comptroller, who, after review and approval, shall refer such requests to the Deputy Chancellor for notification of the banks concerned.

c. By changing Subsection 12.2 to read as follows:

12 Payrolls.

12.2 All payrolls shall be prepared or verified in the business office from regular budgets, appointment documents, authorizations, time cards, or other documentation, and approved by the chief business officer or a person designated by him.

d. By changing Subsections 13.422 and 13.4(10)2 and by adding a new Subsection 13.4(11) to read as follows:

13 Absence from Usual and Regular Duties, Authorization for Absence, Including Travel, and Travel Expense Reimbursement.

- 13.422 Component Institutions - Reimbursement for all travel by employees of the component institutions shall be

approved either by the Deputy Chancellor or by the administrative officers designated below:

Chief Administrative Officer (President) or Chief Business Officer (Vice-President for Business Affairs or Business Manager) or other senior administrative or fiscal officers as may be delegated in writing by the Chief Administrative Officer and the Chief Business Officer. Such delegations shall be approved by the Deputy Chancellor and filed with the Secretary to the Board of Regents and the State Comptroller of Public Accounts, together with the names of the individuals occupying the positions named.

13.4(10)2

Gifts, Grants, and Designated Funds.-- Reimbursement of travel expenses paid from Gifts, Grants, and Designated Funds will be as follows:

- (a) For grants from or derived from Federal or State agencies, travel allowances shall be paid as specified in the foregoing general travel regulations, Subsections 13.43 through 13.49.
- (b) For other gifts, grants, trust or designated funds, travel allowances may be for actual expenses for meals, lodging and airport parking, not to exceed \$35 per day. The transportation allowances will be as specified in Subsection 13.47 of the foregoing general travel regulations.

The provisions of both (a) and (b) above are subject to the terms, provisions and conditions of the particular gifts, grants, or funds involved. Further exceptions to these provisions may be in accordance with specific authorization by the Board of Regents with certain designated funds. Likewise, when anticipated living costs are unusually low for those engaged in travel, the person authorizing the travel may reduce the allowance for all or any part of the travel, provided that the employee shall be notified of such reduced allowance before being allowed to incur any expense. When not otherwise prohibited by the terms of the gift or grant, employees may also be reimbursed for required registration fees or similar expenses incurred in attending meetings of organizations or associations. Receipts for lodging, registration fees, or similar expenses shall be obtained and attached to the expense

voucher. Project Directors, Principal Investigators, Departmental Chairmen, or other authorized personnel under a gift or grant who travel in their personally owned airplanes on necessary official business may be reimbursed at the rate of twenty-one cents (21¢) per highway mile for in-state travel. The same rate shall apply to out-of-state travel, subject to the limitation that the mileage reimbursement shall not exceed the amount equal to the number of persons flying by private plane times the lowest available airline fare.

- 13.4(11) As provided by House Bill 1058, 64th Legislature (amending Tex.Rev.Civ.Stat.Ann. art. 6823a), component institutions may establish procedures for payment in advance of travel expenses incurred by employees in the exercise of their official duties. Any such procedures established shall be in accordance with the statute, based on guidelines provided by the State Comptroller, and provide for prompt recovery of any such advances.

- e. By changing Subsections 16.1, 16.2 and 16.24 to read as follows:

Sec. 16 Insurance on Money and Securities; Fidelity Bonds.

16.1 Insurance on Money and Securities.--As approved by the Board of Regents, The University of Texas System carries a blanket System-wide policy insuring against loss of money or securities at any of the component institutions. The premium paid by each institution is separately computed and is based on the coverage applicable at each institution. At the time any loss occurs at any institution, the Associate Deputy Chancellor for Operations shall be notified by the appropriate Chief Business Officer and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board of Regents for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board of Regents. Money and Securities coverage may be combined with the blanket position fidelity bond.

16.2 Fidelity Bonds.

16.24 At the time a loss occurs, the Associate Deputy Chancellor for Operations shall be notified by the Chief Business Officer and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board of Regents for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board of Regents.

3. Amend Chapter IV of Part Two of the Regents' Rules and Regulations by changing Subsection 6.2 to read as follows:

## CHAPTER IV

## PURCHASING

6 Space Leases.

- 6.2 Proposals for space leases require the advance approval of the Deputy Chancellor or his delegate. Lease contracts drawn in accordance with such approval shall be executed by the System Comptroller, and submitted for ratification by the Board of Regents through the institutional docket.

4. Amend Chapter VII of Part Two of the Regents' Rules and Regulations by changing Subsections 3.6, 3.7, 4.2, 4.3, 4.4, 9.3, 9.4 and 9.5 to read as follows:

## CHAPTER VII

## PHYSICAL PROPERTIES

3 Motor Vehicles.

- 3.6 Each institution shall be cognizant of and render reports on operation of motor vehicles as required by the current appropriations bill.
- 3.7 The University of Texas System is authorized to acquire, operate, and maintain, including replacing, two passenger airplanes. Such airplanes may be acquired by gift only, purchase, or partly by gift and partly by purchase. All costs of acquisition, operation, and maintenance, including replacement, may be paid out of the Available University Fund allocable to The University of Texas System.

4 Insurance on Property of The University of Texas System.

- 4.2 The terms of the policies covering the risks indicated above are negotiated by the Associate Deputy Chancellor for Operations in accordance with procedures approved by the Deputy Chancellor and the Board of Regents.
- 4.3 When it is necessary or advisable to insure risks on a basis other than System-wide, insurance policies covering such risks shall be approved by the Associate Deputy Chancellor for Operations on an individual basis upon recommendation by the Chief Business Officer of the component institution affected.
- 4.4 At the time a loss occurs applicable to either System-wide or individual insurance policies, the Associate Deputy Chancellor for Operations shall be notified by the Chief Business Officer, and shall approve all loss claims and settlements. Any settlement over \$2,000 and under \$10,000 shall be reported to the Board of Regents for ratification. Settlements in the amount of \$10,000 or more must have the approval of the Board of Regents.

9 Disposal of Property of The University of Texas System.

- 9.3 For items of little value or limited use where sale on competitive bids is not practicable, the Chief Business Officer shall have the authority to dispose of the property on the basis of negotiated bids in amounts under \$2,000.
- 9.4 Sale of property estimated to bring \$2,000 or more shall be made on a basis of competitive bids.
- 9.5 Sales in amount of \$10,000 or more shall be approved in advance by the Deputy Chancellor and ratified by the Board of Regents through the institutional docket.
5. Amend Chapter XI of Part Two of the Regents' Rules and Regulations by adding a new Section 7 and by changing Sections 2, 5 and 6 to read as follows:

CHAPTER XI

CONTRACTS AND GRANTS FOR RESEARCH, TRAINING, AND  
EDUCATIONAL SERVICES, INCLUDING  
INSTITUTIONAL SUPPORT GRANTS

- 2 Proposals for such contracts, grants, and agreements, whether with government agencies, industry, foundations, or other private granting agencies, shall be initiated by the faculty member (or other appropriate official who will direct the work) and shall be approved by designated administrative officials, including the chief administrative officer. Proposals to private foundations for support should be forwarded via the Office of the System Comptroller to the Chancellor for further approval. The chief business officer at each component institution is responsible for the business aspects of the proposals.
- 5 Proposals as to overhead rates and specialized rates for fringe benefits, computers, and other facilities chargeable to cost-reimbursement contracts and other government contracts and grants shall be worked out in preliminary form by the chief business officer concerned and shall be reviewed and approved by the System Comptroller before being submitted. Subject to approval of the Deputy Chancellor, the System Comptroller shall negotiate all such rates for the component institutions of The University of Texas System.
- 6 Information as to overhead and specialized rates applicable to the type of contract, grant or agreement to be entered into shall be secured from the System Comptroller via the business officers and/or the appropriate research administration officer.
- 7 To the extent that indirect cost recoveries from the application of overhead rates are derived from use charges for buildings, other improvements, or equipment, the funds so derived shall be designated for renewals and replacements of plant fund assets or for other purposes specified and approved in the budgetary processes as related to the indirect cost recoveries.

BOARD OF REGENTS - REGENTS' RULES AND REGULATIONS, PART TWO: AMENDMENT TO CHAPTER VI, SECTION 5.2 (MAXIMUM LIMITS ON GROUP TERM LIFE INSURANCE). --In order to conform the Regents' Rules and Regulations to the maximum limits on Group Life Insurance set by S.B. 348, 64th Legislature, R.S., Section 5.2 of Chapter VI of Part Two of the Regents' Rules and Regulations was deleted and the following substituted in lieu thereof:

Group Term Life Insurance.

- 5.2 The amount of insurance available is based on a schedule that may not exceed two times annual earnings with a maximum of \$100,000 or 200% of annual compensation, whichever is the lesser amount. The amount of insurance for any employee who does not elect to change to the new schedule will continue to conform to the Insurance Table in effect prior to September 1, 1975. Annual earnings for academic personnel shall be the nine-month or twelve-month academic rate as applicable. Annual earnings for nonteaching personnel shall be the twelve-month rate. When an employee classification changes, due to increase or decrease in earnings, including Modified Service, the amount of insurance will be adjusted on the annual renewal date (January 1) following the date of the change provided the employee is available for work.

BOARD OF REGENTS - REGENTS' RULES AND REGULATIONS, PART TWO: AMENDMENT TO CHAPTER IX (INVESTMENTS, TRUSTS AND LANDS). --Upon the recommendation of the Associate Deputy Chancellor for Investments, Trusts and Lands, concurred in by System Administration, the following sections and subsections of Chapter IX of Part Two of the Regents' Rules and Regulations were amended to read as set out below:

Subsections 1.1, 1.2, 1.5, 2.213, 2.22, 2.61, 6.1 and 6.3

Authorizations re Sales, Assignments, Conveyances, Receipt of Property and Proxies.

- 1.1 Authority to Purchase, Exchange, and Sell Securities for and on Behalf of the Permanent University Fund of The University of Texas and the Board of Regents of The University of Texas System.--The Deputy Chancellor or his delegate, or the Associate Deputy Chancellor for Investments, Trusts and Lands, or the Investment Officer, are each authorized to purchase, exchange and sell any and all securities for and on behalf of the Permanent University Fund of The University of Texas or the Board of Regents of The University of Texas System, and to execute any and all documents necessary to the consummation of any purchases or exchanges.
- 1.2 Authority to Assign and Transfer Securities Held by the Permanent University Fund of The University of Texas and the Board of Regents of The University of Texas System.--The Deputy Chancellor, the Associate Deputy Chancellor for Investments, Trusts and Lands or the Executive Assistant for Administration or any Trust Officer may assign and transfer any and all securities of any description, whatever, and execute any and all documents necessary to the consummation of any sale, assignment or transfer of any securities registered in the name of the Permanent University Fund of The University of Texas of the Board

of Regents of The University of Texas System or in any other form of registration of such securities held for the account of the Permanent University Fund of The University of Texas or the Board of Regents of The University of Texas System in whatever manner, including all fiduciary capacities, and including those registered in the names of trusts or foundations managed and controlled by said Board of Regents.

- 1.5 Authority to Execute Proxies.--The Deputy Chancellor or the Associate Deputy Chancellor for Investments, Trusts and Lands, or any Trust Officer, or the Director of Stock Research are each authorized to execute proxies within the approved investment policies.

Investment Policy for Permanent University Fund.

2.2 Standards as to Quality.

2.21 Corporate Stocks:

2.213 Common stocks and convertible securities are eligible for purchase if they are issued by corporations which have been approved by the Board of Regents.

2.22 Corporate Obligations and Preferred Stocks: Corporate Bonds and Preferred Stocks must be rated "A" or better by Moody's Investors Service, Inc., or by Standard and Poor's Corporation. Bonds or preferred stocks offered by private placement and not rated may be purchased if in the opinion of the University's Investment Counsel they are of "A" quality or better. Commercial Paper must be rated in the two highest quality classes by Moody's Investors Service, Inc., or Standard and Poor's Corporation to be eligible for purchase.

2.6 Implementation of Policies.

2.61 Approved List. A list of companies whose stocks are considered suitable for purchase or retention shall, after consultation with the Staff Investment Committee, the Investment Counsel, and the Investment Advisory Committee, be submitted by the Deputy Chancellor, or the Associate Deputy Chancellor for Investments, Trusts and Lands for approval by the Board of Regents through the Regents' Land and Investment Committee. This list will be reviewed annually.

6 Investment Advisory Committee.

6.1 Membership.--Five members of the Committee shall be selected because of their particular qualifications and experience in the field of investments, including experience in bond and corporate stock investments.

6.3 Term of Office.--Each member shall serve a five year term on a rotating basis, with the term of one member expiring each August 31.

REPORT OF MEMBERSHIP OF COMMITTEE TO STUDY PROCESS FOR SELECTION OF CHIEF ADMINISTRATIVE OFFICERS (PRESIDENTS) OF COMPONENT INSTITUTIONS. --Chairman Shivers reported that since the Regents' meeting on October 24, 1975, he had accepted the suggestion of Dr. William S. Livingston, Chairman of the Faculty Senate at The University of Texas at Austin, to add to the membership of the Committee to Study Process for Selection of Chief Administrative Officers (Presidents) of Component Institutions of the U. T. System an additional faculty member from U. T. Austin.

To this Committee, Chairman Shivers announced that he had named the following:

Regental Representatives

Regent Allan Shivers (Chairman of Committee)  
Regent (Mrs.) Lyndon B. Johnson  
Regent Dan C. Williams

Chief Administrative Officers of Three Component Institutions

President Lorene Rogers, The University of Texas at Austin  
President Bryce Jordan, The University of Texas at Dallas  
President William C. Levin, The University of Texas Medical Branch at Galveston

Representative from Ex-Students' Association

Mr. Wales Madden, President, Ex-Students' Association

Faculty Representatives

Mr. W. Page Keeton, School of Law, The University of Texas at Austin  
Dr. Howard Rase, Cunningham Professor of Chemical Engineering,  
The University of Texas at Austin  
Dr. Polykarp Kusch, Nobel Laureate in Physics and Professor of  
Physics, The University of Texas at Dallas  
A. R. Remmers, Jr., M.D., Professor of Internal Medicine, The  
University of Texas Medical Branch at Galveston

Student Representatives

Mr. Tim Furlong, Senior in School of Law, The University of Texas  
at Austin  
Mr. John W. Craddock, Jr., Pre-med Student, The University of  
Texas at Austin  
Mrs. Kathlyn S. McElveen, Vice-President of Student Congress, The  
University of Texas at Dallas  
Mr. William Race, Fourth Year Medical Student and recently retired  
President of Student Government, The University of Texas Medical  
Branch at Galveston

The committee held its first meeting, an organizational meeting, at 10:00 a.m. on Friday, December 5, 1975, in the Regents' Room at The University of Texas at Austin. All members of the committee were present except Dr. Kusch who was in Sweden attending an anniversary celebration of his receipt of the Nobel Laureate in Physics.

**BOARD OF REGENTS: AMENDMENT TO GUIDELINES FOR SANTA RITA AWARD.** --Upon recommendation of Regent Clark and upon a motion made and seconded, the Guidelines for the Santa Rita Award originally adopted on September 14, 1973, were amended by:

1. Changing "I. Standards" to read as follows:

A System-wide award which may be made annually to an individual who has made valuable contributions over an extended period to The University of Texas System in its developmental efforts. An individual is defined as a person, as opposed to a corporation, charitable trust, foundation, and like entities. The recipient may be judged on the basis of a broad list of criteria, primary among which will be his demonstrated concern for the principles of higher education generally, as well as deep commitment to the furtherance of the purposes and objectives of The University of Texas System specifically. Participation by the recipient in the affairs of the System shall be of such character and purpose to serve as a high example of selfless and public-spirited service. Of particular interest will be the effect that such individual activity may have engendered similar motivation from other public and private areas toward the University System.

2. Deleting paragraph C under "II. General Conditions" and by changing paragraphs D, E, and F to paragraphs C, D, and E, respectively.

It was pointed out that the purpose of this amendment is to limit the number of individuals who can receive the Santa Rita Award annually to ONE. However, it was emphasized that the award committee will retain the option of recommending no annual award when it is deemed to be appropriate.

**BOARD OF REGENTS: APPOINTMENT OF COMMITTEE WITH DELEGATED AUTHORITY TO EACH MEMBER TO ACCEPT GIFTS.** -- Chairman Shivers appointed the following Committee with delegated authority to each member of the Committee to accept on behalf of the Board of Regents of The University of Texas System gifts tendered after this meeting through December 31, 1975, with authority to the Chairman to execute any and all documents necessary in the acceptance of the gifts. A full and complete report will be made to the Board of Regents for ratification at the meeting of the Board on February 13, 1976:

Regent Allan Shivers (Chairman of the Committee)  
 Regent Edward Clark  
 Regent (Mrs.) Lyndon B. Johnson  
 Chancellor Charles A. LeMaistre  
 Deputy Chancellor E. D. Walker

U. T. SYSTEM - 1976-77 BUDGET POLICIES AND LIMITATIONS FOR PREPARATION OF GENERAL OPERATING BUDGETS INCLUDING AUXILIARY ENTERPRISES, CONTRACT AREAS, CURRENT RESTRICTED FUNDS, AND SERVICE AND REVOLVING FUND ACTIVITIES; CALENDAR THEREFOR. --The following Budget Policies and Limitations for the preparation of the 1976-77 General Operating Budgets including Auxiliary Enterprises, Contract Areas, Current Restricted Funds, and Service and Revolving Fund Activities for The University of Texas System were approved. The Chief Administrative Officers of the component institutions were instructed to write the first draft of their operating budgets conservatively in accordance with these policies and limitations and to follow the 1976-77 calendar as set out on Page 82 :

1. Over-all budget totals, including reasonable reserves, must be limited to the funds available for the year from:
  - a. General Revenue Appropriations,
  - b. Estimates of local income, and
  - c. Limited use of institutional Unappropriated Balances.
2. The recommendations for salary increases for both teaching and nonteaching personnel are subject to the current regulations and directives included in the General Appropriations Bill. Article IV, Section 45 provides that a 6.8% salary increase may be given to all employees making \$10,500 or more per year and shall be given to all nonfaculty employees making less than \$10,500 a year.
3. Selective merit salary advances may be provided for the faculty and professional staff. In the case of faculty, merit advances or advances in rank are to be on the basis of teaching effectiveness. This policy relating to faculty salary increases applies to all fund sources.
4. New faculty positions are to be based on conservative estimates of enrollment increases. Total faculty staffing should be reviewed in terms of planned increases in work load.
5. Merit salary advances for classified personnel in accordance with the Personnel Pay Plan policies approved by the Board may be given only to individuals who will have been employed by the institution for at least 6 months as of August 31, 1976.
6. New classified positions are to be requested only where increased work load justifies.
7. Maintenance, Operation, and Equipment items should be based only on such amounts as are needed. Increases are not to exceed 15% in total over amounts budgeted in 1975-76 except as related to new programs or newly developing institutions.
8. Travel funds are to be shown as separate line items.
9. All requests for Special Equipment must be supported with detailed descriptions and justification.

10. As a general rule, no increase in salary may be made for any faculty member or administrator while he is on research leave, on leave without pay, or on assignment outside of the U. T. System institutions.

11. Maximum Salary Limitations (Medical Units - 12 Months Basis) for Fiscal Year 1976-77

<u>Rank</u>	<u>Maximum State Salary Rates</u>	<u>Maximum Remuneration</u>
Professor and Chairman	\$ 47,000	\$ 70,500
Professor	45,000	67,500
Associate Professor	40,000	60,000
Assistant Professor	35,500	53,250
Instructor	29,500	44,250

Remuneration may be paid to ranked faculty from multiple fund sources including general budget funds, contract funds, gift funds, etc., subject to maximum limitations approved by the Board of Regents.

Remuneration may include professional income earned and deposited in the institutional trust fund account or other available trust or grant funds. Maximum remuneration in the 1976-77 budget is limited to 50 percent above the maximum State salary rate, by rank, except that in "Exceptional Situations" the limit is not to exceed 75 percent.

1976-77 Operating Budget Calendar

December 12, 1975	Board Approval of Policies
March 15, 1976	Four Draft Copies of budgets due to System Administration (including supplemental data)
April 1, 1976	Budget Hearings with System Administration
May 1, 1976	Thirty Copies of Budgets due to System Administration (with adjusted supplemental data as applicable)
June 1, 1976	Budgets mailed to Board of Regents
June 1976	Regents' Budget Meeting

**U. T. AUSTIN: CHANGE OF NAME OF TEACHER EDUCATION FOUNDATION TO COLLEGE OF EDUCATION FOUNDATION AND APPROVAL OF NOMINEES TO COLLEGE OF EDUCATION FOUNDATION ADVISORY COUNCIL.** --President Rogers reported through System Administration that the Teacher Education Foundation at The University of Texas at Austin has been inactive for ten years, and that the College of Education now desires to reactivate the foundation with the request that the name be changed to College of Education Foundation.

President Rogers and System Administration concurred in the recommendation of the College of Education and submitted nominees for the advisory council thereto.

The change of name to the College of Education Foundation was approved as were the nominees for the advisory council. The names of the members of the Advisory Council to the College of Education Foundation will be reported at a subsequent meeting after their acceptances have been received.

At the next meeting of the Board of Regents, a recommendation will be made to conform Section 3.17, Chapter VII, Part One of the Regents' Rules and Regulations.

**U. T. AUSTIN: WAIVER OF REGENTS' RULES AND REGULATIONS, PART ONE, CHAPTER III, SECTION 5.32 (NEPOTISM) TO PERMIT EMPLOYMENT OF MRS. ROSLYN S. BLUM.** --Section 5.32, Chapter III of Part One of the Regents' Rules and Regulations was waived to permit Mrs. Roslyn S. Blum to be employed part-time as a Social Science Research Associate in the Lyndon B. Johnson School of Public Affairs at The University of Texas at Austin.

This waiver is necessary since Mrs. Blum's husband, Dr. Albert Blum, is the Director of the contract under which she is employed.

**U. T. AUSTIN: WAIVER OF REGENTS' RULES AND REGULATIONS, PART ONE, CHAPTER III, SECTION 16 FOR LEAVE OF ABSENCE FOR MILLARD H. RUUD.** --Millard H. Ruud, Professor at the Law School, The University of Texas at Austin, was granted an extension of his leave of absence without pay for another year to continue as Executive Director of the Association of American Law Schools. Professor Ruud was granted a 3-year leave of absence for this purpose beginning with the 1973-74 academic year.

This request was granted in view of the fact that when the original leave of absence was granted the Regents agreed to "receive without prejudice requests to extend the leave of absence for each of, but in total not more than, two additional years to serve in this same capacity." The Dean of the Law School will make arrangements as necessary for Professor Ruud's responsibilities to be assumed, such arrangements to take full cognizance of his return to his present position and to make provision for his resumed salary from sources regularly allocated to the School of Law.

U. T. AUSTIN: GIFT DOCUMENT AND DEED FROM ALLAN SHIVERS AND MARIALICE SHARY SHIVERS OF WOODLAWN (RESIDENCE OF GOVERNOR AND MRS. SHIVERS), 6 NILES ROAD, AUSTIN, TEXAS, TO LAW SCHOOL FOUNDATION (U. T. AUSTIN) TO ENDOW ALLAN SHIVERS CHAIR IN THE LAW OF BANKING AND FINANCE AND TO ENDOW MARIALICE SHARY SHIVERS CHAIR IN FINE ARTS AT PAN AMERICAN UNIVERSITY, EDINBURG, TEXAS. --At the Regents' meeting on October 24, 1975, approval was given to accept the gift from Chairman and Mrs. Shivers tendered jointly to the Board of Regents of The University of Texas System and the Board of Regents of Pan American University of their home located on 3.84 acres of ground at 6 Niles Road, Austin, Texas, familiarly known as "Woodlawn." The following Agreement and Deed of Gift relating thereto were presented by Chairman Shivers. Acceptance of this gift was ratified, and Vice-Chairman Williams was authorized to execute the acceptance of the agreement on behalf of the Board of Regents. Chairman Shivers was recorded "not voting":



BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

ALLAN SHIVERS, CHAIRMAN  
300 AUSTIN NATIONAL BANK BUILDING  
AUSTIN, TEXAS 78701

December 12, 1975

Board of Regents  
The University of Texas System  
Austin, Texas 78701

Re: Gift of land to The University of Texas  
System by Allan Shivers and Marialice  
Shary Shivers

Mrs. Johnson and Gentlemen:

Reference is hereby made to the fact that Allan Shivers and Marialice Shary Shivers, on this date delivered to you a Gift Deed conveying a remainder interest in certain property in Travis County, Texas, as more particularly described on Exhibit "A" hereto (said interest being herein called the "Property"). This letter serves to set forth your agreement that in the event you sell the Property, the proceeds thereof shall be disbursed as follows:

1. The first \$500,000.00 in net proceeds shall be delivered to The University of Texas Law School Foundation for the purposes of establishing and endowing a chair to be named the "Allan Shivers Chair in the Law of Banking and Finance";
2. Net proceeds in excess of \$500,000.00 and up to and including \$1,000,000.00 shall be delivered to the Board of Regents of Pan American University for the purposes of endowing and establishing a chair to be named the "Marialice Shary Shivers Chair in Fine Arts"; and

12-12-75

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3. Any proceeds in excess of \$1,000,000.00 shall be divided equally between The University of Texas Law School Foundation and the Board of Regents of Pan American University.

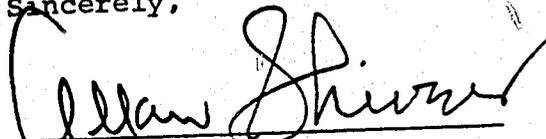
In the event, after termination of the life estate reserved in the aforesaid Gift Deed, The University of Texas System decides to retain the property for its own use rather than to make a sale thereof, it is agreed that you will contribute the then MAI appraised value under the terms set out in paragraphs 1, 2 and 3 above.

Subject to the restrictions herein contained, it is agreed that the Board of Regents of The University of Texas System may deal with the Property and shall have the power to do all acts, institute all proceedings, and exercise all rights, powers and privileges with respect thereto as an absolute owner thereof would have, including without limitation the right to sell the Property to such party or parties and for such consideration as they, in their sole discretion, deem appropriate.

This letter shall not be construed as creating any fiduciary or similar type of relationship between the Board of Regents of The University of Texas System and the Board of Regents of Pan American University, the only obligation on the part of the Board of Regents of The University of Texas System to the Board of Regents of Pan American University being the ones set forth above in this letter.

Please indicate your acceptance of this agreement by signing where indicated below.

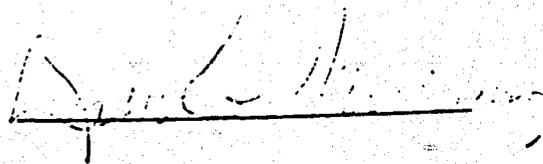
Sincerely,

  
ALLAN SHIVERS

  
MARIALICE SHARY SHIVERS

AGREED TO AND ACCEPTED  
THIS 12<sup>th</sup> DAY OF December, 1975

BOARD OF REGENTS,  
THE UNIVERSITY OF TEXAS SYSTEM

BY: 

## EXHIBIT "A"

All that certain tract of land comprising 3.84 acres, being a portion of that 24.7 acre tract of land out of the George W. Spear League Survey #7 in the City of Austin, Travis County, Texas, which was described in a partition deed, R. Niles Graham and wife and Margaret Graham Crusemann and husband as recorded in Book 374, Pages 14-15, Travis County Deed Records, together with all improvements situated thereon, the said tract of land herein conveyed being more particularly described by metes and bounds as follows:

Beginning at an iron stake at the northwest intersection of Niles Road and Pease Road as shown on a map or plat of Enfield "D", a subdivision of a portion of the George W. Spear League Survey #7 in the City of Austin, Travis County, Texas, as recorded in Book 3, Page 158, Travis County Plat Records, said iron stake being also the southeast corner of a 24.7 acre tract out of the George W. Spear League Survey #7 in the City of Austin, Travis County, Texas, set apart to R. Niles Graham in a partition deed from Margaret Graham Crusemann and husband as recorded in Book 374, Pages 14-15, Travis County Deed Records;

THENCE with the south line of the said R. Niles Graham 24.7 acre tract, and being also the north line of Niles Road as shown on a map or plat of Enfield "C", a subdivision of a portion of the George W. Spear League Survey #7 in the City of Austin, Travis County, Texas, as recorded in Book 3, Page 106, Travis County Plat Records, N 60° 08' W 414.91 feet to a concrete monument, for a southeast corner of a .066 of one acre tract, being a portion of the said 24.7 acre tract of land out of the George W. Spear League Survey #7 in the City of Austin, Travis County, Texas, as described in a deed from R. Niles Graham and wife to Fred L. Sharp as recorded in Book 1324, Page 259, Travis County Deed Records;

THENCE with the east line of the said Fred L. Sharp .066 of one acre tract, N 29° 52' E. at 192.42 feet passing a concrete monument at the northeast corner of the said Fred L. Sharp .066 of one acre tract and being also the southeast corner of a .073 of one acre tract, a portion of the said 24.7 acre tract out of the George W. Spear League Survey #7 in the City of Austin, Travis County, Texas, as described in a deed from R. Niles Graham and wife, to Harrell Eugene (Ted) Read as recorded in Book 1323, Page 394, Travis County Deed Records, continuing with the east line of the said Harrell Eugene (Ted) Read .073 of one acre tract, in all 403.54 feet to a concrete monument at the northeast corner of the said Harrell Eugene (Ted) Read tract, in the south line of Northumberland Road, said Northumberland Road being shown on a map or plat of Pease Estates, Section #3, a subdivision of a portion of the said 24.7 acre tract out of the George W. Spear League #7, in the City of Austin, Travis County, Texas, as recorded in Plat Book 3, Page 250, Travis County Plat Records;

THENCE with the south line of Northumberland Road, S 60° 01' E 416.27 feet to an iron stake at the southwest intersection of Northumberland Road and Pease Road, said iron stake being also in the east line of the said 24.7 acre tract;

THENCE with the east line of the said 24.7 acre tract, being also the west line of Pease Road, S 30° 02' W 402.81 feet to the place of the beginning containing 3.84 acres of land.

GIFT DEED

THE STATE OF TEXAS §  
 COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

THAT, ALLAN SHIVERS and wife, MARIALICE SHARY SHIVERS (hereinafter collectively called "Grantors") for and in consideration of the admiration which we have for the University of Texas System and to further aid its programs, subject to the reservations herein made, have GIVEN, GRANTED and CONFIRMED, and by these presents do GIVE, GRANT and CONFIRM unto THE BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM (hereinafter called "Grantee"), for the use and benefit of the University of Texas System, those certain tracts or parcels of land situated in Travis County, Texas, as more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference, together with all improvements thereon and all rights and appurtenances thereunto belonging or appertaining (hereinafter called the "Property").

TO HAVE AND TO HOLD the Property together with all and singular the rights and appurtenances thereto and anywise belonging unto the said Grantee, its successors and assigns forever, and said Grantors do hereby bind themselves, their heirs and legal representatives, to Warrant and Forever Defend all and singular the Property unto the said Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

There is excepted from the foregoing warranty, however, and this conveyance is made by Grantors expressly subject to the following reservation unto Grantors, to-wit: Grantors hereby reserve unto themselves, for so long as both or either one of them shall live, a legal life estate in and to the Property, and it is hereby expressly agreed that Grantors shall have, for themselves and their assigns, the full possession, benefit and use of the Property as well as of the rents, issues and profits thereof for and during their natural lives. During Grantors' reserved life estate and pursuant to such estate:

(a) Grantors will promptly pay when the same become due and payable all ad valorem taxes and assessments which may be properly levied upon or with respect to the Property.

12-12-75

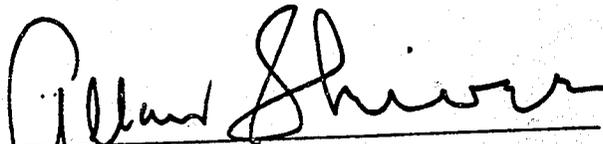
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(b) Subject to the provisions of Paragraph (c) hereinbelow, Grantors shall maintain the Property in the same general condition as it is on the date hereof, reasonable wear and tear from normal use excepted.

(c) Grantors will cause the improvements on the Property to be insured with a policy or policies of public liability, fire and extended coverage insurance in such amounts and with such companies as Grantors elect. Grantors shall not be required to restore or repair any improvements on the Property which may be destroyed or damaged by fire or any other casualty.

Upon the death of the survivor of the Grantors, Grantee shall be vested with the fee simple title to the Property unencumbered by any estate, right, title or interest in Grantors, their heirs, legal representatives or assigns, with respect to the Property; and at such time, actual physical possession of the Property shall be delivered to Grantee free and clear from all tenancies and estates of every kind and of parties in possession.

WITNESS THE EXECUTION HEREOF, this the 12<sup>th</sup> day of December, 1975.

  
ALLAN SHIVERS

  
MARIALICE SHARY SHIVERS

THE STATE OF TEXAS §  
  §  
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared ALLAN SHIVERS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 12<sup>th</sup> day of December, 1975.

  
Notary Public in and for  
Travis County, Texas

12-12-75

1196

THE STATE OF TEXAS §  
                                  §  
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared MARIALICE SHARY SHIVERS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 12<sup>th</sup>  
day of December, 1975.

Demp Joney  
Notary Public in and for  
Travis County, Texas

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U. T. AUSTIN: APPOINTMENT OF DR. SIDNEY WEINTRAUB TO DEAN RUSK CHAIR IN LYNDON B. JOHNSON SCHOOL OF PUBLIC AFFAIRS. --In the Executive Session of the Committee of the Whole on October 24, 1975, upon recommendation of President Rogers, Dr. Sidney Weintraub was named first recipient of the Dean Rusk Chair in the Lyndon B. Johnson School of Public Affairs at The University of Texas at Austin. Details of Dr. Weintraub's appointment will appear in a subsequent docket.

This appointment was in all things ratified and confirmed.

U. T. AUSTIN: PERMISSION TO PLAY IN BLUEBONNET BOWL, HOUSTON, TEXAS, AND ESTIMATED BUDGET THEREFOR. --Upon recommendation of Regent Nelson, seconded by Regent Sterling, permission was granted for the U. T. Austin football team to play in the Bluebonnet Bowl, Houston, Texas, on Saturday, December 27, 1975. By the same motion the following estimated budget for the bowl game was approved:

Revenue:

Bowl Receipts	\$150,000	
Southwest Conference Receipts	7,000	
Postage	1,000	
		<u>\$158,000</u>
Total Revenue		

Expenditures:

Team, Staff and Officials Travel	\$ 13,000	
Subsistence for Team and Staff	16,000	
Staff Compensation	28,500	
Team and Officials Local Transportation	2,000	
Team Practice Housing Expenses	3,000	
Band and Cheerleaders Expenses	15,000	
Sports News Expenses and Game Films	2,000	
Awards	15,000	
Complimentary Tickets	7,000	
Unallocated Funds	5,000	
		<u>\$106,500</u>
Total Expenditures		
Net to Athletic Programs		<u>\$ 51,500</u>

U. T. AUSTIN: REPORT BY PRESIDENT ROGERS ON OPERATION OF FACULTY CENTER. --President Rogers presented orally a status report on the Faculty Center. This Center was established on October 6, 1975, as an auxiliary enterprise at The University of Texas at Austin. It is located in the same space that was previously leased by the Faculty Center Corporation in Walter Webb Hall (405 West 25th Street).

The Center is managed by Mr. Jack Schrader and at the present time only lunch is served. After 7 p. m. the Center is available for private parties to be catered by Mr. Schrader. It is hoped that the services of this Center may be extended in the near future.

**U. T. AUSTIN: REPORT BY PRESIDENT ROGERS ON PROPOSED PARK IN MEMORY OF MISS IMA HOGG; APPOINTMENT OF COMMITTEE TO MAKE FURTHER STUDY.** --In response to instructions at the meeting on October 24, 1975, President Rogers reported that she had been and was still considering the proposal by John Osborne and Chuck Dvorsky to dedicate 3.2 acres at The University of Texas at Austin for park purposes in memory of Miss Ima Hogg. There were two particular questions in her study of this proposal:

1. The impact which this would have upon long range plans for other facilities. She noted that this area had been included in the land previously assigned for Union East.
2. The appropriateness of this proposal as a proper memorial to Miss Hogg.

Both John Osborne and Chuck Dvorsky were at the meeting. Mr. Osborne felt very strongly that this should remain an open space on the campus and that the greenery should be preserved for future students.

After discussion on the part of the student representatives and the Regents, Chairman Shivers appointed the following committee to study the proposal and to bring back recommendations at a future meeting of the Board of Regents:

President Rogers, Chairman  
Regent (Mrs.) Johnson  
Deputy Chancellor Walker

**U. T. EL PASO: AMENDMENT TO UNDERGROUND SANITARY SEWER LINE EASEMENT WITH PROVIDENCE MEMORIAL HOSPITAL, EL PASO, TEXAS.** --System Administration reported that Providence Memorial Hospital, El Paso, Texas, had discovered that the metes and bounds the hospital submitted for the sanitary sewer line easement at the Regents' meeting on October 24, 1975, were in error. The hospital has requested that the easement which has already been executed and recorded be amended by substituting therein a new set of metes and bounds.

Upon recommendation of President Templeton and System Administration, approval was given to amend the underground sanitary sewer line easement granted to Providence Memorial Hospital on October 24, 1975, and executed on October 27, 1975, by substituting new metes and bounds. The Chairman of the Board of Regents was authorized to execute the amendment to the easement when it had been approved as to content by Deputy Chancellor Walker and as to legal form by a University attorney.

**U. T. SAN ANTONIO: WAIVER OF REGENTS' RULES AND REGULATIONS TO PERMIT PART-TIME EMPLOYMENT OF MRS. JACK MAGUIRE (NEPOTISM).** --Approval was given to waive Section 5.32, Chapter III of Part One of the Regents' Rules and Regulations to permit

the half-time employment of Mrs. Jack Maguire as Publications Adviser for the Institute of Texan Cultures at The University of Texas at San Antonio, effective January 15, 1976. Mrs. Maguire is the wife of Mr. Jack Maguire who has been named Executive Director of the Institute of Texan Cultures effective the same date.

**U. T. SAN ANTONIO: APPROVAL OF TRANSFER OF FUNDS BETWEEN LEGISLATIVE APPROPRIATIONS.** --Upon recommendation of President Flawn, concurred in by System Administration, the following resolution was adopted:

BE IT RESOLVED, pursuant to the provisions of Article IV, Section 20, Senate Bill 52, 64th Legislature, that the State Comptroller is hereby requested to make transfers from the item Lease of Facilities (\$75,000) to other Legislative Appropriations for the General Revenue Fund of The University of Texas at San Antonio, fiscal year 1975-76, as determined necessary by the President and approved by the Deputy Chancellor of The University of Texas System.

**DALLAS HEALTH SCIENCE CENTER: RATIFICATION OF PATENT RIGHTS RELATING TO DR. JOHN R. LYNN.** --This item was withdrawn at the request of System Administration.

**GALVESTON MEDICAL BRANCH AND U. T. AUSTIN: DISSOLUTION OF EXISTING NATIONAL ADVISORY COMMITTEE FOR MARINE SCIENCE INSTITUTE AND MARINE BIOMEDICAL INSTITUTE; RECONSTITUTION OF NATIONAL ADVISORY COMMITTEE TO THE MARINE BIOMEDICAL INSTITUTE AND APPROVAL OF MEMBERSHIP THEREFOR.** --Upon President Levin's recommendation, concurred in by President Rogers and System Administration, the existing National Advisory Committee for the Marine Science Institute of The University of Texas at Austin and the Marine Biomedical Institute of The University of Texas Medical Branch at Galveston was dissolved.

The National Advisory Committee for The University of Texas Marine Biomedical Institute at Galveston was reconstituted and the following were named members of this committee. These are the same members that were approved on October 24, 1975, for the National Advisory Committee to the Marine Biomedical Institute of Galveston Medical Branch and the U. T. Austin Marine Science Institute:

Mr. Rex G. Baker, Jr., Houston, Texas  
 Mr. William H. Bauer, LaWard, Texas  
 Dr. Cecil H. Green (Chairman), Dallas, Texas  
 Dr. A. Baird Hastings, LaJolla, California  
 Mr. Jack S. Josey, Houston, Texas  
 Dr. Blair Justice, Houston, Texas  
 Mr. Rai Kelso, Galveston, Texas  
 Mr. Carl H. Savit, Houston, Texas  
 Dr. Francis O. Schmitt, Boston, Massachusetts  
 Dr. Frederick Seitz, New York, New York  
 Dr. H. B. Steinbach, Waimanalo, Hawaii  
 Mr. Lee B. Stone, Houston, Texas  
 Mr. James C. Storm, Corpus Christi, Texas  
 The Honorable Clark W. Thompson, Galveston, Texas

UNIVERSITY CANCER CENTER (M. D. ANDERSON): DESIGNATION OF CERTAIN FUNDS PREVIOUSLY GIVEN BY MR. KENNETH D. MULLER FOR THE PURPOSE OF ESTABLISHING IN THE FUTURE THE KEN MULLER PROFESSORSHIP IN PIGMENT CELL BIOLOGY AND ACCEPTANCE AND AUTHORIZATION TO EXECUTE CHARITABLE REMAINDER UNITRUST AGREEMENT COVERING AN ADDITIONAL GIFT TO BE MADE BY MR. MULLER. --Mr. Kenneth D. Muller has previously given to the Board of Regents of The University of Texas System 105.676 acres near Boerne, Kendall County, Texas, which has been sold by the Board of Regents for a total consideration of \$185,000 on terms with The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston's interest being 40%, which funds were designated as a permanent endowment with the income to be used for cancer research and education. Mr. Muller has had discussions with Dr. R. Lee Clark and other members of the staff of the University Cancer Center concerning cancer research in pigment cell biology and is interested in such funds heretofore given together with additional gifts contemplated by Mr. Muller in funding a professorship or chair in pigment cell biology.

A report was received of a proposed gift of \$66,024.22 from Ken Muller to be given in 1975 under the terms of a charitable remainder unitrust agreement, pursuant to which Mrs. Clara M. Muller, age 77, the mother of Mr. Kenneth D. Muller, is to receive monthly payments for her lifetime in an amount equal to 6% of the market value of the trust assets valued annually with the remainder interest after the death of Mrs. Muller to be used to supplement the previous gifts for the endowment of the Ken Muller Professorship in Pigment Cell Biology.

After discussions, approval was given to the following:

1. That the proceeds of the previous gift made by Kenneth D. Muller for cancer research and education be designated as a part of the permanent endowment for the establishment in the future of the Ken Muller Professorship in Pigment Cell Biology at The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston.
2. That the current gift of three real estate notes with a present outstanding principal balance of \$66,024.22 subject to the life income payments to be made to Mrs. Clara M. Muller, pursuant to a charitable remainder unitrust agreement, be accepted. The three real estate notes are described as follows:
  - a. Note dated March 24, 1975, for a term of 25 years executed by Paul N. Bartlett, Jr., and wife, Franc Anna Bartlett, to Kenneth David Muller in the original principal sum of \$27,800 (current balance \$26,785.37) bearing interest at the rate of 8-1/2%, payable \$217.42 per month, secured by a Deed of Trust covering Tract 14, Mountain Spring Farm Subdivision, according to the plat recorded in Vol. 1, Page 60-63, Plat Records of Kendall County, Texas, containing 12.392 acres.

- b. Note dated April 16, 1975, for a term of 25 years executed by Orville E. Meyer and wife, Connie M. Meyer, to Kenneth David Muller in the original principal sum of \$22,410. (current balance \$22,238.85) bearing interest at the rate of 8-3/4%, payable \$184.26 per month, secured by a Deed of Trust covering Tract 12, Mountain Spring Farm Subdivision, according to the plat recorded in Vol. 1, Page 60-63, Plat Records of Kendall County, Texas, containing 9.114 acres.
- c. Note dated November 12, 1975, for a term of 25 years executed by Evelyn Hardcastle and Philip W. Musto, Jr., d/b/a Hill Country Realty, to Kenneth David Muller in the original principal sum of \$17,000 (current balance \$17,000) bearing interest at the rate of 8-3/4%, payable \$139.77 per month, secured by a Deed of Trust covering Tract 1, Mountain Spring Farm Subdivision, according to the plat recorded in Vol. 1, Page 60-63, Plat Records of Kendall County, Texas, containing 9.186 acres.
3. That the Deputy Chancellor be authorized to execute the Charitable Remainder Unitrust Agreement and take all necessary action to consummate this part of the gift within the 1975 tax year.

SCHEDULED MEETINGS. --The following regular meetings of the Board of Regents were scheduled:

February 13, 1976, in Austin  
March 26, 1976, in Austin

U. T. SYSTEM: REPORT OF COMMITTEE TO STUDY THE UNIVERSITY OF TEXAS SYSTEM. --Chairman Shivers reported that following the meeting on September 12, 1975, he had appointed a system committee to study the entire University of Texas System. The committee consists of:

President Bryce Jordan, Chairman, The University of Texas at Dallas  
President Peter T. Flawn, The University of Texas at San Antonio  
President Frank Harrison, The University of Texas Health Science Center at San Antonio  
President William C. Levin, The University of Texas Medical Branch at Galveston  
President Lorene Rogers, The University of Texas at Austin

The purpose of this committee is to assess its goals, determine the priorities and decide how best to manage resources in order to achieve what the state expects from its universities and its health science centers. Each component institution must do the same.

The committee's immediate task is to prepare for and arrange a general convocation in the spring semester of 1976 composed of students, faculty, Institutional and System Administrators, Regents, Alumni and others who would be willing to participate and give of their knowledge what they think our goals should be and how we can best arrive at those goals by using the resources that may be available.

After benefiting from this convocation, this committee hopes to have its recommendations ready by July 1, 1976.

COMMITTEE OF THE WHOLE - EXECUTIVE SESSION  
(Pages 96 - 97)

Chairman Shivers reported that in the Executive Session of the Committee of the Whole pursuant to Article 6252-17, Sections 2 (e), (f) and (g), Vernon's Texas Civil Statutes, the following were discussed:

**SAN ANTONIO HEALTH SCIENCE CENTER: ACQUISITION OF LOT 11, BLOCK 3, NEW CITY BLOCK 13739, UNIT 2, MARY MONT (3643 BARRINGTON), SAN ANTONIO, TEXAS (PRESIDENT'S RESIDENCE).** -- Authorization was given to acquire Lot 11, Block 3, New City Block 13739, Unit 2, Mary Mont (commonly identified as 3643 Barrington), San Antonio, Texas, for a cash consideration of \$145,000. Funding has been previously approved for this purpose including closing costs, refurbishing and rehabilitation costs, furnishings and other miscellaneous expenses incurred in the acquisition of this property. This is to be the official residence of the President of The University of Texas Health Science Center at San Antonio.

The Chairman of the Board of Regents was authorized to execute and/or accept any and all instruments necessary to consummate this transaction after said instruments have been approved as to content by Deputy Chancellor Walker and as to form by a University attorney.

**PENDING AND CONTEMPLATED LITIGATION.** --Chairman Shivers reported that in the Executive Session two matters relating to pending and contemplated litigation were discussed.

**PERSONNEL MATTERS - (1) U. T. SYSTEM AND (2) U. T. AUSTIN.** --

1. U. T. System: (a) General Counsel, Mr. James Fitzpatrick; (b) Attorney, Ms. Merrill Shields Finnell; (c) Associate Deputy Chancellor for Academic Affairs, Dr. Ernest T. Smerdon; and (d) Director for Institutional Studies, Mr. Harold J. Marburger. --Chairman Shivers announced the following appointments:

- a. Mr. James Fitzpatrick - General Counsel of The University of Texas System, effective February 1, 1976
- b. Ms. Merrill Shields Finnell - Attorney in Office of General Counsel, effective December 1, 1975
- c. Dr. Ernest T. Smerdon - Associate Deputy Chancellor for Academic Affairs, effective in early February 1976
- d. Mr. Harold J. Marburger - Director for Institutional Studies effective December 1, 1975

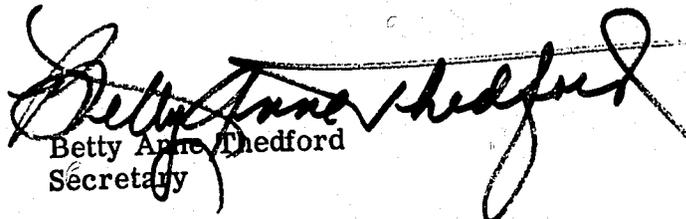
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2. U. T. Austin: Appointment of Dr. Kermit A. Larson to Arthur Andersen and Company Alumni Professorship in Accounting. --Upon the recommendation of President Rogers, concurred in by System Administration, Dr. Kermit A. Larson was appointed to the Arthur Andersen and Company Alumni Professorship of Accounting at The University of Texas at Austin.

Details of these appointments will be reported in a subsequent docket.

ADJOURNMENT. --The business of this session having been concluded, the meeting was adjourned at 1:05 p. m.



Betty Anne Hedford  
Secretary

December 16, 1975